

CCTV

Code of Practice 2025

Reviewed May 2025

Karl Castle

Senior CCTV Operations Supervisor

Dartford Borough Council

Civic Centre | Home Gardens | Dartford | Kent | DA1 1DR

Certificate of Agreement

The content of this Code of Practice is hereby approved in respect of Dartford Borough Council's Closed Circuit Television System and as far as is reasonably practicable, will be complied with by all who are involved in the management and operation of this System.

Signed for and on behalf of Dartford Borough Council

Name Peter Dosad Position held, Director of Housing and Public Protection

Signature:



Dated 30/05/ 2025

Signed for and on behalf of Kent Police

Name Position held, District Commander

Signature:

Dated / / 2025

Section 1 Introduction

- 1.1. Dartford Borough Council operates a Closed-Circuit Television (CCTV) system (hereafter called the System). The System comprises of 135 cameras installed at strategic locations within the Borough. Most of the cameras are fully operational with pan, tilt and zoom facilities and a small number are fixed static cameras. Recording and monitoring facilities of the public space surveillance system are in the CCTV Control Room situated at the Civic Centre Home Gardens Dartford Kent DA1 1DR. With the exception of some sheltered housing schemes that record images on site in a secure location.
- 1.2. The CCTV System has evolved from the formation of a partnership between Dartford Borough Council and Kent Police (the Partnership), who have both certified their acceptance of the requirements of this Code of Practice (hereafter called the Code).
- 1.3. For the purposes of this document, the 'System Owner' is Dartford Borough Council.
- 1.4. For the purposes of the Data Protection Act the 'data controller' is Dartford Borough Council.
- 1.5. The CCTV System has been registered with the Information Commissioner's Office.
- 1.6. CCTV schemes that process personal data are obliged to conform to certain legislation, most importantly:
 - General Data Protection Regulation 2018 (GDPR)
 - Human Rights Act 1998 (HRA)
 - Freedom of Information Act 2000
 - Protection of Freedoms Act 2012
 - Regulation of Investigatory Powers Act 2000.
 - This British Standard 7958 is designed to supplement that legislation and aims to ensure fairness, purpose and responsibility.
- 1.7. The Dartford Borough Council's CCTV System has evolved from the formation of a partnership between the Council and Kent Police, who have certified above their agreement to comply with this Code of Practice (hereafter called the Code). It is recognised that operation of the Dartford Borough Council CCTV System may be considered an infringement of the privacy of individuals.
- 1.8. The Partnership recognises that it is their responsibility to ensure that the scheme should always comply with all relevant legislation in order to ensure its legality and legitimacy in a democratic society. The scheme will only be used as a proportional response to identify problems. It will only be used in the interests of national security, public safety, the economic well-being of the area, the prevention and detection of crime or disorder, the protection of health and morals, or for the protection of the rights and freedoms of others. Observance of this Code and the accompanying Procedure Manual shall ensure that evidence is secured, retained

and made available as required with due regard to the rights of the individual.

- 1.9. The Dartford Borough Council's CCTV System shall be operated with respect for all individuals, recognising the individual right to be free from inhuman or degrading treatment and avoiding any form of discrimination on the basis of sex, race, age, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.
- 1.10. The government has attempted to address this perceived intrusion problem by introducing the Protection of Freedoms Act 2012. The amended 2021 Surveillance Camera Code of Practice and establishment and appointment of a Surveillance Camera Commissioner by the Home Office. The Home Office has not appointed a new Surveillance Camera Commissioner as Tony Eastaugh who stepped down from his post in mid-August, information is correct as of the 2nd December 2024.
- 1.11. Dartford Borough Council's public space CCTV system operates within the 2021 Surveillance Camera Code of Practice guidelines, the Protection of Freedoms Act 2012 and the British Standard CCTV Code of Practice BS7958 which gives recommendations for the operation and management of CCTV within a controlled environment such as a CCTV control room. It applies where data that might be offered as evidence is received, stored, reviewed or analysed. It also applies to the monitoring of traffic regulations.
- 1.12. The BS7958 standard provides recommendations on best practice to assist users in obtaining reliable information that can be used as evidence. Compliance within the Data Protection Act is strongly recommended, particularly where schemes include an element of observation of the public. The Surveillance Camera Commissioner (SCC) has promised to promote the principles of transparency and openness which are contained in the Protection of Freedoms Act 2012.
- 1.5 The Surveillance Camera Code of Practice, states that relevant authorities, as defined by the Protection of Freedoms Act, should adopt guiding principles contained within its pages. By adopting these principles owners and operators should make their systems more efficient and productive.
- 1.6 Dartford Borough Council actively supports and applies the principles and values contained within the Home Office Surveillance Camera Code of Practice 2021. Doing so demonstrates transparency within legislative guidelines.
- 1.7 This CCTV Code of Practice reflects the 12 Guiding Principles of the Code.

The Surveillance Camera Commissioner 12 Guiding Principles listed are as follows:

- 1.** Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
- 2.** The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
- 3.** There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
- 4.** There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
- 5.** Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
- 6.** No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
- 7.** Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
- 8.** Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
- 9.** Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
- 10.** There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
- 11.** When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
- 12.** Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

Section 2 - Objectives of the System

2.1 The objectives of the Dartford Borough Council's CCTV System, which form the lawful basis for the processing of data are:

- to help reduce the fear of crime
- to help detect crime and provide evidential material for court proceedings
- to provide assistance in the overall management of public health and safety
- to enhance community safety, assist in developing the economic wellbeing of Dartford Borough Council and to encourage greater use of the town centres, shopping areas, car parks and similar locations within the Borough.
- to assist the local authorities in their enforcement and regulatory functions within the area of Dartford Borough Council.
- for public safety
- to assist in traffic management
- to safeguard vulnerable adults
- to safeguard children and young people
- to detect, prevent or provide assistance and evidence in cases of domestic abuse
- for the protection of the rights and freedoms of others
- interests of national security
- to address anti-social behaviour
- to assist with public safety and emergency planning

2.2 This Code is supplemented by a separate Procedure Manual (Called the CCTV Operators Handbook, which provides guidelines on all aspects of the day-to-day operation of the System. To ensure the purpose and principles of the CCTV system are realised, The CCTV Operators Handbook is based upon and expands the contents of this Code. Due to the operationally sensitive nature of The CCTV Operators Handbook, it is not a public document.

Section 3 - Purpose and Principles

Purpose

- 3.1 The purpose of this document is to define the Partnership's support for the objectives of the Dartford Borough Council CCTV system.
- 3.2 The purpose of the CCTV system, and the processes and procedures adopted to implement the system, is to achieve the objectives previously defined within Section 1.

General Principles of Operation

- 3.3 The System will be operated in accordance with the principles and requirements of the Human Rights Act 1998.
- 3.4 The operation of the System will also recognise the need for formal authorisation of any covert 'directed surveillance' or crime-trend 'hotspot' surveillance, as required by the Regulation of Investigatory Powers Act 2000 and Police Policy. This includes, the Investigatory Powers (Technical Capability) Regulations updated in 2018.
- 3.5 The System will be operated in accordance with the Data Protection Act 2018.
- 3.6 The System will be operated in accordance with the General Data Protection Regulation (GDPR) which became law in May 2018.
- 3.7 The System will be operated fairly and within the law. It will only be used for the purposes for which it was established, and which are identified within the Code of Practice, or which may be subsequently agreed in accordance with the Code.
- 3.8 The System will be operated with due regard to the principle that everyone has the right of respect for his or her private and family life and home.
- 3.9 The public interest in the operation of the System will be recognised by ensuring the security and integrity of operational procedures.
- 3.10 Throughout this Code it is intended, as far as reasonably possible, to balance the objectives of the CCTV System with the need to safeguard the rights of the individual. The owners of the System operate complaints procedures that ensure that the System is not only accountable but is seen to be accountable.
- 3.11 All complaints should be directed to the Council's website or the following email complaints.officer@dartford.gov.uk . When we have received your complaint, an acknowledgement will be sent within five working days. We will investigate your complaint, and a senior manager will reply to you within 10 working days after acknowledgement.
- 3.12 Participation in the System by any organisation, individual or authority assumes an agreement by all such participants to comply fully with this Code and to be accountable under the Code.

Section 4 - Management of the CCTV System

Copyright and data controller

- 4.1 Copyright and ownership of all material recorded by virtue of the System will remain with the Council's respective Data Controllers. Once recorded data has been released to a partner or authorised other, such as the Police, legal teams and or authorised other, they will become the Data Controller for the data. It is then the responsibility of the Police or authorised other to comply with the Data Protection Act and all other legislation in relation to any further disclosures and security of that data.

- 4.2 Data to be released must be signed for to indicate and evidence responsibility as to the new Data Controller. The new Data Controller must understand their responsibility under the General Data Protection Regulations, the Humans Rights Act and any other relevant legislation.
- 4.3 The council are using DVD disc and evidence bag to produce its evidence for Kent Police, at the point of physical collection, Kent Police becomes the relevant data controller of the uploaded footage.
- 4.4 The council are also using DAMS a Digital Asset Management System with Kent Police, at the point of upload to DAMS, Kent Police becomes the relevant data controller of the uploaded footage.

Cameras and area coverage

- 4.5 The areas covered by CCTV to which this Code refers to are the public areas within the responsibility of the operating partners. These currently cover the Borough of Dartford
- 4.6 Transportable or rapidly deployable cameras may be temporarily sited within the Borough. The use of such cameras, and the data produced by virtue of their use, will always accord with the objectives of the CCTV System and is governed by this Code
- 4.7 Majority of the cameras offer full colour, pan tilt and zoom (PTZ) capability, which may automatically switch to monochrome in low light conditions.
- 4.8 None of the cameras forming part of the System will be installed in a covert manner. All Dartford Borough Council CCTV cameras are overt. Some cameras may be enclosed within 'all weather domes', for aesthetic or operational reasons, the presence of all cameras will be identified by appropriate signs.

Section 5- Monitoring and usage procedures

- 5.1 A staffed monitoring room called the CCTV Control Room is located in the Dartford Borough Council's offices. The CCTV equipment installed there has the capability of recording all cameras simultaneously throughout every 24-hour period. Secondary monitoring equipment is located at the Civic Centre in the CCTV Review Suite.
- 5.2 A Live data feed to Kent Police Control Centre at Maidstone from Dartford CCTV Control Room are available on police handheld devices and various police stations. Monitoring only equipment may be located in Kent Police premises at their Contact and Control Centre (FCC)
- 5.3 Recorded images from any camera for evidential purposes shall be managed via the CCTV Control Room.
- 5.4 CCTV operators are able to record images from selected cameras in real-time, produce hard copies of recorded images, replay or copy any pre-recorded data at their discretion and in accordance with this Code. Only trained, licensed and authorised users shall operate viewing and recording equipment.

- 5.5 The intentions of this CCTV system has a clear defined purpose or purposes in pursuit of a legitimate aim. The data held is appropriate for the objectives and the owner has a reasonable cause to hold the data.
- 5.6 The purpose is clearly documented in this Code of Practice against which the ongoing use of the system and any images or other data can be assessed.
- 5.7 The CCTV system captures processes, analyses and stores images and data at a quality which is appropriate for its defined purpose. The data or images will not be held for longer than necessary in accordance with the scheme's objectives.
- 5.8 Where the purpose of the CCTV scheme includes crime prevention, detection and investigation, it should be capable of delivering images and other data which are of evidential value to the criminal justice system. Effective safeguards should be put in place to ensure the integrity of recorded images and data are recorded reliably and any data compression does not compromise the data below the quality required to meet the defined purpose. A record should be kept as an audit trail of how images and data have been handled if they are likely to be used as exhibits for the purpose of criminal proceedings in court.

Section 6 - Transparency

- 6.1 CCTV signage, annual CCTV report, CCTV Reviews, CCTV Assessments and this CCTV Code of Practice are made available to the public to demonstrate transparency indicating to the public that persons who are being monitored are made aware that such activity is taking place with the council's overt public space CCTV system. The undertaking of the activity and the purpose of the activity; this is an integral part of overt surveillance and is a legal obligation.
- 6.2 In the development or review of a CCTV scheme, consultation and engagement are an important part of assessing whether there is a pressing need, and a CCTV system is a proportionate response; consultation should be undertaken with all relevant parties and partners.
- 6.3 Dartford Borough Council reviews its Privacy Impact Assessments (PIA) on all the CCTV systems every year. This is to assess if a system is still doing the job it was installed to do.
- 6.4 PIAs will also be carried out prior to any new CCTV cameras being installed. A PIA assesses whether cameras unnecessarily impact on people's privacy. If they do then action must be taken either to mask images or locate the cameras in alternative positions.

Attention is drawn to Principle 3 of the Surveillance Camera Commissioner Guiding Principles.

- 6.5 The Dartford Borough Council's CCTV Systems policies and procedures are based on approved standards. This may also apply to the design, installation, operation and maintenance of the CCTV system, but also where applicable to any additional standards which cover advanced capabilities such as ANPR, body-worn video, facial recognition and video analytics.

Attention is drawn to Principle 8 of the Surveillance Camera Commissioner Guiding Principles.

Section 7 - Annual CCTV audits report and reviews

- 7.1 An annual independent CCTV Audit will be undertaken. There should be effective reviews and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
- 7.2 Regular reviews shall be carried out by the CCTV Manager, of the Control Room records and management system. The Borough Council's Auditors will be given full access to all systems, when required.
- 7.3 An annual report, CCTV review and a CCTV Impact Assessment on each camera will be carried out to ensure the scheme still meets the specified purpose and to minimize the effects on individuals, their privacy and to ensure the need for the cameras is still justified.
- 7.4 If the objectives of the scheme and or cameras are no longer valid, then the cameras may be withdrawn.

Attention is drawn to Principles 2 and 10 of the Surveillance Camera Commissioner Guiding Principles.

Section 8 - Management and operational responsibilities.

- 8.1 The owner of the CCTV Control Room is Dartford Borough Council, and the Council is responsible for the scheme.
- 8.2 Policies and procedures should be in place to meet requests from individuals about images of themselves under "Subject Request" to manage those images where third parties are included. In addition, there should be policies and procedures to deal with requests from public bodies for data information.
- 8.3 The owner should not disclose data without a record of the request and the authorisation, which should be retained for a minimum period of 2 years.
- 8.4 Recorded CCTV data is saved on hard drives for 31days then automatically deleted.

Attention is drawn to Principles 7 and 12 of the Surveillance Camera Code of Practice

- 8.5 The CCTV Manager is the "Single Point of Contract" (SPOC). This is the person with direct control of the CCTV scheme, the manager is responsible to the owner and will have the authority, control and competence for the day to day running of the control room.
- 8.6 The CCTV Manager will have the responsibility for the implementation of procedures to ensure that the CCTV system operates according to the objectives for which it was

installed and in accordance with the objectives identified for the CCTV scheme.

- 8.7 The CCTV Manager is responsible for the liaison with all partners in, and users of, the CCTV scheme; this should include supervision of access to any data obtained by the CCTV scheme.
- 8.8 The CCTV Manager will have responsibility for the instigation of disciplinary procedures against operators in matters relating to non-compliance with this British Standard, operational procedures and breaches of confidentiality or the unauthorized release of data.

Attention is drawn to the Surveillance Camera Code of Practice Principles 7.

- 8.9 CCTV Operators will ensure that, at all times, the CCTV scheme is operated in accordance with its policy and all procedural instructions relating to the CCTV scheme and should bring to the immediate attention of the manager any matter affecting the operation of the CCTV scheme, including any breach (or suspected breach) of the policy, procedural instructions, security of data or confidentiality.
- 8.10 CCTV operators should ensure that, at all times they carry out their duties in an efficient and responsible manner, in accordance with the objectives of the CCTV scheme. This should include regular checks and audit trails to ensure that the documentation or computer records, in the case of digital systems, are working effectively.
- 8.11 CCTV Operators should ensure that they carry out their duties in accordance with this Code of Practice, the CCTV Operators handbook and all the Council's good practice procedures as well as the Council's health and safety policy requirements.
- 8.12 CCTV operators should work under the direction of the owner, manager or supervisor and in accordance with this Code of Practice and procedural policies.
- 8.13 CCTV Operators should be proficient in the control of cameras and operation of all equipment forming part of the CCTV scheme. They should acquire a good knowledge of the area covered by the camera and ensure that information recorded or obtained by the CCTV scheme is accurate, adequate and relevant and does not exceed that which is necessary to fulfil its objectives.
- 8.14 Operators will be vetted for handling personal data and images.

Attention is drawn to Principles 2, 6, 7, 8, 9 and 11 of the Surveillance Camera Code of Practice.

Management of recorded material

- 8.15 For the purpose of this code of practice "recorded material" means any images recorded by, or as a result of, technical equipment that forms part of Dartford Borough Council's CCTV Control Room. This specifically includes images recorded and digital still prints. All images are recorded 24/7 onto hard drives.
- 8.16 Images are received from cameras and transmitted to the CCTV Control Room via fibre optics, broadband connection or wireless line of sight, and recorded digitally onto a hard drive system. Images are stored for a maximum of 31 days.

- 8.17 Images recorded in the Control Room will only be used by the Council, statutory agencies and others permitted by the Council and only in secure conditions for the following authorised purposes: (with a full audit trail of the request).
- Identification of persons suspected of criminal behaviour or anti-social behaviour.
 - Production in a court of law by the police or other law enforcement agency for evidential purposes.
 - Production by the council for lawful purposes in connection with the Council's statutory duties.
 - For the purpose of Health and Safety and National Security
 - For training and promotional purposes subject to the approval by the CCTV Manager and/or Senior Management Team.
- 8.18 Under no circumstances will the data on recorded media in the control room be issued, given or sold to any third party without the prior approval of the CCTV Manager and/or the Senior Management Team.
- 8.19 All released data/media will be recorded in the CCTV digital log Cloud9 for continuity of evidence and for auditing purposes.
- 8.20 Recorded data has a unique tracking record maintained in the CCTV log Cloud9. The tracking record shall identify every use of the recorded data and every person who has had access to the images, until its erasure, seizure or removal. The tracking record will be retained for at least two years following destruction of the data and in line with the authority's data retention period.

Provision & Quality of Digital Images DVD/CD and Duplicating Media

- 8.21 To ensure the quality of recorded information will meet the criteria outlined by current Home Office guidelines, only duplicating media which have been specifically provided in accordance with the CCTV operators handbook will be used in the System.

Section 9 - Human Resources

- 9.1 Unauthorised persons will not have access to the Control Room without an authorised member of staff being present. Special permission may be granted by senior officers.
- 9.2 Operators, who are specially selected and trained in accordance with the strategy contained within the Procedure Manual, shall staff the Control Room.
- 9.3 All CCTV personnel shall receive relevant training in the requirements of the Human Rights Act 1998, Data Protection Act 2018, General Data Protection Regulations May 2018, Regulation of Investigatory Powers Act 2000, this Code and the CCTV Operators handbook. Further council training will be identified and provided as necessary.
- 9.4 All CCTV staff and partnerships recognises that public authorities and those organisations carrying out the functions of a public service are required to observe

the obligations imposed by the Human Rights Act 1998. The Partnership considers that the use of CCTV in the Borough of Dartford are necessary, proportionate and a suitable tool to help reduce crime and the fear of crime and to improve public safety.

- 9.5 The Dartford Borough Council's CCTV System shall be operated with respect for all individuals, recognising the individual right to be free from inhuman or degrading treatment and avoiding any form of discrimination on the basis of sex, race, age, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.
- 9.6 All persons involved with the System must be vetted by the Police, in accordance with Kent Police Force Policy. This applies to all CCTV personnel, irrespective of whether they are employed full-time, part-time, or on a permanent or casual basis.
- 9.7 The safety and welfare to staff, visitors and contractors to the CCTV Control Room is of the upmost importance. COVID-19 had seen the introduction of many additional safety measures. Hand sanitisers inside and outside the control room, social distances markers on the floor, mobile safety screens, regular office deep cleaning programme in place and controlled visits only.

Training

- 9.8 All persons involved with the System shall receive training in respect of this Code of Practice, the CCTV Operators Handbook and legislation relevant to their role. Such training will be updated as and when necessary. All operators must be vetted and licensed by the Security Industry Authority (SIA) and trained in public space surveillance.
- 9.9 All CCTV staff training will be provided and supervised by persons qualified and experienced in all aspects of the management and operation of the CCTV system.
- 9.10 All new CCTV staff are required to complete the following e-learning training:
- An introduction to Health and Safety
 - VDU and Workstation Safety, Ergonomics, and Risk Assessment
 - GDPR
 - Freedom of Information
 - Risk Assessments (only for managers and supervisors)
 - Prevent Training
 - Customer Care
 - Safeguarding Children level 1
 - Safeguarding Adults level 1
 - Equality, Diversity and Inclusion
- 9.11 All CCTV staff have access to the Council's training scheme with more than 60 courses available to choose from online training. This is evaluated during one-to-one meetings and staff appraisals.
- 9.12 Discipline - Each individual having responsibility under the terms of this Code, who has any involvement with the System to which it refers, will be subject to the Authority's Code of Conduct and Disciplinary Policy. Any breach of these, or of any

aspect of confidentiality, will be dealt with in accordance with the authority's codes and policies.

- 9.13 The CCTV Manager will have primary responsibility for ensuring that there is no breach of security and that this Code is complied with. The CCTV Manager will have day-to-day responsibility for the management of the CCTV Control Room and for enforcing the Code. Non-compliance with this Code by any person will be considered a severe breach of conduct and will be dealt with accordingly, including, if appropriate, by criminal proceedings.
- 9.14 Declaration of Confidentiality - Every CCTV Operator with responsibility under the terms of this Code, who has any involvement with the System to which it refers, will be required to read, understand and sign a declaration of confidentiality (See Appendix B).

Section 10 - CCTV Control Room and Operation of Cameras

- 10.1 The CCTV Control Room is a secure dedicated room within the building. The CCTV control room is kept locked at all times with magnetic-locks operated by CCTV staff, digi-locks requiring an alpha or numeric code for entrance, or other equally secure means. CCTV inside and outside the control room is also in operation for staff safety and security reasons.
- 10.2 CCTV camera is monitoring the room and at all times. This is to protect and safeguard the equipment and confidential data held within. This demonstrates the integrity of the system. Every use of cameras will accord with the purposes and key objectives of the System and shall be in compliance with this Code.
- 10.3 Cameras will not be used to look into private residential property. 'Privacy Zones' shall be programmed into the System, whenever practically possible, in order to ensure that the interior of any private residential property is not surveyed by the cameras.
- 10.4 Camera operators will be mindful of exercising prejudices, which may lead to complaints of the System being used for purposes other than those for which it is intended. The operators may be required to justify their interest in, or recording of, any individual or group of individuals or property.
- 10.5 All visitors to the Control room, regardless of their status, including inspectors and auditors, will be recorded as visitors in the CCTV digital log Cloud9, and always acknowledge confidentiality rules by signing the confidentiality agreement.
- 10.6 Technical instructions on the use of equipment housed within the Control Room are contained in a separate CCTV Operators handbook.

Operation of the CCTV System by the Police

- 10.7 Under some circumstances, the Police may make a request to assume direction of the CCTV System. Any requests must be made in writing by a Police officer not below the rank of Superintendent. Any such request will only be allowed on the written authority of the Director of Housing and Public Protection, External Services

of the System Owner, or designated deputy of equal standing.

- 10.8 In the event of such a request being allowed, the Control Room will continue to be staffed and operated by those personnel who are authorised to do so and who fall within the terms of sections 6 and 8 of this Code. They will then operate under the direction of the Police officer designated in the written authority.
- 10.9 In extreme circumstances a request may be made by the Police to take total control of the CCTV System, including the staffing of the Control Room and control of all associated equipment. Any such request must be made to the CCTV Management Team in the first instance, who will consult personally with the Director of Housing and Public Protection or designated deputy of equal standing. A request for total exclusive control must be made in writing by a police officer not below the rank of Superintendent or nominated officer. A member of the CCTV team will be present at all times during this takeover of the facility.
- 10.10 All recorded data will be processed and handled strictly in accordance with this Code and the CCTV Operators Handbook.
- 10.11 A record of all incidents should be maintained by CCTV operators in the CCTV digital log Cloud 9. This will be used daily by trained staff in the Control Room from a Council based computer. The on- duty CCTV Operator will record all events occurring during the hours of operation. This will also act as an evidential log for audit purposes with Kent Police and other outside agencies.

The Cloud 9 Log will be used and have all day to day operations in the Control Room entered, from Police footage requests to shift changeovers, calls made in respect of the CCTV System from Kent Police and other agencies, visitors to the Control Room, and observations around the Town Centre. CCTV System performance and faults on the CCTV System will also be reported in the Digital Data Log. This Cloud 9 Log is also used to generate a weekend report that is sent to some members of the Community Safety Unit (CSU). This is a restricted document and will only be passed on to members of the CSU and members of the Community Safety Partnership in accordance with the Kent and Medway Information Sharing Agreement.

- 10.12 The information to be recorded should include anything of note that might be useful for investigative and evidential purposes or future system assessment and evaluation. This is to also to demonstrate continuity of evidence for legal matters

Section 11 - Privacy

- 11.1 Cameras should not be used to infringe an individual's rights to privacy. Privacy zones are programmed into the CCTV system as required, in order to ensure the integrity of any private properties within the range of the CCTV scheme are not viewed.
- 11.2 All data obtained by virtue of the system shall be processed fairly and lawfully and, in particular, shall only be processed in the exercise of achieving the stated objectives of the system. Personal data shall be processed with due consideration to a persons' right to respect for his or her private and family life and their home.

- 11.3 Dartford Borough Council's CCTV system respects and support individuals' rights to privacy and this is a primary consideration in the operation of the systems.
- 11.4 Operators are made aware that misuse of the cameras (i.e. the use of cameras for objectives other than those for which they are intended) might constitute a breach of the law and may result in disciplinary action and/or dismissal.

Section 12 - Data Protection Legislation

- 12.1 Dartford Borough Council's CCTV operation of the system has been notified to the Information Commissioner in accordance with current Data Protection legislation.
- 12.2 The Data Controller for the system is Dartford Borough Council; the day-to-day responsibility for the data will be devolved to the CCTV Manager.
- 12.3 All data will be processed in accordance with the Data Protection Act 2018.
- 12.4 All personal data will be obtained and processed fairly and lawfully and within the purpose and objectives of this scheme.
- 12.5 Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- 12.6 Personal data shall be accurate and where necessary kept up to date.
- 12.7 Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose.
- 12.8 Access to recorded material should only take place in accordance with the Government's policy and procedures.

Section 13 - Request to disclose data

- 13.1 A request to disclose data obtained from a CCTV scheme can be made by third parties for the purposes of:
- a) providing evidence in criminal proceedings
 - b) providing evidence in civil proceedings
 - c) the prevention and reduction of crime and disorder
 - d) the investigation and detection of crime (including the identifying of offenders)
 - e) identifying witnesses and offenders
 - f) for public interest and public safety
 - g) in the interest of national security.
- 13.2 Parties who are able to show adequate grounds for disclosure include the following:
1. Law enforcement agencies
 2. statutory authorities with powers to prosecute
 3. solicitors
 4. Other agencies and persons (including the media), according to purpose and status

5. Owners of the system for the purpose of this code.

13.3 Dartford Borough Council will not obstruct a bona fide third-party investigation to verify the existence of relevant data.

13.4 The owner should not destroy data that is relevant to a previous or pending search request, which could become the subject of a subpoena, within an agreed timeline.

Attention is drawn to Principle 7 of the Surveillance Camera Code of Practice.

Section 14 - Subject Access

14.1 Subject access is also referred to as Right of Access.

14.2 Any request from an individual for the disclosure of personal data, which he or she believes is recorded by virtue of the System, will be directed in the first instance to the CCTV Manager. If the request cannot be complied without identifying another individual, permission from all parties must be obtained (in the context of the degree of privacy they could reasonably anticipate from being in that location at that time) in accordance with the requirements of the legislation.

14.3 If permission cannot be obtained from identifiable other parties, then digital pixilation may be considered subject to reasonable cost. All additional cost will be payable by the requester.

14.4 Any person making a request must be able to prove their identity and provide sufficient information to enable the data to be located.

14.5 Personal data held for the purposes of the prevention or detection of crime, or the apprehension or prosecution of offenders is exempt from the subject access provisions.

14.6 The Criminal Procedures and Investigations Act 1996 introduced a statutory framework for the disclosure to defendants of material that the prosecution would not intend to use in the presentation of its own case. This material is known as 'unused material'.

Section 15 - Regulation of Investigatory Powers Act 2000

15.1 The Regulation of Investigatory Powers Act 2000 (RIPA) relates to surveillance by the Police and other agencies and deals in part with the use of directed covert surveillance. Section 26 of this act sets out what is Directed Surveillance. It defines this type of surveillance as:

- a) Subject to subsection (6), surveillance is directed for the purposes of this Part if it is covert but not intrusive and is undertaken:
- b) for the purposes of a specific investigation or a specific operation
- c) In such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation)

- d) otherwise, than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under this Part to be sought for the carrying out of the surveillance.

- 15.2 CCTV being used intrusively will be authorised other than by this section of the RIPA. Appropriate guidelines already exist for intrusive surveillance.
- 15.3 The impact for staff in the Police control rooms and CCTV monitoring centres is that there might be cause to monitor for some time a person or premises using the cameras. In most cases, this will fall into sub section (c) above, i.e. it will be an immediate response to events or circumstances. In this case, it would not require authorisation unless it were to continue for some time. The Code says some hours rather than minutes.
- 15.4 In cases where a pre-planned incident or operation wishes to make use of CCTV for such monitoring, an authority will almost certainly be required. Slow time requests are authorised by a Police Inspector or above.
- 15.5 If an authority is required immediately, a Police Inspector may do so. The forms in both cases must indicate the reason and should fall within one of the following categories:

An authorisation is necessary on grounds falling within this subsection if it is necessary:

- a) in the interests of national security
 - b) for the purpose of preventing or detecting crime or of preventing disorder
 - c) in the interests of the economic well-being of the United Kingdom
 - d) in the interests of public safety
 - e) for the purpose of protecting public health
 - f) for the purpose of assessing or collecting any tax, duty, levy or other imposition, contribution or charge payable to a government department
 - g) for any purpose (not falling within paragraph (a) to (f)) which is specified for the purposes of this subsection by an order made by the Secretary of State
- 15.6 Forms will normally originate from the Police and are entitled “Application for Directed Surveillance Authority Part II RIPA 2000”, which may be provided as a digital copy.
 - 15.7 Local authorities are required to obtain judicial approval prior to using covert techniques. Local Authority authorisations and notices under RIPA 2000 will only be given effect once an order has been granted by a Justice of the Peace in England and Wales.
 - 15.8 In addition, from that date local authority use of directed surveillance under RIPA will be limited to the investigation of crimes which attract a six month or more custodial sentence, with the exception of offences relating to the underage sale of alcohol and tobacco.
 - 15.9 When “No Authorisation is Required” An example might be where officers chance upon local drug dealers sitting in the town centre and, in order not to divulge that

observation is taking place, ask for CCTV to monitor them.

- 15.10 In response to an unplanned demonstration, where public Order could be compromised.

Section 16 - Maintenance of the System

- 16.1 To ensure compliance with the Information Commissioner's Code of Practice and to ensure that images recorded continue to be of appropriate evidential quality, the System shall be maintained in accordance with the requirements of the CCTV maintenance agreement.
- 16.2 The maintenance contract will make provision for the appointed maintenance Contractor to carry out regular or periodic service checks on the equipment. This will include cleaning of any all-weather domes or housings, checks on the functioning of the equipment, and any minor adjustments that need to be made to the equipment settings to maintain picture quality.
- 16.3 The maintenance will also include regular periodic review and overhaul of all the equipment and replacement of equipment which is reaching the end of its serviceable life.
- 16.4 The maintenance agreement will also provide for 'emergency' 24hr attendance on site by a specialist CCTV engineer to rectify any loss or severe degradation of image or camera control.
- 16.5 The maintenance agreement will define the maximum periods of time permitted for attendance by the engineer and for rectification of the problem, depending upon the severity of the event, and the operational requirements of that element of the System.
- 16.6 It is the responsibility of the CCTV Manager to ensure appropriate records are maintained in respect of the functioning of the cameras and the response of the contracted maintenance organisation.

Section 17 Security

- 17.1 Authorised personnel will normally be present at all times when the equipment is in use. If the monitoring facility is to be left unattended for any reason it will be secured. In the event of the Control Room having to be evacuated for safety or security reasons, the provisions of the CCTV Operators handbook will be complied with.
- 17.2 The CCTV Control Room will at all times be secured by 'Magnetic-Locks' operated by the CCTV operator, 'Digi-Locks' requiring an alpha numeric code for entrance, or other equally secure means. CCTV is also in operation for security reasons.
- 17.3 Visitors to the CCTV Control Room that have not been Police vetted should not be able to hear any police broadcasts. The Police radio should be turned off or down, or visitors asked to leave.
- 17.4 Under no circumstances should the Police Radio be removed from the CCTV room, unless authorised by Kent Police and the CCTV Manager.

Key Personnel and Responsibilities

1. System Owners

Dartford Borough Council
 CCTV Control Room
 Civic Centre
 Home Gardens
 Telephone Number: 01322 34 34 34

2. System Maintenance Responsibilities

Designated Officer(s) from Dartford Borough Council will be the single point of reference on behalf of the owners in relation to maintenance issues. The role will include a responsibility to:

- i) Ensure the provision and maintenance of all technical equipment forming part of the Dartford Borough Council's CCTV System in accordance with contractual arrangements that the owners may from time to time enter into.
- ii) Maintain close liaison with the control room operator on duty and the CCTV Manager representing Dartford Borough Council.
- iii) Maintain liaison with other designated officers, with the owners of the system and with operating partners.
- iv) Ensure the interests of the owners and other organisations are upheld in accordance with the terms of this Code.
- v) Agree to any proposed alterations and additions to the system, this Code and the Procedure Manual.

System Management Responsibilities

Designated Officer(s) from Dartford Borough Council will be the single point of reference on behalf of the owners in relation to operational issues. The role will include a responsibility to:

- i) Ensure the operational effectiveness and efficiency of the system in accordance with the terms of the operational contract.
- ii) Maintain close liaison with the operational contractor, the control room senior operator on duty and other operational staff.
- iii) Maintain liaison with the owners of the system, with other designated officers of the system and with operating partners
- iv) Ensure the interests of the owners and other organisations are upheld in accordance with this Code of Practice.
- v) Agree to any proposed alterations and additions to the system, this Code of Practice and the Procedure Manual.

Designated Officer Details

Jade Ransley CCTV Manager and Single Point of Contact (SPOC)
 Telephone: 01322 343567

Karl Castle Senior CCTV Operations Supervisor
 Telephone: 01322 343126

Declaration of Confidentiality

The Dartford Borough Council's CCTV Control Room

I understand that it is a condition of my employment that I do not disclose or divulge any information which I have acquired in the course of, or in connection with, my duties as a CCTV Operator and part of the Community Safety Team at Dartford Borough Council

No information shall be disclosed:-

- relating to an identifiable legal or natural person
- that is not in the public domain or common knowledge
- that would cause damage, harm or distress if the information were made public
- which could jeopardise an ongoing investigation or trial
- on social media, electronic or printed communication, or to the media.
- to other Council Officers or partner organisations unless in line with data sharing arrangements.

This includes information obtained by monitoring, verbally, electronically, in writing or by any other means, now or in the future.

By signing this declaration, I have accepted the following:

- I understand that this prohibition remains binding after I have ceased to be retained in connection with the CCTV Operations.
- I have received and read the Code of Practice, in respect of the operation and management of the Dartford Borough Council's CCTV System and agree to abide by the Code of Practice and CCTV Handbook and understand that I agree to maintain confidentiality in respect of all information gained during the course of my duties, now, or in the future.
- I confirm that I am fully conversant with the content of that Code of Practice and understand that all duties, which I undertake, must not contravene any part of that Code of Practice (and if amended), and if become unclear of any aspect of the operation of the System or the content of the Code of Practice, I will seek clarification from my line manager.
- I acknowledge and understand that the communication, either verbally or in writing, to any unauthorised person(s) of any information acquired as a result of my employment with Dartford Borough Council may be an offence against the Official Secrets Act of 1911, Section 2, as amended by the Official Secrets Act of 1989.
- I acknowledge the radio protocols for both Kent Police and DTAC and will follow the airways procedure document in the CCTV Handbook.

I understand that it is a condition of my employment that I do not disclose or divulge any information which I have acquired in the course of, or in connection with, my duties to any individual, company, authority, agency or other organisation. This includes information obtained by monitoring, electronically, verbally or in writing or by any other media, now or in the future. I understand that this prohibition remains binding after I have ceased to be retained in connection with the CCTV System.

In signing this declaration, I agree to abide by, and be bound by, the Code of Practice. I understand and agree to maintain confidentiality in respect of all information gained during the course of my duties, now, or in the future.

Signed: _____ Print Name: _____

Dated: _____

Witness

Signed: _____ Print Name: _____

Dated: _____