

**WIGAN COUNCIL**

**CCTV**

**CODE OF PRACTICE**

April 2011

## **FOREWORD**

The CCTV Code of Practice gives valuable guidance in the use of CCTV, and the protection of law-abiding citizens. It also provides guidance on producing evidence against perpetrators of Criminal action.

CCTV, where it is considered beneficial, should always be used as part of a wider crime prevention strategy, not as a sole means.

The Economy, Environment, Culture & Housing Scrutiny Committee will review and amend the CCTV Code of Practice as appropriate and publish such amendments.

CCTV does play an important part in our fight against crime. Use it wisely and follow this Code of Practice.

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**Portfolio Holder fro Neighbourhood Services**

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## DEFINITIONS

Authority	Wigan Council within whose boundaries the CCTV system is installed.
CCTV	Closed-Circuit Television surveillance and monitoring equipment.
Building Stronger Communities Scrutiny Committee	The scrutinising panel for the section
Control Room	The secure area containing the CCTV monitors and the recording and editing equipment.
Data Controller:	A person who (either alone or jointly or in common with other persons) determines the purpose for which and the manner in which personal data are, or are to be processed.
Live Digital Recording	Digital recording made of "Real Time" events as they occur.
Local Monitoring and Recording (LMR)	A CCTV system monitored on site, i.e. not connected back to the central control room.
APP	Authority Public Protection database which is used to record all types of system faults or events monitored.
NSI	National Security Inspectorate. This organisation is a Regulatory Body for Security Organisations.
Operators	The individuals responsible for operating the camera controls and other monitoring room equipment.
Partners	The term "Partners" is used to describe the working agreement between the Local Authority, Police and the Crime reduction partnership
Police/Fire Service	Greater Manchester Police, Fire Service & Rescue Service and British Transport Police
Responsible Officer	The person having overall responsibility for the system and its operation.
Service Manager & Principal Officers	The persons responsible for the overall management of the CCTV system and operational staff.
Operational Leaders	The persons responsible for the day-to-day operational supervision of the CCTV Control Room.
The System	The Cameras with the Monitors, Recorders and Control Equipment.
Digital Time-lapse	Reduced frame rate digital recording
D.V.R.	Digital Video Recorder.

# **CCTV CODE OF PRACTICE**

## **1.0 INTRODUCTION**

- 1.1 Due to the constant changes in legislation this Code of Practice will be reviewed and updated annually and will be available to the public at Wigan Town Hall and on the Council's web site. It has been drawn up to govern the management of the Control Room and the Authority's CCTV Surveillance Systems.
- 1.2 It sets out to ensure the most effective use of the system to prevent crime and disorder. It endeavours to uphold the civil liberties of those who live, work and visit the Borough.
- 1.3 All partners who benefit from Wigan Council's CCTV system agree to be bound by this Code of Practice in order that the public interest may be best served.
- 1.4 The Code of Practice applies to all CCTV installations operating in conjunction with the Authority and all CCTV equipment linked into the Authority's Central Watch CCTV Control Room.
- 1.5 It is important to state from the outset that CCTV systems will not be used as "spy systems". There will be no interest shown in or deliberate monitoring of people going about their legitimate business.
- 1.6 All digital images recorded are kept for 31 days after which they will be automatically overwritten unless an access request has been made under the following circumstances:-
  - Police for the purpose of any criminal investigation.
  - Officers of Wigan Council for the purpose of any civil investigation.
  - Any legal obligation for access under Data Protection Legislation.

The release of any digital images will be in accordance with this Code of Practice and Wigan Council's CCTV Operational Manual.

## **2.0 PURPOSE OF THE SYSTEM**

- 2.1 The use of the system shall be for the purpose of:-
  - a) Providing the Police and the Council with evidence to take criminal and civil action in the Courts;
  - b) Reducing the fear of crime and providing reassurance to the public;
  - c) Providing assistance in the prevention of crime;
  - d) Assisting with the maintenance of public order;
  - e) Deterring or reducing the incidence of vandalism, graffiti, and other environmental crime;
  - f) Deterring persons from committing crimes and to enhance the opportunities for detecting those who do;
  - g) Improving the safety and security of residents, visitors and the business community;

- h) Discouraging anti-social behaviour including alcohol and drug-related elements;
- i) Assisting aspects of Town Centre Management.

2.2 The Authority is committed to maintaining, reviewing, and enhancing the systems in order to ensure and improve their effectiveness. It is also committed to maintaining civil liberties.

### **3.0 OPERATIONAL CODE OF PRACTICE**

3.1 No CCTV images shall be sold (or given) for commercial use nor made available to any person other than the Police, Fire Service, Legal profession, partner agency or Local Authority Staff (as defined in this Code of Practice), except under certain circumstances.

3.2 Any members of the General Public who approach the Authority requesting to view the content of any CCTV images regarding any incident will be advised to report the matter to the Police for further investigation. Where a member of the public specifically asks to see CCTV images of themselves, they should be advised of the provisions under the under the Data Protection Act, regarding subject access.

3.3 Any requests from the Police or Fire Service for CCTV images must be made on the agreed standard form and signed by an Inspector or an Officer of higher authority. The Police will also sign and accept responsibility as part of their obligations under the Data protection Act for any image released into their care.

3.4 All requests from internal Directorates for access to CCTV images must be made on the agreed standard form and signed by a service manager from that Directorate. The individual collecting the images will also sign and accept responsibility for any data released into their care.

3.5 All CCTV images provided by the Authority shall remain its property at all times and at no time is the copy right transferred to the recipient.

3.6 The Police, when required, and where operational factors allow, shall, with agreement of the Authority, have operational access to view any of the Authority's CCTV installations.

3.7 All CCTV images recorded shall be kept for 31 days, unless requested for the purposes stated at Para. 1.6.

3.8 No CCTV system shall intentionally overlook and view into private premises without receiving prior consent from the occupiers of those premises.

### **4.0 REQUESTS FROM THE MEDIA FOR CCTV VIDEO IMAGES OF CRIMES / CRIMINALS**

4.1 CCTV images will not normally be given to the media for broadcast or reproduction. However, in exceptional circumstances, they may be provided under strict controls if it is thought that by so doing they may assist in solving a crime, but this should only be done with the express approval of all the partners and under the following conditions.

4.2 The Data Protection Act 1998 provides that personal data should not be disclosed to third parties subject to certain exceptions, and were images from which a living individual can be identified.

- 4.3 Disclosure of CCTV images to the media for broadcasting or reproduction may be done in the following circumstances:
- a) If it would assist in the prevention or detection of crime, or the apprehension of prosecution of offenders.
  - b) If there is a reasonable belief that having regard in particular to the special importance of the public interest in freedom of expression, publication would be in the public interest.
- 4.4 In deciding whether to disclose CCTV images to the media, a balance should be struck between the individuals right to a private / family life against the reason in (a) or (b) above for the disclosure of the information.
- 4.5 CCTV images should not be disclosed to the media unless the consent of any victim of a crime shown on the image has been first obtained wherever possible and in partnership with the Police.
- 4.6 Before any CCTV images are released to the media the advice of service management or legal services should be sought.

## **5.0 CHANGES TO THIS CODE OF PRACTICE**

- 5.1 Minor changes to the Codes of Practice and Operational Manual that are required to efficiently maintain the Operational System may be made by the Director of Environment, Places Directorate.
- 5.2 Any major changes to the Code of Practice Operational Manual will be agreed by the Building Stronger Communities Scrutiny Committee.

## **6.0 RESPONSIBILITIES OF THE OPERATORS OF THE SYSTEM**

- 6.1 The Operators of the system have prime responsibility for:-
- a) Compliance with the purpose and objectives of the system;
  - b) Operation and security of the system;
  - c) The protection of the interests of the public and of the individual as far as is practical;
  - d) The compliance with this Code of Practice;
  - e) Compliance with CCTV Operational Manual;
  - f) Compliance with all legislation pertaining to the use of the system.

## **7.0 MANAGEMENT OF THE SYSTEM**

- a) All communication between partners shall be in accordance with operational procedures in force at the time.
- b) Any video links between the CCTV Control Room and the Police shall be used only in accordance with agreed operational procedures.

### **7.1 Access to Resources**

- a) Arrangements for access to recordings and the CCTV control room shall follow this Code of Practice.

## **8.0 CCTV MONITORING SUITE**

### **8.1 Access to and Security of Monitoring Suite**

- a) Access to view monitors, whether to operate the equipment or to view the images, is limited to authorised staff with that responsibility.
- b) Only authorised personnel are to be admitted to the control room. The names and photographs of all authorised personnel are to be held within the control room and all such staff must carry an official identification card.
- c) Visits by non-authorised personnel for example, Councillors, Council employees or the Police can only be authorised by the Director of Environment Places Directorate. However, this responsibility is delegated to the Section Service Manager.
- d) Visitors will only be allowed access to the control room if the visit has been authorised in advance. An authorised member of staff must accompany all visitors and ensure that they sign the visitor's book on entering and exiting the control room.
- e) Access to or demonstration of monitors shall not be allowed except for lawful, proper and sufficient reasons and, on such occasions, adequate precautions shall be in place to ensure security and privacy of individuals and information

### **8.2 Operational Standards**

- a) The CCTV control room shall operate to a recognised "NSI Standard" ensuring that "best practice" and strict security procedures are maintained.
- b) All control room staff shall undergo positive security vetting to Greater Manchester Police standard.
- c) All control room staff shall be trained accordingly and licensed by the Security Industry Authority (SIA)
- d) The CCTV Control Room shall facilitate camera operation, viewing, monitoring and constant recording of CCTV installations.

## **9.0 COMPLAINTS PROCEDURE**

- 9.1 The Council has an existing Complaints Procedure, copies of which are available from the Wigan Town Hall, Library Street, Wigan, WN1 1YN, Tel. No. (01942) 244991, Minicom Tel. No. (01942) 404141; Website [www.wiganmbc.gov.uk](http://www.wiganmbc.gov.uk).
- 9.2 This procedure must be used for any complaints regarding CCTV owned or part owned by the Council. A copy of the Complaints Procedure is at Appendix 1.
- 9.3 The salient points of the Complaints Procedure are:-
  - a) If a complaint is received which can be answered reasonably quickly, a reply should be sent within 10 working days of receiving the complainant's letter.
  - b) If the complaint is complicated and requires in-depth investigation, the complainant should receive a progress report within 10 working days and a full response within a further 15 days in writing.

- c) If there are any difficulties in seeking a resolution, the Chief Executive, who is also Chair of the Local Strategic Partnership, must be advised in writing, along with the Chief Officer of the relevant Directorate, by the Officer dealing with the complaint.

9.4 Any complaints received against the Police must be forwarded immediately to the Divisional Chief Superintendent based at Wigan Divisional Police Headquarters, to be dealt with through normal Police procedures.

## **10.0 CONSULTATION**

10.1 Wigan Council works in Partnership and prides itself on its participation, co-operation and communication with all interested parties in the fight to prevent and reduce crime.

10.2 The Council has a consultation strategy, which must be adhered to and guidance on strategy can be obtained from the Wigan Town Hall.

10.3 The salient points of the consultation strategy are:-

- a) Any proposed CCTV system must be the subject of adequate research and consultation within the area to be covered by the camera system and where applicable the adjacent areas. Every effort must be made to consult with 'hard to reach' groups. A public meeting on its own is not a sufficient consultation process.
- b) No CCTV system will be considered unless it has the Council and Divisional Police Chief Superintendent's support.
- c) If there are unresolved difficulties with any consultation process, then refer to the Building Stronger Communities Scrutiny Committee for advice.
- d) A CCTV System must not infringe legislation on human rights issues, ie. privacy and this must be explained as part of the consultation process.
- e) All parties involved must be informed about the provisions relating to CCTV contained in the Data Protection Act 1998 and the Data Protection Act – CCTV Codes of Practice 2008.

10.4 If you are experiencing a mixed response in your consultation research, then submit a report along with your findings and research methodology to the Building Stronger Communities Scrutiny Committee. The Committee may act as a final arbitrator or request further research, maybe from an independent source. In any event your consultation process and findings should be already documented so they may be scrutinised by the Building Stronger Communities Scrutiny Committee.

## **11.0 DATA PROTECTION ACT 1998 & DATA PROTECTION ACT – CCTV CODES OF PRACTICE 2008.**

11.1 The Authority has an obligation to comply with the requirements of the Data Protection Acts.

11.2 All CCTV Systems which record pictures should be registered under the Data Protection Act 1998.

The Act contains a process for people to have access to video recordings under defined conditions. (Below is a brief summary of the provisions of the Act).

- 11.3 Section 7 of the Data Protection Act 1998 provides that where an application is made in writing to the Data Controller (D.C.) and the appropriate fee has been paid, an individual is entitled to be informed of the following detail:-
- a) Whether any personal data involving him/her has been processed by the D.C.
  - b) If so, a description of the personal data.
  - c) The purpose for which it was processed.
  - d) Those parties to whom the data can be disclosed.
- 11.4 The D.C. must also provide the information which forms the personal data, eg. a copy of the recordings.
- 11.5 Should other persons be identifiable, then consent should normally first be obtained from them before disclosure is made, unless having regard to all the circumstances, it is reasonable to disclose the data without the second individuals consent.
- 11.6 There is an exception to this which covers personal data processed for the purpose of the prevention or detection of crime or the apprehension or prosecution of offenders, which might be prejudiced by disclosure of the data.
- 11.7 In addition, the Act also requires appropriate steps to be taken to avoid unauthorised or unlawful processing. Apart from data subjects, access to recorded images is therefore limited.
- 11.8 If a person requests video images of themselves, then Appendix 2 shows a standard form that needs to be completed by the applicant.
- 11.9 Appeals – if an individual believes that a Data Controller has failed to comply with a subject access request in contravention of the Act, they may apply to Court for an order that the Data Controller complies with the request. Other appeals can be forwarded to the Information Commissioners Office at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

## **12.0 CCTV SIGNS**

- 12.1 All CCTV systems shall have appropriate signage in accordance with the Data Protection Act, advising people that CCTV is in operation. These signs need to be placed on the perimeter of the CCTV system and other strategic places.
- 12.2 The CCTV signs will vary in size according to location and the circumstances. Each sign shall contain the identity of the organisation responsible for the scheme and its purpose. A contact number should be given for further information about the scheme.
- 12.3 If signs are to be installed on public highways, then permission and advice on siting must be sought from the Director of Environment, Places Directorate.

## **13.0 CONFIDENTIALITY**

- 13.1 CCTV images may contain sensitive scenes and information; therefore, confidentiality must be maintained at all times. It is essential that strict security is maintained and access to images restricted. (For exceptions see Para 1.6).

## 14.0 HUMAN RIGHTS

- 14.1 All CCTV systems in their design, management and operation must comply with Human Rights Legislation.

## 15.0 CONSIDERATION BEFORE PURCHASE OF CCTV SYSTEMS

- 15.1 In considering the installation of a CCTV System, we will ensure that it complies with the Authority's Code of Practice and in so doing, prior to purchase, satisfy its requirements on:-
- a) The purpose of the CCTV system with evidence to suggest its introduction will satisfy the demand.
  - b) The CCTV systems purpose linked with other crime prevention measures.
  - c) The adequacy of the procedures for System Management.
- 15.2 In the likely event that CCTV recorded images are to be used as Court evidence, the following questions should be considered:-
- a) What level of detail are the cameras expected to identify, e.g. groups of people, individuals, car number plates etc?
  - b) What operational requirements are needed, ie, night-time efficiency (there are 4000 hours of darkness per annum), number of cameras, colour or monochrome, the frequency of time-lapse recording etc
  - c) Consider measures to protect the CCTV cameras from vandalism.
- 15.3 Can the subsequent revenue costs for running the system be afforded?
- 15.4 **Further Information**
- Useful information can be obtained by browsing the Home Office web site [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk) and the Information Commissioners Office web site [www.ico.gov.uk](http://www.ico.gov.uk)
- 15.6 The Home Office has provided a number of informative documents some of which are as follows;
- a) **CCTV – Looking Out for You**
  - b) **CCTV Operational Requirements Manual**
  - c) **National CCTV Strategy**
- There are other useful sources of information;
- c) **The British Security Industry Association has published a "User Guide to CCTV Systems Performance"**
  - d) **The Local Government Association**
  - c) **The Home Office Scientific Development Branch**

## 16.0 DIGITAL IMAGE RECORDING PROCEDURES

- 16.1 Adhering to the agreed management and operational procedures is crucial if the digital recordings produced are to be of sufficient evidential value and quality that they can be used for intelligence gathering purposes or as evidence to be produced in a court.
- 16.2 Time lapsed digital images are automatically recorded and are kept for 31 days on the hard drive of the recording equipment, after which the images will be overwritten.
- 16.3 Real time digital Images are automatically recorded on the spot monitors and are kept for 14 days on the hard drive of the recording equipment. After this deadline the images will be automatically overwritten, however, some images may be archived on the systems hard drive for training purposes.
- 16.4 For evidential purposes each recorded image downloaded should have the correct time and date automatically embossed on it, therefore it is essential that operators periodically check that images released are correct.
- 16.5 If a request for access to recorded images is made within the 31 days, then only copies of the images that have been specifically requested can be downloaded. These images can be downloaded on either DVD or CD-ROM formats.
- 16.6 Each recorded image that is released should be endorsed with the all relevant information pertaining to what the image relates to and any FWIN or APP report numbers
- 16.7 **Digital Recording Viewing/Copying Procedure**

On receiving a request to view a digital recording of a particular incident, the following process should be followed: -

To preserve the continuity of evidence a report should be created on the database for either a viewing or a copy made of a digital recording, thereby creating a unique incident reference number.

The report should include the following: -

The name, rank or title of the person requesting the viewing or copy,  
The organisation that the person represents, Incident type e.g. assault theft etc,  
Date time and location of the incident,  
Police/Fire Service FWIN (if applicable)  
Any additional information applicable

Each digital image recording released should be clearly identified with the relevant incident report number, start and finish time, date of the incident and the Police/Fire Service FWIN (if applicable).

It is important to stress to the recipient of digital image recordings that the images will at all times remain the copyright property of Wigan Council. Therefore no images should be released either wholly or partially to a third party without the written consent from Wigan Council. A record of all data released will be kept by the Authority for 2 years.

## **17.0 LOCAL MONITORING AND RECORDING**

- 17.1 A premises which has a CCTV system, which is monitored and recorded; on site (i.e. there is no connection to the CCTV Monitoring Suite) is known as a "Locally Monitored and Recorded" (LMR).
- 17.2 LMR systems are adopted where an organisation does not want or require the CCTV images transmitting back to the CCTV Monitoring Suite or where the cost of getting images transmitted are cost prohibitive. As technology advances, this situation may change and therefore the Authority will keep CCTV development under constant review. All Managers of LMR systems must comply with this Code of Practice.
- 17.3 All CCTV equipment at LMR sites should be securely stored to prevent theft, loss etc. The recording equipment and images are the most vulnerable.
- 17.4 Premises Managers, School Governors etc. should appoint a Responsible Officer to manage and control the CCTV systems on their premises.
- 17.5 It is essential that Responsible Officers are adequately trained in the use of their CCTV system and the protocol contained in this document. Advice and guidance can be sought from the Authority's Security staff. (Tel. (01942) 827575/404040).
- 17.6 The CCTV system management on image recording and storing procedures should at all times be adhered to and in accordance with the guidelines contained within this Code of Practice.

### **17.7 Police Investigation**

The Police may need to investigate an incident recorded on the LMR CCTV system and as a result they may request to view CCTV images from the system. In these circumstances the responsible officer operating LMR systems should adhere to following procedures;

- a) Any request from the Police for CCTV images must be made on the agreed standard form and signed by the rank of Inspector or higher authority;
- b) The Police will sign and accept responsibility for any image released into their care. (Please ensure you have kept a record of the release as evidence of this may be required as continuation of court evidence);
- c) CCTV images required for the investigation must not be overwritten unless Police approval is given by the rank of Inspector or higher authority;
- d) The Police should return the CCTV image at the conclusion of the case and when the appeal period has lapsed.

## **18.0 DISCIPLINARY ACTION**

- 18.1 The appropriate disciplinary action should be implemented where there is a deliberate breach of security procedures (or this Code of Practice) and staff should be made aware of such disciplinary procedures.

## **19.0 REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)**

- 19.1 It is essential that before conducting any surveillance that advice should be sought from the Authorities Legal Services, also information relating to this subject can be

found on the Authorities intranet;

[www.wigan.gov.uk/services/councildemocracy/policiesplans/covertsurveillance](http://www.wigan.gov.uk/services/councildemocracy/policiesplans/covertsurveillance)

## **20.0 FREEDOM OF INFORMATION ACT**

20.1 It is essential that before releasing any data under a Freedom of Information request that advice should be sought from the Authorities Legal Services, also information relating to this subject can be found on the Authorities intranet;

[www.wigan.gov.uk/services/councildemocracy/policiesplans/freedomofinformation](http://www.wigan.gov.uk/services/councildemocracy/policiesplans/freedomofinformation)

## **21.0 COUNCIL DIRECTORATE/SECTION REQUEST TO VIEW IMAGES**

21.1 Any other Council Directorate/Section may request to view CCTV images in pursuit of any alleged criminal or civil action, the procedure for access is at (Para 3.4)

## **22.0 COUNCIL DIRECTORATE/SECTION REQUEST TO USE CCTV EQUIPMENT**

22.1 On occasions other Council Directorate/Section may request to use of or view the CCTV equipment, when this occurs they will need to be referred to the Risk Management and CCTV Section's document 'Overt and Covert CCTV Protocol – Internal Directorates' which outlines the procedures that they will need to follow.

## COMMENTS, COMPLIMENTS AND COMPLAINTS

We want to hear from you.

Wigan Council aims to provide high quality services at all times.

To improve our standards, we want to know what you think about the service you have received. We would like to know when we get things right, so that this standard can be maintained.

When we get things wrong we must learn from mistakes and consider any suggestions you have which may improve services.

### Sometimes things go wrong.

With over 10,000 employees and a budget of nearly £300 million the Council is a large organisation, and inevitably in any large organisation, things can go wrong from time to time. We may also be prevented by legislation or lack of money from doing things in the way you think they should be done. You are always entitled to an explanation for any decision, and an apology if we get it wrong.

### How to contact us.

1. In the first instance your complaints or comments should be made to the Directorate responsible for providing the service. This can be done in writing, by phone, by personal visit, by e-mail or by using the Comments form associated with this page. Complaints can also be made on your behalf by a friend or relative.

If you have already been in touch with the Council you should have the name of someone to contact and a telephone number or address. **If you are not sure which Directorate is responsible you can contact our main switchboard on 01942 244991 between 8.45am and 5.00pm, Monday to Friday.**

2. If you're not happy with the outcome, you can write to the head of the Directorate concerned.
3. If you still feel your complaint has not been resolved, you can write to the Chief Executive, Joyce Redfearn, at the Town Hall, Library Street, Wigan, WN1 1YN. She will carry out an independent investigation.
4. At any stage in the process a resident of the Borough can contact their local Councillor or M.P. If you are unsure who your Councillor is, your local library or district office will be happy to advise you or contact the Town Hall (Tel. (01942) 244991).
5. We hope that this procedure will resolve the majority of problems. However, you can also take your complaint to the Local Government Ombudsman, who has the power to investigate unresolved complaints against local authorities. A form for contacting the Ombudsman can be obtained from your Councillor, any of the Directorates listed on the [Directorate information page](#) or any district office. (Please note that the Ombudsman will normally expect you to give the Council a chance to sort out your complaint before getting involved).

### How long will it take?

If your complaint can be answered reasonably quickly, we will reply within 10 working days. If it's more complicated we will give you a progress report within 10 working days and a full response within a further 15 working days.

You are entitled to a written explanation of the outcome of your complaint.

# COMMENTS, COMPLIMENTS AND COMPLAINTS FORM

IS THIS FORM STILL IN USE?

Your Name:

Your Address:

Postcode:

Your Telephone No. (daytime)

Your E-Mail Address

Please select the Directorate responsible for the service (if known)

Details of your Comments, Compliments or Complaints

## **WIGAN COUNCIL'S CCTV SYSTEMS**

This information sheet contains advice and information for the general public regarding data recorded by Wigan Council's CCTV Systems and the provisions of the Data Protection Act 1998.

### **THE PURPOSES FOR WHICH IMAGES ARE RECORDED**

Full details of the principles and criteria under which Council owned CCTV systems operate may be found in the CCTV Code of Practice (copies are available from the Town Hall), or from the website [www.wiganmbc.gov.uk](http://www.wiganmbc.gov.uk).

### **RECORDED IMAGES**

All CCTV recordings are retained for a minimum period of 31 days. If no legitimate request for retention of the recording has been made, it is then erased or overwritten. All requests for retention of recordings are considered against the provision of the Data Protection Act and the CCTV Code of Practice.

Recorded data will only be used for the purposes defined in the Code of Practice.

Access to recorded data shall only take place in the circumstances defined in the Code of Practice and the provisions of relevant legislation.

Recorded data will not be sold or used for commercial purposes or the provision of entertainment. However, in exceptional circumstances images may be released but subject to strict controls and with the approval of senior management

All data released shall remain the property of Wigan Council.

### **DISCLOSURE TO THE GENERAL PUBLIC**

The showing of recorded data to the public will only be permitted in accordance with the CCTV Code of Practice and the provision of the Data Protection Act 1998.

In every case, a written application in an approved format (application forms are available from Places Directorate); clearly showing the reason(s) for the request is required.

A charge not exceeding the prescribed maximum is payable for each request to view recorded images.

### **COMPLAINTS**

If you do have cause to complain about any aspect of the Council's CCTV Systems, please write to the Director of Environment, Places Directorate, Civic Buildings, New Market Street, Wigan WN1 1RP.

**WIGAN COUNCIL CCTV SURVEILLANCE SYSTEM**  
**Data Protection Act 1998**



**How to Apply for Access to Information Held on the CCTV System**

These notes explain how you can find out what information, if any, is held about you on the CCTV system.

**Your Rights**

Subject to certain exemptions, you have a right to be told whether any personal data is held about you. You also have a right to a copy of that information in a permanent form except where the supply of such a copy is not possible or would involve disproportionate effort, or if you agree otherwise. Wigan Council will only give that information if it is satisfied as to your identity. If release of the information will disclose information relating to another individual(s) who can be identified from that information, Wigan Council is not obliged to comply with an access request unless:-

- The other individual has consented to the disclosure of information, or
- It is reasonable in all the circumstances to comply with the request without the consent of the other individual(s).

**Wigan Council Rights**

Wigan Council may deny access to information where the Act allows. The main exemptions in relation to information held on the CCTV System are where the information may be held for:-

- Prevention and detection of crime.
- Apprehension and prosecution of offenders.

Should the release of the data likely to prejudice any of the above purposes

**Fee**

A fee of £10 is payable for each access request, which must be in pounds sterling. Cheques, Postal Orders, etc., should be made payable to Wigan Council.

**THE APPLICATION FORM: (N.B. ALL sections of the form must be completed. Failure to do so may delay your application).**

**Section 1**            Asks you to give information about yourself that will help us to confirm your identity. We have a duty to ensure that information it holds is secure and it must be satisfied that you are who you say you are.

**Section 2**            Asks you to provide evidence of your identity by producing TWO official documents (which between them clearly show your name, date of birth and current address), together with a recent full face photograph of you.

**Section 3**            The declaration must be signed by you.

**When you have completed and checked this form, take or send it, together with the required TWO identification documents, photograph and fee to:-**

**Wigan Council**  
**Risk Management and Security Section**  
**Places Directorate**  
**Wigan Town Hall**  
**Library Street**  
**Wigan**  
**WN1 1YN**

*If you have any queries regarding this form, or your application, please contact us on;*

*01942 827575/827747*

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**Data Protection Act 1998**



**SECTION 1                      About Yourself**

The information requested below is to help us (a) satisfy itself as to your identify and (b) find any data held about you.

PLEASE USE BLOCK LETTERS

<b>Title</b> ( <i>tick box as appropriate</i> )	Mr		Mrs		Miss		Ms	
<b>Other Title</b> ( <i>eg. Dr., Rev., etc.</i> )								
<b>Surname/Family Name</b>								
<b>First Names</b>								
<b>Maiden Name/Former Names</b>								
<b>Sex</b> ( <i>tick box</i> )	Male			Female				
<b>Height</b>								
<b>Date of Birth</b>								
<b>Place of Birth</b>	Town							
	Country							

<b>Your Current Home Address</b> <i>(to which we will reply)</i>		
A telephone number will be helpful in case you need to be contacted.	Postcode	Tel. No.

If you have lived at the above address for less than 10 years, please give your previous address for the period.

<b>Previous address(es)</b>		
Dates of Occupancy	From:	To:
Dates of Occupancy	From:	To:

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**Data Protection Act 1998**



**SECTION 2 Proof of Identity**

To help establish your identity, your application must be accompanied by **TWO** official documents that between them clearly show your name, date of birth and current address.

For example: a birth/adoption certificate, driving licence, medical card, passport or other official document that shows your name and address.

Also a recent, full face photograph of you.

**Failure to provide this proof of identity may delay your application.**

**SECTION 3 Supply of Information**

You have a right, subject to certain exceptions, to receive a copy of the information in a permanent form. Do you wish to:

(a) View the information and receive a permanent copy

YES/NO

(b) Only view the information

YES/NO

**SECTION 4 Declaration**

**DECLARATION** (to be signed by the applicant)

The information that I have supplied in this application is correct and I am the person to whom it relates.

Signed by

Date

**Warning – a person who impersonates or attempts to impersonate another may be guilty of an offence.**

**NOW – please completion Section 5 and then check the 'CHECK' box (on page 5) before returning the form.**

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Data Protection Act 1998**



**SECTION 5 To Help us Find the Information**

If the information you have requested refers to a specific offence or incident, please complete this Section.

Please complete a separate box in respect of different categories/incidents/involvement. Continue on a separate sheet, in the same way, if necessary.

If the information you require relates to a vehicle, property, or other type of information, please complete the relevant section overleaf.

Were you: *(tick box below)*

A person reporting an offence or incident

A witness to an offence or incident

A victim of an offence

A person accused or convicted of an offence

Other – please explain


Date(s) and time(s) of incident

Place incident happened

Brief details of incident




**WIGAN CCTV SURVEILLANCE SYSTEM  
Data Protection Act 1998**

**Further Information:**

These notes are only a guide. The law is set out in the Data Protection Act 1998, obtainable from a Government Stationery Office. Further information and advice may be obtained from:-

**The Office of the Data Protection Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF**

**Tel. (01625) 545745**

Please note that this application for access to information must be made direct to Wigan Council (address on Page 1) and **NOT** to the Data Protection Commissioner

<b><u>OFFICIAL USE ONLY</u></b>	
<b>Please complete ALL of this Section (refer to CHECK box above).</b>	
Application and legible <input type="checkbox"/>	Date Application Received <input type="text"/>
Identification documents checked <input type="checkbox"/>	Fee Paid <input type="text"/>
Details of 2 Documents (see page 4) <input type="text"/>	Method of Payment <input type="text"/>
	Receipt No. <input type="text"/>
	Documents Returned <input type="text"/>
<b>Member of Staff completing this Section</b>	
Name <input type="text"/>	Location <input type="text"/>
Signature <input type="text"/>	Date <input type="text"/>