



Cambridge City Council's

Code of Practice

for the use of

Body Worn CCTV Cameras

By

**Cambridge City Council Enforcement
Officers**

THIS IS A PUBLIC DOCUMENT

Adopted: 1 August 2016
Reviewed:

1. Introduction

The aim of this Code of Practice along with the Council's Bodyworn Camera (BWC) Operational Procedure and Privacy Impact Statement to ensure that Enforcement Officers (EO's) involved in running independent CCTV systems on behalf of Cambridge City Council understand the principles which govern the operation of CCTV cameras in public spaces. This document should be read in conjunction with the Council's Body Worn CCTV Camera Operational Procedure.

The purpose of BWC's is to protect staff and the public, discourage aggressive and abusive behavior and provide evidence where required to investigate complaints or to facilitate the issuing of fixed penalty notices (FPN's) and prosecutions.

This Code of Practice sets out the framework for the Council's BWC systems and how they will be used.

The BWC systems will not be used for any other purpose than those set out in this document without prior approval of the Council Leader and Chief Executive and where appropriate consultation with the Trade Unions and other partners. This Code of Practice will be amended before any changes to it are adopted.

The day-to-day management of the BWC system will be the responsibility of the designated Responsible Officer for that system (a list is held by the Council's CCTV Manager).

2. Legislation

BWC operations are subject to legislation under:

Protections of Freedoms Act and Surveillance Camera Code of Practice 2012

The Data Protection Act 1998 (DPA).

The Human Rights Act 1998 (HRA).

The Freedom of Information Act 2000 (FOIA).

The Regulation of Investigatory Powers Act 2000 (RIPA).

2.1 This Code of Practice and Council policies, procedures and guidelines.

It is important that the operation of all Council run CCTV systems comply with these Acts and Council policies, procedures and guidelines and this Code of Practice. This is to ensure that the Council, staff running the system and the public are protected from abuses of the CCTV systems.

When clarification is required Responsible Officers should contact their Head of Service or Strategic Director, the Council's CCTV Manager, Legal Services or Human Resources Department for advice and guidance. Notes are available on the Council's Intranet to assist Responsible Officers in complying with current legislation.

The Head of Legal Services should be contacted in all cases when an external RIPA request is received.

3. Purpose Statement

3.1 It is important that staff and those charged with operating the BWC system understand exactly why the system has been introduced and what it will and will not be used for.

The key objectives of the BWC's are;

- To protect members of staff and the public.
- To discourage physical, assaults, aggressive or abusive behavior against staff.
- To deter and detect crime and anti-social behavior.
- To assist in the identification of offenders leading to their arrest and successful prosecution.
- To reduce staff's fear of crime or aggressive or violent behaviour.
- To provide evidence in cases of alleged illegal activity or in disciplinary offences. This may amount to Misconduct by members of staff.
- To help investigate breaches in Health and Safety incidents, investigate formal complaints or to resolve Grievances. Details of how and when CCTV may be used in these circumstances are covered in the Cambridge City Council CCTV Policy Document accessible here:

<https://www.cambridge.gov.uk/sites/default/files/documents/CCTV-Policy-Statement.pdf>.

BWC's will **not** be used for

- Monitoring staff or the public going about their normally daily business.
- As a management tool to observe staff in their normal working environment.
- Against members of the public making general enquires.

NOTE: In all instances where BWC are to be used and where practical EO's will inform the individual (or group) that the BWC is switched on and recording. There may be occasions when to do so would escalate the incident or put the EO in danger if such a warning was given but this should be very rare and the EO may be required to justify such an action.

3.2 Privacy

We respect and support the individual's entitlement to go about their lawful business and this is a primary consideration in the operation of a BWC system. Although there is inevitably some loss of privacy when BWC's are operational, cameras will not be used to monitor the progress of individuals in the ordinary course of lawful business in the area under surveillance. Individuals will only be continuously monitored if there is reasonable

cause to suspect an offence or serious breach of discipline has been, or may be, about to be committed and this will only be permitted by use of a RIPA authorisation.

Breaches of this section of the Code of Practice by staff may be regarded as misconduct and could lead to disciplinary action.

3.3 Cameras Awareness

BWC's are worn so that they are clearly visible and publicity will normally be given clear verbal warning that the camera is in use. This will ensure that both the maximum deterrent value is achieved and that the public are fully aware that they are being recorded. EO's will wear BWC's with signage stating that CCTV is operational and/or being recorded.

This Code of Practice is a public document and should be available to all staff on the Council's Intranet and to the public on the Council's website.

3.4 Viewing Recordings and the Provision of Evidence

Viewing will only be conducted by an authorised EO involved in the investigation of a crime, or breach in legislation in line with the Council's Bodyworn Camera Operational Guidance. The release of evidence or permission to view recordings may only be authorised by the Responsible Officer or in their absence, the Head of Service.. Where an enforcement agency requests copies of a recording, one copy is to be made but there is not requirement for the Responsible Officer to retain or produce any further copies. Recordings may only be viewed for specific, identified incidents. Under no circumstances may anyone browse recordings on the off chance of finding offences. Protocols for sharing information with other agencies will be undertaken as an Information Sharing Agreement or by requests under s29 of DPA. A record every occasion of information sharing will be kept for auditing purposes.

If the matter concerns a member of staff, this will be done in liaison between the Responsible Officer (Head of Service or Departmental Director) and the Head of Human Resources and when appropriate the Head of Legal Services.

Once authorised, arrangements will be made to enable the investigating officer to view the recordings and if necessary be issued with two copies of recorded material on suitable recordable media.

The reason for the second copy is that if it is decided to use CCTV recordings in a Council grievance or disciplinary hearing the person being investigated must be given a copy of the recordings to permit them to mount a defense. At the end of the hearing ALL copies of the recordings are to be collected by HR, held on file and destroyed once the appeals process or actions involving an Employment Tribunal have been completed.

It is critical that a full and detailed record is kept of all viewings of the systems and all instances when recordings are issued. This information must include date, time, camera number and location of the incident. The date time, name and contact details of the person viewing or removing recordings. The reason for the viewing/ issue of recordings and the person's signature. Any media containing recordings should be uniquely marked and the number recorded for ease of identification.

4. Control of Recordings

All recordings will remain the property and copyright of Cambridge City Council.

4.1 Evidential Recordings on Recording Media

A record will be made in the CCTV Register of the release of any recorded recordings to the Police or to other authorised applicants. A certificate, accepting responsibility for the recorded images will be signed before the media is allowed to be removed.

5. Potential Disciplinary Matters and Security

5.1 Tampering with cameras, monitoring or recording equipment, images or recorded data by staff may be regarded as misconduct and could lead to disciplinary action..

5.2 Any breach of this Code of Practice will be regarded as a serious matter. Staff who are in breach of this Code of Practice will be dealt with according to the City Council's disciplinary procedures.

5.3 The responsibility for guaranteeing the security of the system will rest with the Responsible Officer of the system concerned. These officers will, in the first instance, investigate all breaches or allegations of breaches of security and will report his/her findings their Head of Service and Director.

6. Complaints

Complaints about the operation of a system should be addressed to the Head of Service. Complaints will be dealt with in accordance with the City Councils formal Complaints procedure.

7. Advice and Useful Contacts

Joel Carre
Head of Environmental Services
Cambridge City Council
Mill Road Depot
Cambridge CB1 2AZ

Ext: 8201

Legal Services
Cambridge City Council
The Guildhall
Cambridge CB2-3QJ

Ext: 7401

CCTV Shared Service Manager
Huntingdonshire District Council
Eastfield House
Huntingdon
PE29 6YG

01480 388288

Tom Pickover
Enforcement Officer
Cambridge City Council
Mill Road Depot
Cambridge CB1 2AZ

Ext: 8573

Information and Data Policy
Cambridge City Council
The Guildhall
Cambridge CB2-3QJ

Ext: 7062