

CCTV and Concierge department

General code of practice.

Introduction

Wherever we go about our daily business in Sandwell these days, it appears that we will never be too far away from being captured on CCTV. We have come to recognise CCTV as almost part and parcel of our daily lives. Many people welcome CCTV on our streets and in our towns; helping fight crime and Anti-Social Behaviour, and it is becoming an increasingly used tool for a range of agencies. Sandwell Metropolitan Borough Council [SMBC] is one of those that utilises CCTV to assist us in certain areas.

In all cases SMBC will ensure any CCTV installation is going to be fit for purpose. We will carry out assessments that ensure the following

- ***Proportionality** - is CCTV the appropriate solution, as a solution is it proportionate to the problem.*
- ***Legal** - is it lawful? Has all relevant legislation been referred to, considered and abided by?*
- ***Accountability** – as the Data Controllers we will have processes in place, we will state our purposes and follow a Code of Practice*
- ***Necessity** – is CCTV actually required, what other measures have been tried, what needs analysis has been made?*
- ***Subsidiary** – There will not be a sole reliance on CCTV. Any system will form part of a package of measures utilised to combat ASB and crime.*

SMBC manages its own CCTV Control Room where our public space cameras are monitored from. CCTV systems operated by SMBC are registered with the Information Commissioner's Office and are only used for the purposes detailed in that disclosure.

This Code of Practice sets out procedures utilised to ensure the most effective use of these systems to help prevent crime and disorder. It endeavours to uphold the civil liberties of those who live, work and visit the Borough. All relevant partners agree to be bound by this Code of Practice in order that the public interest may be best served.

Monitored CCTV is in operation at the following locations;

Darley House	Oldbury
Alfred Gunn House	Oldbury
Hackwood House	Oldbury
Harry Price House	Oldbury
Lancaster House	Oldbury
Selby House	Oldbury
Wallace House	Oldbury
Radnall House	Oldbury
Alston House	Oldbury
Roway Lane Offices	Oldbury
Broadmeade	Oldbury
Sherwood House	Rowley Regis
Wesley Court	Rowley Regis
Addenbrooke Court	Rowley Regis
Moorlands Court	Rowley Regis
St. Giles Court	Rowley Regis
Willow Close	Rowley Regis
Elm Tree Way	Rowley Regis
Applewood Grove	Rowley Regis
Pear Tree Lane	Rowley Regis
Riddins Mound Enterprise Centre	Rowley Regis
Birchcroft	Smethwick
Ashcroft	Smethwick
Elmcroft	Smethwick
Bearwood High Street	Smethwick
Princess End Shopping Centre	Tipton
Nelson House	Tipton
Friar Park Estate	Wednesbury

Wednesbury Town Centre	Wednesbury
West Bromwich Town Centre	West Bromwich
Marmion House	West Bromwich
Stanton House	West Bromwich
Kenrick House	West Bromwich
Lissimore House	West Bromwich
Broome House	West Bromwich
Mountford House	West Bromwich
Meadow Avenue Block 2 (Beech House)	West Bromwich
Meadow Avenue Block 3 (Willow House)	West Bromwich
Meadow Avenue Block 1 (Aspen House)	West Bromwich
Sheapcoate House	West Bromwich
Greenford House	West Bromwich
Beaconview Road (Flats 380 to 450)	West Bromwich
Redwood Road Shops	West Bromwich
Beaconview House	West Bromwich
Wyndmill Crescent	West Bromwich
Neale House	West Bromwich
McCauley House	West Bromwich

Purpose

The use of systems will be for the purposes of;

- Improving the perception of safety amongst the public
- To assist in the detection & prevention of crime, ASB and / or breaches of tenancy conditions
- To facilitate the apprehension & prosecution of offenders in relation to crime, public order and / or breaches of tenancy conditions
- Deterring, discouraging and reducing the incidence of crime, disorder and relevant aspects of anti- social behaviour including environmental - crime
- To assist internal and external partners to ensure the safeguarding of vulnerable adults and children
- Assisting in the management of Town Centres and public spaces
- Assisting in premise and staff management

Data release/retention

All standard digital images recorded are kept for 31 days after which they will be automatically overwritten. Any incident generated will be saved to an evidence locker and protected for a maximum period of 12 months, after which time these will also be overwritten. Any request to remove evidence from the Control Room will only be granted by authorised personnel on provision of the correct paperwork/consent forms. Requests can only be made under the following circumstances;

- Police enquiries - for the purposes of crime investigation
- Relevant Officers of SMBC for any investigation relating to tenancy management, anti-social behaviour or enforcement proceedings
- Any legal obligation for access under data protection legislation

The release of any digital images/door entry records will be in accordance with this Code of Practice and the CCTV and Concierge service's operating procedures. Data integrity shall be maintained at all times. The control room will operate in accordance with relevant legislation, internal procedure and with compliance to the Surveillance Camera Commissioner's Code of Practice.

No CCTV camera shall intentionally overlook private property or conduct directed surveillance unless as part of a specific request under RIPA and authorised by the correct officer.

Data Subject Access Requests

The Data Protection Act allows for access to personal data that may have been captured and recorded by our CCTV systems. Subject to certain criteria an individual has the right to request copies of this footage.

Any request to view CCTV footage by an individual because they believe their image was captured on CCTV can be released under the Data Protection Act. This is subject to us being provided with photographic identification – either driving licence or passport. If these cannot be provided we will accept confirmation of address –

bank statement/utility bill along with an up to date photograph so that we can confirm identity.

We also maintain the right to know exactly why someone requires the footage as it may qualify as an exemption under the Data Protection Act and be exempt from disclosure. We therefore need specifics as to why an individual has requested the information.

If when editing the data, it is not possible to blank out other third-party images then a request may be refused.

If an individual believes that a crime has been committed and has been captured on CCTV, we will request they contact the police and report the incident. We will arrange for the data to be secured and shown to the police once the crime has been reported.

An individual cannot request information about someone other than themselves. In these circumstances, we have a duty of confidence to any third parties who may also be on the footage.

Applications for data subject access should be made in writing to: The Manager, CCTV and Concierge Department, Sandwell Council Operations and Development Centre, Roway Lane, Oldbury, B69 3ES

If a request is denied and you are not happy with our decision regarding disclosure of information, then we advise you to contact:

The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Changes to this Code of Practice

Minor changes to this Code of Practice that are required to efficiently maintain the operational system may be made by the relevant SMBC officers from time to time

Any major changes will be agreed in conjunction with all relevant partners including but not limited to SMBC Officers, Sandwell Council tenants and West Midlands Police.

Responsibilities of the Control Room Operators

The operators of the system have prime responsibility for;

- Compliance with the purpose and objectives of systems
- Operation and security of systems
- The protection of the interests of the public and of the individual as far as is practical
- Compliance with this Code of Practice
- Compliance with quality assurance procedure – CCTV/ Concierge service (ISO 9001)
- Compliance with all British Standards and legislation pertaining to the use of the system
- Compliance with the Surveillance Camera Commissioner's Code of Practice.

Responsibilities of the Control Room Supervisors

- Ensure all aspects of the control room are operating in line with relevant British Standards, codes of practice, legislation and the SMBC quality assurance procedure.
- Take responsibility for the data integrity of the Control Room
- Ensure all operators are carrying out their duties as prescribed.
- Ensure all operators are trained to optimal levels to ensure the smooth running and efficiency of the Control Room
- Maintain records/statistical data that can be shared with service partners when required.
- To liaise directly with service partners/recipients of the service to ensure all resources are used in a productive and proactive manner.

SMBC CCTV control room

Access to the Control Room - whether to operate the equipment or to view the images, is limited to authorised staff with that responsibility. Only authorised personnel are to be admitted to the control room.

Visits by others (inc. Police and other enforcement officials) for the purposes detailed in this Code of Practice may only be authorised

by the CCTV Manager, Supervisor or designated CCTV operator once official identity has been obtained and confirmed.

All visitors will be accompanied by authorised personnel at all times.

Operational Standards

The control room is staffed by Control Room Operators directly employed by SMBC in a permanent capacity. All Control Room staff are trained to BTEC Control Room Operators standards and are licensed by the S.I.A [Security Industry Authority]

The integrity & efficiency of staff employed by SMBC to operate the scheme will be achieved through effective recruitment, selection, training & management.

The systems are in operation, monitored & recorded for 24 hours each day, 365 days of the year. A responsive maintenance contract is in place that ensures CCTV related faults are rectified within 5 working days.

The CCTV System based in the Control Room is capable of releasing data upon request without interrupting the operation of the system. A username and password are required to remove footage in a usable format. All data removed from the system is recorded in operational logs, allowing audit processes to be carried out.

All equipment provided within the control room is to be solely for the purpose outlined in the Code of Practice.

In the event of standards breached by any Control Room employee, disciplinary or training procedures will be implemented.

All cameras are overt and will be placed in public view. Clear printed signs that CCTV is in operation will be displayed at key points throughout the schemes.

Some of the systems are capable of voice to camera (Talking CCTV). Clear guidelines as to the use of this are in place and operators are fully trained in its use.

Audits

The control room is audited by the National Security Inspectorate [NSI] against the requirements of the Protection of Freedoms Act and the Surveillance Commissioner's Code of Practice.

The control room has received official accreditation from the NSI, this accreditation scheme enables organisations to demonstrate that the systems they operate comply with the provisions of the Protection of Freedoms Act 2012 and the Surveillance Commissioners Code of Practice.

By successfully engaging with the accreditation bodies and the certification scheme, an organisation, and more importantly the public, may be reassured that surveillance camera systems which intrude upon their privacy are being *demonstrably* operated ethically and legitimately to an appropriate standard

Control Room Supervisors employed by SMBC will undertake regular checks of systems & its operators, including regular checks of the Control Room footage that has been stored & its contents. Supervisors will also monitor all data released from the control room to ensure protocols have been observed and followed.

The Control Room may also be subject to audit by SMBC Quality Assurance officers. SMBC also has an appointed Data Controller who oversees our responsibilities as processors or administrators of CCTV systems.

CCTV in Council offices

We also have CCTV systems located in and around our public buildings and offices such as, the Development Centre at Roway Lane, Local Centre's, Libraries and council houses. The rules regarding CCTV footage being made available, access, authorisation and paperwork required, Police removal of footage and targeted surveillance still apply

The purpose of CCTV in SMBC offices is primarily to assist in safeguarding the health and wellbeing of employees and visitors, reducing crime / ASB and assisting in controlling and monitoring access to premises.

If there is a CCTV system within our buildings there will be a recognised person responsible for its use and application, [this person would normally be the manager of the premises or building]

Local processes and procedures will be in place and monitored by the premise manager to ensure compliance with all British Standards and Legislation detailed in this document.

Locally recorded CCTV is in place at the following locations;

Location	Address	Town	Post Code
Cemetery - Fallings Heath	Beebee Road	Wednesbury	WS10 9RX
Cemetery - Heath Lane	Walsall Road	West Bromwich	B71 3HR
Cemetery - Oldbury	St Pauls Road	Smethwick	B66 1QT
Cemetery - Thimblemill	Thimblemill Road	Smethwick	B67 5QP
Cemetery - Tipton	Alexandra Road	Tipton	DY4 7NP
Cemetery/Crematorium, Rowley Regis	Powke Lane	Rowley Regis	B65 0AG
Cemetery/Crematorium, Sandwell Valley	Newton Road	West Bromwich	B71 3SX
Council House - Oldbury [including cashiers office]	Freeth Street	Oldbury	B693BS
Council House, Smethwick [including cashiers office]	High Street	Smethwick	B663NT
Depot - Taylors Lane	Taylors Lane	Oldbury	B692BW
Depot - Waterfall Lane	Waterfall Lane	Rowley Regis	B646RL
Kings Square and Market Hall	Sandwell Centre	West Bromwich	B70 7NW
Library - Blackheath	High Street, Blackheath	Rowley Regis	B65 0EA
Library - Central	High Street, West Bromwich	West Bromwich	B70 8DZ
Library - Great Barr	Birmingham Road	West Bromwich	B43 6NW
Library - Great Bridge	Sheepwash Lane, Tipton	Tipton	DY4 7JF
Library - Smethwick	High Street, Smethwick	Smethwick	B66 1AA
Library - Stone Cross	Beverley Road	West Bromwich	B71 2LH
Library - Thimblemill	Thimblemill Road, Smethwick	Smethwick	B66
Library Bleakhouse	Bleakhouse Road	Oldbury	B68 9DS
Parks - Forge Mill Farm	Forge Mill Lane	West Bromwich	B71 3SZ
Parks - Lightwoods House	Adkins Road, Bearwood	Smethwick	B67 5DP
Parks - Sandwell Valley and Dartmouth Park	Sandwell Valley, Salters Lane, West Bromwich	West Bromwich	B71 4BG
Parks - West Smethwick Park	West Park Road	Smethwick	B67 7JJ
Registrar Office Highfields House	High Street	West Bromwich	B70 8RJ
Sandwell Local Centre, Princes End	High Street	Tipton	DY49JB
Sandwell Local Centre, Wednesbury	High Street	Wednesbury	DY49JB
The Cranston offices, Alberta Buildings	Oldbury Road, Smethwick	Smethwick	B66 1JE

The Hollies, children's trust family centre	Coopers Lane	Smethwick	B67 7DW
The Independent Living Centre	Oldbury Road,	Oldbury	B66 1JE
The METSEC Building	Broadwell Road	Oldbury	B69 4HE
The Wellman building	Dudley Road	Oldbury	B693DL
Town Hall - Wednesbury	Holyhead Road	Wednesbury	WS10 7DF
Town Hall - West Bromwich	High Street	West Bromwich	B708DX

Deployable cameras

SMBC also operate a number of deployable cameras across the borough in response to operational need and in line with the purposes detailed in page 3 of this document.

These cameras will be deployed in line with this document, relevant legislation, codes of practice and the council's deployable camera protocol that will be made available on request.

Requests for deployment will be made to a designated officer who will consider each request ensuring the criteria for deployment is met. All requests, responses, deployment reasons and outcomes will be recorded centrally for audit purposes. Clear signage will accompany each camera deployment.

Complaints

Details of SMBC complaints procedures will be made available where required & the public will be encouraged to use this procedure should the service not be maintained or operated to agreed standards.

In the event of a complaint being made concerning the system or its operators a full investigation will be carried out and his/her findings will be the subject of a report to the relevant manager as appropriate.

For more details of our complaints procedure we can be contacted on 0121 569 6000, details can also be found on our website;

www.sandwell.gov.uk/

The Laws Relating To CCTV

There are several pieces of legislation governing the use of CCTV, listed below are some how they impact CCTV users.

The **Data Protection Act 2018** (DPA) is an act of Parliament is the piece of legislation that governs the protection of personal data in the UK. The Act defines data protection principles that could affect the use of CCTV and takes account of GDPR.

The **General Data Protection Regulation (GDPR)** is a regulation that addresses the export of personal data outside the EU and aims primarily to give control to citizens and residents over their personal data. These regulations will affect and guide the processes for retaining and using CCTV footage.

The **Human Rights Act 1998** is an act of Parliament that makes it unlawful for any public body to act in a way which is incompatible with the Convention. In relation to CCTV, Article 8 of the European Convention on Human Rights is relevant as it provides a right to respect for one's "private and family life.

The Regulation of Investigatory Powers Act 2000 (RIP or RIPA) is an act of Parliament, regulating the powers of public bodies to carry out surveillance and investigation, RIPA can be invoked by government officials specified in the Act on the grounds of national security, and for the purposes of preventing or detecting crime, preventing disorder, public safety, protecting public health, or in the interests of the economic well-being of the United Kingdom.

The Protection of Freedoms Act 2012 is an act introduced that was designed primarily to protect people in England and Wales "from unwarranted state intrusion in their private lives". The act covers various issues but in relation to CCTV introduces regulation that lays down a Code of Practice by the Surveillance Commissioner that CCTV Control Rooms must have regard for.

Other Information

As well as this general code of practice the CCTV Control Room will conform to the relevant British Standards, legislation detailed above, and relevant national codes of practice as detailed via the following links;

<https://www.gov.uk/government/publications/update-to-surveillance-camera-code>

Further information can be found via the following link;

<https://ico.org.uk/> and type CCTV in the search bar

An assessment of the use and deployment of CCTV is available and updated on a regular basis, this Operational Requirement document can be provided on request by contacting SMBC on 0121 569 6000 and asking for the CCTV control room.

A Privacy Impact Assessment is also carried out and this document can be found on our internet.

A report will be produced each year that will detail the outcomes of the CCTV and Concierge service. The current report can be found on our internet or can be provided on request by contacting SMBC on 0121 569 6000 and asking for the CCTV control room.

Contacts in relation to this Code of Practice

Jason Flannagan

Telephone 0121 368 1166

Website - <https://www.sandwell.gov.uk/cctv>