



West Lothian
Council

CCTV Policy



Approved : Version 1.0

CCTV Policy

(Covering all Employees, Council Premises and CCTV Installations)

CONTENTS

1. POLICY STATEMENT	2
2. POLICY AIMS	2
3. POLICY IMPLEMENTATION	2
4. SCOPE	2
5. CCTV SYSTEM AIMS.....	3
6. RESPONSIBILITIES	3
7. PROVISION OF CCTV	4
8. NOTICES.....	4
9. COVERT SURVEILLANCE	5
10. CCTV SYSTEM MANGEMENT	5
11. RETENTION OF RECORDINGS	5
12. DISCLOSURE OF CCTV RECORDS	5
13. REQUESTS BY POLICE	6
16. REVIEW OF POLICY.....	6

1. POLICY STATEMENT

West Lothian Council has in place Closed Circuit Television (CCTV) systems covering the council's premises both internally and externally. The systems are owned by West Lothian Council and are covered by the Data Protection Act 1998 under the council's Data Protection registration reference number Z6925127. Images from CCTV systems are recorded and will be used in strict accordance with this policy.

This policy sets out the expected standards for the installation, maintenance, monitoring, recording and decommissioning of CCTV systems. The content should be read in conjunction with the CCTV Procedures and in accordance with the council's [Data Protection Act \(1998\) Policy](#), [Information Security Policy](#) and the UK Information Commissioner's [CCTV Code of Practice](#).

2. POLICY AIMS

The key aims of the policy are to ensure:

- That the use of Closed Circuit Television (CCTV) adheres to the principles of the Data Protection Act 1998, Human Rights Act 1998, Regulation Investigatory Powers Act 2000, Freedom of Information Act 2000, the UK Information Commissioner's CCTV Code of Practice (1998) and other relevant legislation;
- That implementations of CCTV systems are based on justifiable use and they are installed and operated within the standards set out in this policy and its supporting procedures;
- CCTV systems are operated with due regard for the privacy of all individuals at all times.

3. POLICY IMPLEMENTATION

This policy will be implemented as part of the council's Data Protection Policy and corresponding procedures. Governance over CCTV installations and operations is a responsibility of the Capital and Asset Management Board. A business case is required for each CCTV installation.

4. SCOPE

The policy relates to all council CCTV systems installed on council premises including those operated by third parties on the council's behalf. It does not relate to mobile CCTV, covert CCTV, CCTV installed in vehicles or CCTV systems in shared occupation buildings that are operated by partner organisations. Such systems require specific projects to be presented to the ICT Programme Board.

5. CCTV SYSTEM AIMS

The overall aims of providing CCTV systems are to:

- Assist in detecting, preventing and reducing the incidence of crime on council property;
- Act as a deterrent in reducing incidences of vandalism and criminal damage to council, employees and visitors' property;
- Act as a deterrent in reducing incidences of vandalism, bullying and other anti-social behaviour in schools.

6. RESPONSIBILITIES

In accordance with the councils Scheme of Delegation to Officers, the Chief Executive is the Senior Information Risk Officer (SIRO) and ultimately responsible for the security of information.

Depute Chief Executives

Depute Chief Executives are accountable and responsible to the Chief Executive for ensuring the implementation of this Policy within their portfolio of services.

Head of Corporate Services

The Head of Corporate Services is responsible for the provision of the CCTV Policy and associated procedures.

Heads of Service

Heads of Service are responsible for ensuring that the policy and procedures are implemented and adopted for all CCTV installations within their service and for providing valid business cases to the Capital and Asset Management Board for approval.

CCTV Systems Manager

The CCTV **Systems Manager** is the Estates Manager, West Lothian Civic Centre, Howden Road South, Livingston EH54 6FF. The Systems Manager has overall responsibility for the CCTV systems, guidelines and procedures within the council, ensuring that all installations are recorded and managed in accordance with this policy. The Systems Manager will ensure that there is a central register of all CCTV installations that will be maintained by Responsible Officers.

Person in Control of the Premises (Responsible Officers)

Person in control of premises (**Responsible Officers and Deputy Responsible Officers**) are responsible for ensuring the suitable operation, back up, retention, destruction and maintenance of all storage media and that the system is administered by Systems Operators in accordance with this policy and supporting procedures.

Responsible Officers and Deputy Responsible Officers are named individuals who are authorised to manage the CCTV system, including supervision of access, liaison with suppliers and third parties, incident management and reporting. They are also responsible for indentifying a sufficient number of Systems Operators for each CCTV system and providing that information to the Systems Manager.

CCTV System Operators

System Operators are responsible for the operation of CCTV systems on site in accordance with this policy, guidelines and local procedures ensuring appropriate operation, back up, retention, destruction and maintenance of all storage media

7. PROVISION OF CCTV

No CCTV scheme should be initiated, installed, moved or replaced without business case approval by the Capital & Asset Management Board. As well as ensuring adequate budget for installation and ongoing maintenance, the business case will be required to demonstrate the following:

- There is a risk of crime within the property and that CCTV can be demonstrated to be the most cost effective deterrent.
- There is a risk of vandalism and criminal damage to council, employees and visitors' property and that CCTV can be demonstrated to be the most cost effective deterrent.
- There is a risk of bullying and other anti-social behaviour in schools and that CCTV can be demonstrated to be the most cost effective deterrent.

Existing CCTV systems will be reviewed on a regular basis by the CCTV Systems Manager to ensure that they continue to cost effectively meet the CCTV Policy Aims.

8. NOTICES

Notices are to be posted at the entry point and throughout properties where CCTV is in operation. This is to ensure that staff, visitors and the public are informed of the use and purpose of CCTV. Notices include the following information:

- The identity of the Data Controller (West Lothian Council);
- The purposes for which CCTV is being used, eg, for the prevention or detection of crime or to increase safety and security whilst on council premises;
- Details of who to contact about the scheme and name/phone number where applicable. (Customer Service Centre 01506 280000)

9. COVERT SURVEILLANCE

Covert surveillance is NOT within the stated purposes of the installation and as such can ONLY be undertaken after the necessary authorisations required under the Regulation of Investigatory Powers (Scotland) Act 2000 and this policy have been obtained.

Requests for such surveillance must be submitted in Business Case format to the Chief Solicitor with approval required from a Deputy Chief Executive.

10. CCTV SYSTEM MANAGEMENT

Cameras will not be hidden from view and appropriate steps will be taken to inform the public of the presence of the system.

All recording equipment must be securely stored and access to the images restricted to a minimum number of password protected PCs. Access will be limited to the Systems Manager, Responsible Officers and Systems Operators.

Viewing of recorded images will take place in a restricted area to which other employees will not have access while viewing is taking place.

No sound recording will be undertaken from any part of the system.

11. RETENTION OF RECORDINGS

Recordings are held for a maximum period of 28 days and are destroyed when their use is no longer required. Actual retention periods will be dependent upon the ability and capacity of systems in operation. The retention period may be extended where the recordings are required for an ongoing investigation. When the retention period has been reached, digital recordings or removable media are overwritten, destroyed or wiped securely.

12. DISCLOSURE OF CCTV RECORDS

Access to CCTV recordings day-to-day will be restricted to staff who operate the system. CCTV recordings will be held only by the council unless there is a legitimate reason to disclose them. Disclosure includes the viewing of images by someone who is not the operator of the system as well as the transfer of recordings to another organisation. Records may need to be disclosed for the following reasons:

- To the police, for the prevention and detection of crime;
- To a court for legal proceedings;
- To a solicitor for legal proceedings;
- To the media for the purposes of identification.

Where recordings have been disclosed or viewed by an authorised third party the council will keep a record of:

- When the images were disclosed;
- Why they have been disclosed;

- Any crime incident number to which they refer;
- Who the images have been viewed by or disclosed to.

13. REQUESTS BY POLICE

Viewing of CCTV recordings by the Police must be recorded in writing. Requests by the Police are actioned under section 29 of the Data Protection Act. The Police should provide a completed section 29 form stating that the information is required for the prevention and detection of crime. If a form is not available, or in an emergency, the council must record in writing when and why the information has been released.

Should a recording be required as evidence, a copy may be released to the Police. Where this occurs the recording will remain the property of the Council. The date of the release and the purpose for which it is to be used must be recorded.

The Police may require the council to retain recordings for possible use as evidence in the future. Such records must be stored and indexed so that they can be retrieved when required.

14. REQUESTS BY 3rd PARTIES

Applications received from other outside bodies (eg, solicitors) to view or release images will be referred to the Chief Solicitor. In these circumstances, images may be released where satisfactory evidence is produced showing that they are required for legal proceedings, an information access request (Subject Access Request or Freedom of Information request) or in response to a Court Order.

15. SUBJECT ACCESS REQUESTS

Individuals may be granted access to recorded images of themselves by making a 'Subject Access Request' under the council's Data Protection Policy (subject to proof of their identity and sufficient information such as exact times and location, to allow the recorded data to be located). All Subject Access Requests are recorded and managed in the council's CRM (Customer Relationship Management) system.

The privacy of individuals must be maintained at all times.

16. CHARGES & FEES

It is current council policy not to charge for Subject Access Requests.

However, the council reserves the right to impose charges up to £10 for reproduction costs. In this event, applicants will be advised of any charges at the point of submission of CCTV Subject Access Requests.

17. REVIEW OF POLICY

This policy will be reviewed, by the Head of Corporate Services, on an annual basis or in the light of technological, organisational and/or legislative developments.

Last Review Date: Oct 2014

Next Review Date: Oct 2015