



Code of Practice for use of Surveillance Cameras
(CCTV)
Including
Public Open Space
Body Worn Cameras
Ashford Borough Council Assets (Private Space)

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1. Introduction

The primary purpose of the use of any overt surveillance equipment is to contribute to improving public safety and security, and in protecting both people and property.

The use of surveillance cameras in public places is guided by the Surveillance Camera Code of Practice¹. It states that 'the government is fully supportive of the use of overt surveillance camera systems in a public place whenever that use is: in pursuit of a legitimate aim; necessary to meet a pressing need; proportionate; effective, and compliant with any relevant legal obligations.'

It is the intention of the council to have regard to the guidance in the Surveillance Camera Code of Practice in all aspects of overt surveillance. Where it may be necessary to depart from the guidance it will give a clear reason for doing so. There are 12 guiding principles that systems operators should adopt:

- 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 user 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.*

¹ <https://www.gov.uk/government/publications/update-to-surveillance-camera-code/amended-surveillance-camera-code-of-practice-accessible-version>

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.

In 2022, the government raised concerns about links between some manufacturers of surveillance equipment and potential risks to national security. The council will when purchasing new or replacement surveillance equipment adhere to any government guidance, in place at that time, with regard to type and origin of such equipment.

This Ashford Borough Council code of practice covers three areas where the council installs, uses and monitors surveillance cameras:

- Public spaces – Section A.
- Enforcement activity (body worn cameras) – Section B.
- Private spaces owned by the council – Section C.

This code of practice does not apply to covert (hidden) cameras or direct surveillance activity.

2. Statement in Relation to the Human Rights Act

Public authorities and those organisations carrying out the functions of a public service nature are required to observe obligations imposed by the Human Rights Act 1998.

Section 163 of the Criminal Justice and Public Order Act 1994 creates the power for local authorities to provide closed circuit television coverage of any land within their area for the purpose of crime prevention or victim welfare and it is also considered a necessary initiative in their duty under the Crime and Disorder Act 1998.

It is recognised that the operation of the CCTV system may be considered to infringe on the privacy of individuals. We acknowledge our responsibility to ensure that the CCTV system should always comply with all relevant legislation, to ensure its legality and legitimacy. The CCTV system shall only be used as a proportionate response to identified problems and it will only be used in so far as it is necessary in a democratic society, in the interests of national security, public safety, for the prevention and detection of crime and disorder and for the protection of the rights and freedom of others.

This Code and observance of the Quality Management System (QMS) shall ensure that evidence is secured, retained and made available as required to ensure that there is absolute respect for everyone's right to a fair trial.

The CCTV system shall be operated with respect of all individuals, recognising the right to be free from inhuman or degrading treatment and avoiding discrimination on any grounds.

3. Data Protection and Systems Management

The Ashford Borough Council CCTV system is owned and managed by the council.

3.1 Data Protection

Under the General Data Protection Regulation and Data Protection Act 2018 the council acts as the data controller for:

The CCTV systems covering public spaces in the towns of Ashford and Tenterden. There are 77 cameras in Ashford and 13 cameras in Tenterden. 10 of these cameras have the ability to recognise licence plates.

Short-term Community Safety deployable cameras owned by the Council. These cameras are used in a specific location for a limited period of time.

The council also acts as the data processor on other CCTV software for private CCTV clients.

Ashford Borough Council is registered with the Information Commissioners Office under registration reference Z8344724.

All Data will be processed in accordance with the Data Protection Principles of the UK General Data Protection Regulations and Data Protection Act 2018:

- Lawfulness, fairness and transparency.
- Purpose limitation.
- Data minimisation.
- Accuracy.
- Storage limitation.
- Integrity and confidentiality.
- Accountability.

3.2 Request for Information (Subject Access)

Where Ashford Borough Council holds personal data about an individual, under the UK General Data Protection Regulations (UK GDPR) they have the following rights over their personal data:

- The right to be informed.
- The right of access.
- The right to rectification.
- The right to erasure.
- The right to restrict processing.
- The right to data portability.
- The right to object.
- Rights in relation to automated decision making and profiling.

Individuals can contact us to request to exercise these rights by contacting: The Data Protection Officer, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford TN23 1PL or via FOI@ashford.gov.uk

Before any action can be taken on a request, it may be necessary to verify the identity of the person making the request so we can be sure any information we are being asked to alter or provide relates to them. We will require two official documents (such as a passport or driving licence) and in certain circumstances will require further identification, for example if:

- a request is being made by a third party on behalf of the data subject;
- the request is made by someone whose name or details we do not recognise; or
- contact details provided in the request do not match the contact details we hold on file for the data subject.

A fee will not be charged to access personal data (or to exercise any of the other rights). However, we may charge a reasonable fee or refuse the request if the request for access is clearly unfounded or excessive.

We will respond to requests without undue delay and in any event within one month. In exceptional cases this one month period may be extended by two further months if the request is particularly complex and involves a large number of requests.

A Subject Access Request form is available on Ashford Borough Council's website.

3.3 Exemption to the Provision of Information

Personal Data processed for any of the following purposes:

- i) The prevention or detection of crime; or
- ii) The apprehension or prosecution of offenders or
- iii) Other reasons listed with in the Data Protection Act 2018 Schedule 2

may be exempt from the right of access and other UK GDPR provisions. We will only release CCTV recordings directly to an individual if we don't have any privacy concerns.

Each and every application will be assessed on its own merits and general blanket exemptions will not be applied.

3.4 Road Traffic or Crime Related Requests

Where a person has been the victim of a crime, or it is a crime-related incident, they should report the matter to the police. The police can then make a request direct to us to view our footage and, if held, it will be provided to the investigating officer.

If an individual has been involved in a road traffic collision their insurance company can request a recording under Schedule 2 Part 1 (5) of the Data Protection Act 2018. These requests are subject to a charge and the relevant recording, if held, will then be sent to them.

3.5 Systems Management

Overall responsibility for the management of the CCTV system lies with the Corporate Director of Place, Space and Leisure, supported by:

- The Assistant Director of Environment, Property & Recreation.
- The Safety and Wellbeing Manager.
- Monitoring Centre Team Leader (who exercises the day-to-day management of the control room and the CCTV systems).
- Each service with CCTV will produce its own procedures for the use of CCTV and there will be a single point of contact for each service.
- The CCTV system will be subject to continuous audit by the system managers.

3.6 Monitoring Centre Management

The monitoring centre is located in Ashford and is operational 24 hours a day, 365 days a year. The monitoring centre will be staffed by at least two operators at all times throughout the full operational period unless exceptional circumstances occur.

The monitoring centre staff are employed directly by the council or by one of the preferred agencies utilised by the council. The monitoring centre staff that use the CCTV systems are all licensed by the Security Industry Association (SIA) and are the only permitted users.

All staff who work in the monitoring centre or who have unsupervised access (authorised staff) to the monitoring centre complete Kent Police vetting checks.

Every person involved in the management and operation of the CCTV system will be required to fully understand the obligations to this code and all associated Quality Management System (QMS) procedures. They must be fully familiar with the contents of both documents which may be updated from time to time and they will be expected to comply with them as far as reasonably practical at all times.

The supervisors will direct staff to perform routine administration involved in running the monitoring centre such as making calls, keeping logs and registers up to date.

A security system restricts any unauthorised access to the monitoring centre. A list is maintained of authorised staff who have unrestricted access to the monitoring centre.

Requests to visit the monitoring centre by private companies or individuals can be made by calling 01233 642095. Staff will take initial details and then pass these to be considered by the Monitoring Centre Team Leader, Supervisors or On Call Officers. No visitor will be admitted without the appropriate authority. This ensures the integrity and security of the monitoring centre and its staff.

A staff and visitors record is kept and maintained in the control room. This records the names of all persons entering the monitoring centre, together with times of arrival and departure and reason for the visit. Visitors will be required to complete the visitor's book on arrival and departure.

Authorised personnel will normally be present at all times when the equipment is in use. If the monitoring centre is to be left unattended for any reason it will be secured. In the event of the monitoring centre having to be evacuated for safety or security reasons the provisions of the QMS will be complied with.

4. Training

The council will ensure that all Monitoring centre staff are trained to a proficient level before they are allowed to take up a position in the monitoring centre. All staff training will be provided and supervised by persons qualified and experienced in all aspects of the management and operation of the CCTV system.

The council will ensure that all its Monitoring Centre staff are provided with annual refresher training to maintain the highest level of operating and management standards. Training records are kept for each member of staff employed in the monitoring centre.

5. Complaints

Any member of the public wishing to register a complaint with regard to any aspect of the CCTV system may do so by completing the complaints form on Ashford Borough Council's website. All complaints shall be dealt with in accordance with the council's complaints procedure.

Any performance issues identified will be considered under the council's disciplinary procedure to which all employees are subject.

6. Review

This code of practice will be reviewed annually or sooner if any change to this code is required as a result of any legislative change.

7. Section A: Closed Circuit Television (CCTV) in Public Spaces.

7.1 Introduction

This section sets out how the council will operate and manage CCTV installed in public spaces to support achieving the following objectives:

- To deter, prevent and detect crime.
- To reduce the fear of crime, enhance and reassure the general public's perception of safety.
- To improve the safety and security of residents, visitors and the business community who use the facilities in the Borough.
- Assist in the detection of crime by providing evidence in criminal proceedings.
- Assist in the prevention and reduction of public disorder and anti-social behaviour.
- Assist the tracking and apprehension of persons who are suspected of having committed a criminal offence.
- Assist in identifying witnesses.
- Promote the objectives of Kent Police and the Community Safety Partnership.
- To enhance community safety, assist in developing the economic well-being of Ashford Borough and to encourage greater use of the town centres, shopping areas, car parks and similar locations.
- To assist in supporting civil proceedings that will help detect crime and allow the Courts to determine liability in civil proceedings.
- To assist in the councils management of their assets.

The council's CCTV system for use in public spaces was approved and accredited by the Surveillance Camera Commissioner. The control room held the highest level of accreditation, which shows we adhere to their previous code of practice and the 12 guiding principles set out at the beginning of

this document (pages 4&5). The Surveillance Camera Commissioner became part of Biometrics and Surveillance Camera Commissioner in February 2022 and we are awaiting their new accreditation process to be introduced.

7.2 Quality Management System

This code is supplemented by a separate procedural manual known as the Quality Management System (QMS), which provides instructions on all aspects of the day-to-day operation of the system and is not available to the public. To ensure the purpose and principles of the CCTV system are realised, the QMS is based on and expands upon the contents of this code.

7.3 General Principles of Operation

The CCTV system will be operated in accordance with all the requirements and the principles of the Human Rights Act 1998.

The operation of the CCTV system will also recognise the need for formal authorisation of any covert 'directed' surveillance as required by the Regulation of Investigatory Powers Act 2000.

The CCTV system shall be operated in accordance with the General Data Protection Regulation and Data Protection Act 2018 at all times and the Protection of Freedoms Act 2012.

The CCTV system shall be operated fairly, within the law and only for the purposes for which it was established and identified within the code, or which are subsequently agreed in accordance with the code.

The CCTV system will be operated in accordance with the Security Industry Authority (SIA) legislation.

The CCTV system shall be operated with due regard to the principle that everyone has the right to respect for their private and family life and their home.

This code is intended, as far as reasonably possible, to balance the objectives of the CCTV system with the need to safeguard the individual's rights. Every effort has been made throughout this code to indicate that a formal structure has been put in place, including a complaints procedure, by which it can be identified that the CCTV system is not only accountable, but is also seen to be accountable.

Participation in the CCTV 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 it.

This code reflects the former 12 Guiding Principles listed in the Home Office Surveillance Camera Code of Practice (published in 2013, amended in November 2021) and are set out in the preceding section above.

7.4 Copyright

Copyright and ownership of all material recorded by the CCTV system will remain with the Data Controller which is Ashford Borough Council. At the time we release recorded evidence to an investigating body they will sign to say they take ownership of the recorded material. This will discharge Ashford Borough Council's responsibilities in accordance with this code.

7.5 Cameras and Area Coverage

The areas covered by the CCTV system to which this code refers are within the Borough of Ashford. A list of all public space cameras can be viewed on the council's website.

All cameras are sited so that they are clearly visible; some are mounted within protective domes.

There will be clear signage within the area monitored by the CCTV system. This will ensure that both the maximum deterrent value is achieved and that the public are aware when they are in a monitored area. An example of typical signage is found in appendix 1

Fixed camera positions are reviewed on a yearly basis to ensure that there is need for them to remain at that location.

Deployable CCTV cameras are utilised for short periods of time and are reviewed on a three monthly basis. They are normally mounted on lampposts with appropriately signage in place. Their images are relayed back to the monitoring centre via an encrypted broadband. The use of these cameras is governed in the same way as the fixed position cameras and will be operated in accordance with this code.

No dummy cameras are, or shall be, installed as part of the CCTV system.

The CCTV system operators are able to view images from selected cameras in real-time and produce hard copies of recorded images in accordance with the code and the QMS. All viewing and recording equipment shall only be operated by trained and authorised users.

Licence plate details can be inputted into our CCTV system at the request of an enforcement agency. An alert will identify when seen and the information will be relayed to that enforcement agency. The CCTV system is also able to review stored recordings over the previous 31 day period to see if that licence plate has previously been recorded.

7.6 Operational Recording System

An Operational Recording System (ORS) is in place and each operator is responsible for using the ORS and completing the required information as listed below:

- Review of data.
- Destruction of data such as DVDs.
- Duty log.
- Fault reports and management.
- Incidents and intelligence.
- Camera checks.
- Emergency incidents.

7.7 Privacy

All Data obtained by virtue of the CCTV system will be processed fairly and lawfully and, in particular, only be processed in the exercise of achieving the stated objectives of the CCTV system. Personal data will be processed with due consideration to a persons' right to respect for their private and family life and their home.

Monitoring centre CCTV operators are only permitted to use our CCTV cameras to view public areas. They must not be used to look into the interior of any private premises or any other area where an infringement on the privacy of individuals may occur.

Where there are exceptional circumstances a CCTV operator may view private premises as set out below;

- i) In response to an enforcement agency or an affiliated member of staff associated with that business requesting assistance following an incident being committed.

ii) If a CCTV operator, whilst operating the cameras in accordance with this code, observes an event which they believe indicates that a serious incident is being, or is about to occur, in a non-public area.

Operators will be required to justify their actions. Any breach of this condition of employment may result in disciplinary proceedings.

A Privacy Impact Assessment (PIA) will be undertaken prior to any new CCTV cameras being installed to assess whether a camera(s) unnecessarily impacts on people's privacy. Where an infringement of privacy is identified action must be taken either to use a privacy zone to mask a particular area of an image or locate the camera in an alternative position. A PIA will be carried out on each camera annually.

7.8 Public Information

The CCTV Annual Report will be published on Ashford Borough Council website and printed copy available on request. The Annual Report will include statistical and other relevant information such as any complaints made and the outcome of these complaints.

A copy of this code is published on the Ashford Borough Council website and a printed copy will be made available on request.

Privacy Impact Assessments will be available from the website.

Signs shall be placed in the locality of the cameras and at main entrance points to the relevant areas. The signs will indicate:

- The presence of CCTV monitoring.
- The owner of the CCTV system.
- The contact telephone number for the owner of the CCTV system.

An example of signage is found in appendix 1

7.9 Control and Operation of Cameras

The CCTV system operators must act with utmost integrity at all times.

The cameras, control equipment, recording and reviewing equipment will, at all times, be operated only by persons who have been trained in their use and the legislative implications of their use.

All use of the cameras will accord with the purposes and key objectives of the CCTV system and be compliant with this code.

The CCTV system operators must be mindful of exercising prejudices that may lead to complaints of the CCTV 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 particular individual, group of individuals or property at any time by virtue of the audit of the CCTV system or by the CCTV System Managers.

Only those trained and authorised members of staff with responsibility for using the CCTV system equipment for the purposes and objectives of the CCTV system will have access to the operating controls, those operators having primacy of control at all times.

7.10 Maintenance of the CCTV System

To ensure that images recorded continue to be of appropriate evidential quality, the CCTV system shall be maintained in accordance with the requirements of the QMS under a maintenance agreement.

The maintenance agreement will make provision for regular / periodic service checks on the equipment which will include cleaning of 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.

The maintenance agreement will also provide for 'emergency' attendance by a specialist CCTV engineer on site to rectify any loss or severe degradation of image or camera control.

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 in the CCTV system.

It is the responsibility of the System Managers to ensure that appropriate records are maintained in respect of the functioning of the cameras and the response of the maintenance contractor.

7.11 Management of Recorded Material

For the purpose of this code "recorded material" means any images recorded by, or as a result of, technical equipment that forms part of monitoring centre and specifically includes images recorded digitally. All images are recorded onto DVD hard drives.

Where CCTV cameras have the capability of highlighting licence plates of vehicles supplied to us by enforcement agencies, after the licence plate is loaded onto the software system an alert will be sent if captured on the CCTV system. The operators will then take necessary action. No personal data is stored on the system or available to the operators through this process. All licence plates loaded onto the system are reviewed within 31 days of being input. If the licence plate is still linked to an ongoing investigation being carried out by the enforcement agencies they will be kept on the system and will be under continuous review. At the completion of the investigation and any resulting action, the licence plate information will be removed.

All equipment located in the council's monitoring centre and all images recorded from the CCTV system remain the property of the council until a signed release form is obtained from the relevant enforcement agency or insurance company.

Images are received by camera and routed to the monitoring centre via fibre, broadband connection, microwave link or line of sight, and recorded digitally onto a hard drive system. Images are retained on the CCTV system for a maximum of 31 days.

The CCTV system can be viewed and controlled remotely outside of the control room. This can only be used by the Ashford Monitoring Centre Team Leader to view live major incidents. No other Council employees have the ability to access the system remotely. The System Managers have authorisation to allow/refuse this remote access. Operational staff will be made aware if control is being taken over and the reasons behind this decision so an audit log can be created.

The digital data recorded in the monitoring centre will only be used by the council, enforcement agencies and insurance companies, and only in secure conditions for the following authorised purposes:

- Identification of persons suspected of criminal behaviour or anti-social behaviour.
- Identification of witnesses.
- Providing evidence in civil proceedings or tribunals.
- 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.

7.12 Procedure for Handling Discs

An entry on the ORS will be made each time that recorded material is handled. This will include date, time and reason for handling the disc. A DVD disc record will be kept and maintained in the monitoring centre that will record the location and use of all discs in circulation, storage or disposed of. The disc register will correlate with ORS.

7.13 Release of Data

Where an agency has requested the release of data, which has been authorised by the council, the date, time and reason for release of the disc from circulation shall be noted in the digital disc register and ORS. Two discs, with the exact same data on will be produced. One will be a sealed master copy and one a working copy, both containing exhibit labels. Digital discs will be retained in a secure location within the monitoring centre until collected or reach the 31 days end of retention date (in exceptional circumstances we may hold the discs longer than 31 days this will be decided by the Monitoring Centre Team Leader). A signature for removal of the disc from the monitoring centre will be obtained from the authorised enforcement officer/person at the time of collection. The responsibility for all released data will then transfer to that agency who become the data controller with all associated accountability.

7.14 Disposal of Discs

On disposal of a disc the person disposing of the disc will record this in the digital disc log and ORS noting time, date and reason for disposal.

The disc will be shredded using the dedicated machine situated in the monitoring centre.

7.15 Incident Handling

If during monitoring a member of staff observes an incident that requires an emergency service or council response then the member of staff will immediately alert the relevant agency. The relevant agency will decide on the course of action required. The member of staff will log the incident on the ORS including any agency reference numbers.

7.16 Statements by Monitoring Centre Staff

The only statements to be completed by monitoring centre staff are for the production of drawing data from the CCTV system to an external data holding device. No other statements are to be completed without the authorisation of the System Managers or seeking internal legal advice from the council's legal services.

7.17 Release of Material for Entertainment Purposes

Under no circumstances will any video material be released either directly or indirectly to any organisation for use as entertainment or inclusion in any television or other media production designed purely for entertainment purposes.

8. Section B – Body Worn Video Cameras

8.1 Introduction

Body Worn Video Cameras (BWVC), enable users to accurately record events as they happen and they provide an evidential account of actions, providing an officers “eye view” of incidents as they happened. The evidential video recording allows an insight into events as provided by the witness.

BWVCs are now an integral part of the Civil Enforcement Officers’ (CEO), Environmental Enforcement Officers’ (EEO) and Housing Officers’ (HO) Personal Protection Equipment whilst carrying out their daily duties. CEO’s, EEO’s and HO’s are classified as lone workers and may find themselves in situations where there is a threat of physical or verbal abuse. The council has a duty of care to reduce this risk. A clear and obvious way to record and reduce this risk is through the use of BWVC.

BWVC equipment is not intended to be used covertly and to evidence this, staff will wear a badge advising they are using BWVC’s. It is intended to provide a video and sound record of any interaction where the officer is acting in accordance with their duties.

The underlying principle of using BWVC is that the recording can be used as evidence when requested by an enforcement organisation as part of their investigation. The recording can be used as secondary evidence following the issue of a Penalty Charge Notice or Fixed Penalty Notice. It is therefore of paramount importance that the integrity of the digital recordings is maintained.

All staff being issued with BWVC will be trained in its use and the procedures to be followed.

8.2 Legislation

The images and audio captured by a BWVC are likely to include personal data and will only be used and shared in accordance with the principles of the Data Protection Act (DPA) 2018.

The BWVC described in this guidance are for overt use only and are not to be worn in a hidden or covert manner. The BWVC indicates that it is recording through a flashing LED being activated and a video screen on the front of the camera that shows what is being recorded. The officer also wears a badge indicating that CCTV is in use.

The recording is used to ensure the health and safety of the CEO’s in the course of their work, permitting this recording of personal information for the purpose of issuing PCNs and dispute resolution.

In operating BWVC’s, the viewing, processing and storing of recorded material the council will have due regard to the following legislation:

- General Data Protection Regulation (GDPR) 2018 and Data Protection Act (DPA) 2018.
- Criminal Procedure and Investigations Act 1996 (Chapter 25, Part 1, "Disclosure").
- Freedom of Information Act 2000.
- Human Rights Act 1998 (with specific adherence made to Articles 6 & 8).
- Police and Criminal Evidence Act 1984.
- Protection of Freedoms Act 2012.

8.3 Recording an Incident

Officers carrying a BWVC will wear a badge advising public they are doing so. Also they will have identification on view to show they work for Ashford Borough Council. The camera is active at all-times but not live recording. Live recording commences 30 seconds after the camera is switched to

activate and record. Recording should begin at the earliest opportunity at the start of an interaction. The officer should not record innocent interactions with members of the public who are for instance seeking advice or directions.

Wherever practicable, officers should restrict recording to the areas and persons necessary in order to obtain evidence and intelligence relevant to the incident.

In the event that a recording has been made in error, under no circumstances must the camera be tampered with or the recording reviewed. The device must always be returned to Ashford Monitoring Centre (AMC) intact.

8.4 Procedure after Recording

In order to prove authenticity of recordings, it may be necessary if requested for evidential continuity statements to be produced to confirm that any uploaded video files have not been tampered with in anyway.

Any recorded incidents will be retained on the computer until such a point when they are required for an evidential download or they are automatically deleted after 60 days.

8.5 Reviewing of a Video Recording

Where it is necessary to review a recording this should be undertaken by an SIA licensed officer of higher rank than the officer who made the recording, or an officer in the execution of their duties (such as Appeals and Representations officers & the Parking Department Team Leaders).

Where the recording maybe required for evidence, the “evidential” box must be ticked on the software so that the recording will not be deleted as per the automatic 60 day rule. Where the recording is not download, and 6 months has elapsed, the recording will be automatically deleted.

Recordings can be viewed remotely from any authorised council owned personal computer used in a restricted area. Mobile devices are not to be used for remote viewing. When a recording is viewed, an audit trail must be logged, confirming reason it has been viewed (i.e. Download, staff training, PCN appeal/TPT case) together with the initials and staff ID of person who viewed it.

All recorded material must be stored and retained in a secure manner in accordance with agreed procedures detailed in the Ashford Borough Council CCTV Code of Practice (Section A).

8.6 Download and Release of a Recording for Police Incidents

The download and release of data to an enforcement agency will be the same as for our public space CCTV cameras. The only difference is that footage can be kept for a maximum of 6 months from the date of the incident, ensuring this gives all enforcement agencies adequate time to process.

8.7 Downloading and Releasing of Video Recording for PCN Appeals & Representations to Traffic Penalty Tribunal

The Appeals & Representation Officer can send any recording saved as evidential with PCN documentation in case file for a PCN challenge that is being reviewed by the Traffic Penalty Tribunal. A copy of the case is also sent to the appellent.

9. Section C – Use of CCTV within Ashford Borough Council Assets (Private Space)

9.1 Introduction

The council uses CCTV on its property to aid the protection of staff and the public (where public access is permitted) in areas such as:

- Offices.
- Car parks.
- Depots.
- Communal areas in housing schemes.
- Council owned shopping areas.

This section applies to all ABC employees and all individuals or organisations working for or acting on behalf of the council.

The council will ensure that the use of CCTV on its own property and any images or recordings obtained by them comply with relevant legislation and regulator guidance. The retention period of this footage is 31 days from the incident or upon the completion of any investigation by Ashford Borough Council or a partner agency.

The council will follow the former 12 guiding principles in the Surveillance Camera Code of Practice (pages 4&5) and that:

- The CCTV systems and access to the data gathered by will be appropriately secure.
- The siting of CCTV cameras will not be unnecessarily obtrusive.
- The CCTV systems will be fit for purpose and maintained regularly.
- Appropriate signage will be installed where cameras are in use.
- A Privacy Impact Assessment will be carried out when any new and amended CCTV cameras are deployed.
- Any requests by individuals for access/a copy of a recording must be sent to the Monitoring Centre Team Leader in writing.

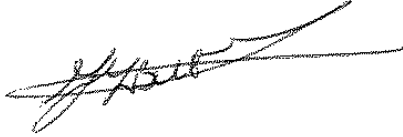
9.2 Purpose

Data gathered by the CCTV system can be used for specified purposes below:

- Ensuring security of property and other assets.
- Deterring and detecting crime (including health & safety infringements).
- Helping to identify and prosecute offenders.
- Providing evidence in prosecutions.
- Accident investigations.
- Supporting the Police to deter and detect crime.
- Identifying behaviour, in the workplace, that an employer could not reasonably ignore.

Images and recordings gathered by the CCTV system will not be used for any other purposes than outlined above, for example, CCTV will not be used to monitor the work of employees.

10. Signatories

A handwritten signature in black ink, appearing to read 'Tracey Butler', with a long horizontal flourish extending to the right.

Tracey Butler

Corporate Director of Place, Space and Leisure,

Date: 16th May 2024

Appendix 1 – Example of CCTV Signage



Appendix 2 – Glossary of Abbreviations

ABC	Ashford Borough Council
AMC	Ashford Monitoring Centre
BWVC	Body Worn Video Camera
CEO	Civil Enforcement Officer
CCTV	Closed Circuit Television
DVD	Digital Video Disc
EEO	Environmental Enforcement Officer
FPN	Fixed Penalty Notice
GDPR	General Data Protection Regulation
HO	Housing Officer
LED	Light Emitting Diode
ORS	Operational Recording System
PIA	Privacy Impact Assessment
PCN	Penalty Charge Notice
QMS	Quality Management System
SIA	Security Industry Association
TPT	Traffic Penalty Tribunal