



WIGAN COUNCIL

CCTV

CODE OF PRACTICE



AMENDMENT RECORD

PAGE	REVISION	AMENDMENT	DATE	SIGNATURE
N/A	CCTV Codes of Practice	2015 publication revised and amalgamated with, CCTV Operational Manual and Central Watch Station General Instructions	23-3-15	T W Bolton
(i)	Policy Statement	As NSI observation included the independent audit process	28-4-15	T W Bolton
5	Operational Standards	As NSI observation included the NSI accreditation and SIA checks	28-4-15	T W Bolton
All	Page footer	Revised date on all pages	4-2-16	T W Bolton
Appendix 2	Wigan Council's CCTV Surveillance System	Request for Access to Data added to the title	4-2-16	T W Bolton
Contents (ii) & Para 15 page 8	Consideration before Purchase of CCTV Systems	Amended to Consideration before Installation of CCTV Systems	10-3-16	T W Bolton
Appendix 2	Wigan Council's CCTV Surveillance System	National Security Inspectorate accreditation logo added to all pages	10-3-16	T W Bolton
Para 8 page 5	CCTV Monitoring Suite	Inclusion of sentence - Security screening in accordance with BS 7858:2012	7-4-16	T W Bolton
Cover Page	Wigan Council's CCTV Codes of Practice	Inclusion of Surveillance Camera Commissioners accreditation logo	14-10-16	T W Bolton
Page 1	Introduction	Additional CCTV locations added	14-10-16	T W Bolton
Appendix 1	Comments, Compliments and Complaints	Inclusion of Surveillance Camera Commissioners accreditation logo	14-10-16	T W Bolton
Appendix 2	Wigan Council's CCTV Surveillance System	Surveillance Camera Commissioners accreditation logo and Section 5 includes requirements of producing documentation pertaining to access request, e.g. vehicle or property	14-10-16	T W Bolton
All	Page footer	Revised date on all pages	14-10-16	T W Bolton
(i)	Policy Statement	The inclusion in the statement of British Standards (BS) 7958:2015 and BS 7858: 2012	14-10-16	T W Bolton
Para 8, page 5	CCTV Monitoring Suite	Inclusion of Police right of access	6-7-17	T W Bolton
Cover Page & Appendices	Wigan Council's CCTV Codes of Practice	Inclusion of Surveillance Camera Commissioners accreditation new 2022 logo	24-8-17	T W Bolton
Para 21 page 11	Protection of Freedoms Act 2012	Inclusion of information relating to the Protection of Freedoms Act 2012	1-11-17	T W Bolton
(i)	Policy Statement	Inclusion of safeguarding role	5-4-18	T W Bolton
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Various pages	Legislation	From DPA to GDPR	5-4-18	T W Bolton
Para 11, page 7	GDPR	Change of para content	5-4-18	T W Bolton
Appendix 2	Public Access to Data Form	Under GDPR removal of £10 fee/charges	5-4-18	T W Bolton
Page 1	Introduction	Additional CCTV locations added	5-4-18	T W Bolton

(i)	Policy Statement	Update details of new Council portfolio holder	21-1-19	T W Bolton
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PAGE	REVISION	AMENDMENT	DATE	SIGNATURE
2 Para 2	Purpose of the System	Assist in the safeguarding process for vulnerable adults and young persons	23-1-19	T W Bolton
Appendix 1	Complaints Procedure	Latest version of Wigan Councils complaints procedure	10-7-19	T W Bolton
(i)	Policy Statement	Update details of new Council portfolio holder	22-6-20	T W Bolton
Page 2	Introduction	Additional CCTV locations added	22-6-20	T W Bolton
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Page 1 & 2	Addition	Spelling change and additional CCTV locations added	21-4-23	K Hargreaves
Page 3	Ammendment	Wording Change	21-4-23	K Hargreaves
Page 4	Ammendment	Removal of Text	21-4-23	K Hargreaves
Page 6	Standards Update	Update of GDPR and DPA Code of Practice 2018	21-4-23	K Hargreaves
Appendix 2	Ammendment	Update to council URL	21-4-23	K Hargreaves
Page 1	Ammendment	Removal of CCTV location Worsley Mesnes	05-1-24	K Hargreaves
All	Page Footer	Revised Date on the document	05-1-24	K Hargreaves

POLICY STATEMENT

This CCTV Code of Practice gives valuable guidance in the use of CCTV, and the protection of law-abiding citizens and where CCTV it is considered beneficial, it should always be used as part of a wider crime prevention strategy, not as a sole means, however, CCTV does play an important part in our fight against crime.

The CCTV observational system is owned and operated by Wigan Council and is in place to provide a safer environment for all those who live, work and visit the parts of the Borough that are covered by CCTV.

The CCTV system is operated in partnership with:-

- Greater Manchester Police (GMP)
- Retail Security Teams
- Pub Watch Groups
- Transport for Greater Manchester (TfGM)
- Greater Manchester Fire and Rescue Service
- Any other Group contributing to the Scheme

Together with our partners we will aim to:-

- Assist in the detection and prevention of crimes that are committed in areas covered by CCTV
- Wherever possible provide the necessary digital images as evidence to enable a successful prosecution in either the criminal or the civil courts
- Demonstrate that CCTV is a valuable weapon in the fight against crime and anti-social behaviour by acting as deterrent to those would-be offenders
- Increase public awareness of CCTV by publicising convictions
- Reduce the fear of crime amongst the general public
- Assist Local Authority and Partnership Groups to combat crime
- Provide assistance to the emergency services
- Assist in the safeguarding process for vulnerable adults and young persons
- Provide assistance to other Local Authority Departments
- Improve Traffic Management in areas covered by CCTV
- Tackle Environmental Crime

This CCTV system and its protocols, will at all times comply with National Legislation and any Statutory Acts that are in place to safeguard the use of CCTV for public space surveillance purposes, for example British Standards (BS) 7958:2015 and BS 7858: 2019. There will also be an annual independent audit of the system and protocols with any recommendations implemented at the earliest opportunity. In addition the CCTV system and its protocols will be subject to both the National Security Inspectorate and Surveillance Camera Commissioners annual audits.

Reviews of this CCTV Code of Practice will be undertaken periodically and when necessary be ratified by the appropriate Council committee. However, should any person feel the need to make a formal complaint on the use of CCTV for public space surveillance purposes or this Codes of Practice they can submit their complaint via the following Wigan Council's website link <http://www.wigan.gov.uk/Council/Contact-us/Council-Complaints.aspx>



Councillor: Paul Prescott
Portfolio Holder for Planning, Environmental Services & Transport

CONTENTS

	<u>PAGE</u>
POLICY STATEMENT	(i)
CONTENTS PAGE	(ii)
DEFINITIONS	(iii)
<u>CCTV CODE OF PRACTICE</u>	
Introduction	1-2
Purpose of the System	2
Operational Code of Practice	2-3
Request from the media for CCTV Video Images of Crimes/Criminals	3-4
Changes to this Code of Practice	4
Responsibilities of Operators	4
Management of System	4
CCTV Monitoring Suite	5
Complaints Procedure	5-6
Consultation	6
General Data Protection Regulation	6-7
CCTV Signs	7
Confidentiality	8
Human Rights	8
Consideration before Installation of CCTV Systems	8-9
Digital Image Recording Procedures	9-10
Local Monitoring and Recording	10
Disciplinary Action	11
Regulation of Investigatory Powers Act	11
Freedom of Information Act	11
Protection of Freedoms Act	11
Council Directorate Request to View Images	11
Council Directorate Request to Use and View CCTV Equipment	11

APPENDIX

1. Wigan Council Complaints Procedure
2. Wigan Council's CCTV Surveillance System and Data Protection Application Form

DEFINITIONS

Authority	Wigan Council within whose boundaries the CCTV system is installed.
Scrutiny Panel	Building Stronger Communities Committee
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
Owner of the System	The body having overall responsibility for the system and its operation, which is Wigan Council, Wigan Town Hall, Library Street, Wigan WN1 1YN.
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 is gathered, processed, stored, retrieved and accessed. In this case it is Wigan Council's Chief Executive Officer
CCTV & Risk Manager	The persons responsible for the overall management of the CCTV system and operational staff.
Operational Performance Officers	The persons responsible for the day-to-day operational supervision of the CCTV Control Room.
CCTV Operators	The individuals responsible for operating the camera controls and other monitoring room equipment.
Control Room	The secure area containing the CCTV monitors and the recording and editing equipment.
CCTV	Closed-Circuit Television surveillance and monitoring equipment.
The System	The Cameras with the Monitors, Recorders and Control Equipment.
Digital Time-lapse	Reduced frame rate digital recording
Live Digital Recording	Digital recording made of "Real Time" events as they occur.
D.V.R.	Digital Video Recorder.
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.

CCTV CODE OF PRACTICE

1. INTRODUCTION

Due to the constant changes in legislation this Code of Practice will be reviewed annually and if necessary updated. A copy 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.

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.

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.

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.

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.

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.

Wigan Council's CCTV system covers, town centres, car parks residential and retail areas, the following are the current locations of the CCTV systems within the Borough;

Public Space CCTV Locations

- Wigan, including Mesnes Park
- Haigh Hall Woodland Park & High Ropes
- Leigh
- Ashton-in-Makerfield, including Jubilee Park
- Atherton
- Golborne
- Tyldesley
- Hindley
- Smithy Green
- Norley Hall
- Borsdane
- Marsh Green
- Worsley Hall
- Pemberton
- Platt Bridge

- Robin Park Leisure Centre (Car Park)
- Pennington Flash

Housing – Residential Community

- Scholes (Gated Community)

2. PURPOSE OF THE SYSTEM

The use of the observational CCTV system shall be for the purpose of:-

- Providing the Police and the Council with evidence to take criminal and civil action in the Courts;
- Reducing the fear of crime and providing reassurance to the public;
- Providing assistance in the prevention of crime;
- Assisting with the maintenance of public order;
- Deterring or reducing the incidence of vandalism, graffiti, and other environmental crime;
- Deterring persons from committing crimes and to enhance the opportunities for detecting those who do;
- Improving the safety and security of residents, visitors and the business community;
- Assist in the safeguarding process for vulnerable adults and young persons
- Discouraging anti-social behaviour including alcohol and drug-related elements;
- Assisting aspects of Town Centre Management.

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. OPERATIONAL CODE OF PRACTICE

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.

The circumstances referred to are as follows;

- The release of CCTV images to the media for commercial gain may be considered if the images shown are those of a person/persons involved in acts of crime and disorder and that any criminal investigation or criminal proceedings have concluded, and
- The release of CCTV images to the media does not involve the release of personal data of any individual or images of an individual who could be readily identified either by themselves or by a third party, and

- That agreement to release the CCTV images is supported by the Director of Environment, Places Directorate and the Legal Section of Wigan Council, and
- The actual release of any CCTV images to the media will be the undertaken by the Public Relations Team who will have the right to refuse the release of any images, the right to edit any images accordingly and have the responsibility of ensuring that all copyright issues are dealt with, and
- That there is a transparent process regarding any financial rewards that may be received from the release of CCTV images to the media, and
- The financial rewards received are justified and in the interests of the economic wellbeing of Wigan Council and the public of the Borough that it represents

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 Data Protection Act, regarding subject access.

Any requests from the Police or Fire Service for CCTV images must be made on the agreed standard form and signed by a Sergeant 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.

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.

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.

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.

All CCTV images recorded shall be kept for 31 days, unless requested for the purposes stated at Para 1

No CCTV system shall intentionally overlook and view into private premises.

4. REQUESTS FROM THE MEDIA FOR CCTV VIDEO IMAGES OF CRIMES / CRIMINALS

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.

The General Data Protection Regulation 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.

Disclosure of CCTV images to the media for broadcasting or reproduction may be done in the following circumstances:

- If it would assist in the prevention or detection of crime, or the apprehension of prosecution of offenders.
- 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.
- Or under the circumstances referred to in Para 3

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 above for the disclosure of the information.

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.

Before any CCTV images are released to the media the advice of service management or legal services should be sought.

5. CHANGES TO THIS CODE OF PRACTICE

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; however, this responsibility is delegated to the CCTV & Risk Manager.

Any major changes to the Code of Practice Operational Manual will be agreed by the Environment Committee.

6. RESPONSIBILITIES OF THE OPERATORS OF THE SYSTEM

The Operators of the system have prime responsibility for:-

- Compliance with the purpose and objectives of the system;
- Operation and security of the system;
- The protection of the interests of the public and of the individual as far as is practical;
- The compliance with this Code of Practice;
- Compliance with CCTV Operational Manual;
- Compliance with all legislation pertaining to the use of the system.

7. MANAGEMENT OF THE SYSTEM

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

Access to Resources

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

8. CCTV MONITORING SUITE

Access to and Security of Monitoring Suite

- Access to view monitors, whether to operate the equipment or to view the images, is limited to authorised staff with that responsibility.
- Only authorised personnel, including the Police are to be admitted to the control room. The names and photographs of all authorised personnel are to be held within both the organisational access control system and the sections InVentry system and all such staff and Police must carry an official identification card.
- Visits by non-authorised personnel for example, Councillors and Council employees can only be authorised by the Director of Environment Places Directorate. However, this responsibility is delegated to the CCTV & Risk Manager.
- 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 register on the sections InVentry system before entering and exiting the control room.
- Access to or the display 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

Operational Standards

- The CCTV monitoring suite shall operate to a recognised "National Security Inspectorate (NSI) Standard" ensuring that "best practice" and strict security procedures are maintained at all times and to British Standard (BS) requirements
- The CCTV monitoring suite has been awarded NSI Guarding Silver approval for the category of, Management and Operation of Closed Circuit Television (CCTV) Scheme in accordance with the requirements of BS 7958:2015 and BS 7858:2019
- All staff employed within the CCTV & Risk Management team shall undergo security screening in accordance with BS 7858:2019
- All monitoring suite staff shall undergo Greater Manchester Police Non Police Personnel Vetting
- All monitoring suite staff shall be trained accordingly and licensed by the Security Industry Authority (SIA) Monthly checks of each officers SIA status will be undertaken by a senior officer, copies of the outcome of the checks will be held within the Central Watch Station manual
- The CCTV monitoring suite shall facilitate observational camera operation, viewing, monitoring and constant recording of CCTV installations

9. COMPLAINTS PROCEDURE

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.wigan.gov.uk.

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.

The salient points of the Complaints Procedure are:-

- 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.
- 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.
- If there are any difficulties in seeking a resolution, the Chief Executive, must be advised in writing, along with the Chief Officer of the relevant Directorate, by the Officer dealing with the complaint.

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. CONSULTATION

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.

The Council has a consultation strategy, which must be adhered to and the salient points of the consultation strategy are:-

- 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.
- No CCTV system will be considered unless it has the Council and Divisional Police Command support.
- If there are unresolved difficulties with any consultation process, then refer to the Building Stronger Communities Scrutiny Committee for advice.
- A CCTV System must not infringe legislation on human rights issues, i.e. privacy and this must be explained as part of the consultation process.
- All parties involved must be informed about the provisions relating to CCTV contained in the General Data Protection Regulation and the Data Protection Act – CCTV Codes of Practice 2014.

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. GENERAL DATA PROTECTION REGULATION & DATA PROTECTION ACT – CCTV CODES OF PRACTICE 2014.

The Authority has an obligation to comply with the requirements of the Data Protection Act and as such the CCTV system has to be registered, Wigan Council's registration number is **Z5922059**.

All Local Authority CCTV Systems which record pictures should be registered under the General Data Protection Regulation. 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).

The General Data Protection Regulation provides that where an application is made in writing to the Data Controller (D.C.) an individual is entitled to be informed of the following detail:-

- Confirmation that their data is being processed
- Access to their personal data; and
- Other supplementary information

The D.C. must also provide the information which forms the personal data, eg. a copy of the recordings.

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.

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.

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.

If a person requests video images of themselves, then Appendix 2 shows a standard form that needs to be completed by the applicant.

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. CCTV SIGNS

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. A copy of the locations of the CCTV signs within the Wigan Borough can be found within the CCTV & Risk Management manuals folder

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.

If signs are to be installed on public highways, then permission and advice on locations must be sought from the Director of Environment, Places Directorate.

13. CONFIDENTIALITY

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)

14. HUMAN RIGHTS ACT 1998

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

15. CONSIDERATION BEFORE INSTALLATION OF CCTV SYSTEMS

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:-

- The purpose of the CCTV system with evidence to suggest its introduction will satisfy the demand.
- The CCTV systems purpose linked with other crime prevention measures.
- The adequacy of the procedures for System Management.

In the likely event that CCTV recorded images are to be used as Court evidence, the following questions should be considered:-

- What level of detail is the camera expected to identify, e.g. groups of people, individuals, car number plates etc?
- What operational requirements are needed, i.e., night-time efficiency (there are 4000 hours of darkness per annum), number of cameras, colour or monochrome, the frequency of time-lapse recording etc
- Consider measures to protect the CCTV cameras from vandalism.

Can the subsequent revenue costs for running the system be afforded?

Further Information

Useful information can be obtained by browsing the Home Office web site www.homeoffice.gov.uk and the Information Commissioners Office web site www.ico.gov.uk

The Home Office has provided a number of informative documents some of which are as follows;

- **CCTV – Looking Out for You**

- **CCTV Operational Requirements Manual**
- **National CCTV Strategy**
- **Surveillance Camera Code of Practice**

There are other useful sources of information;

- **The British Security Industry Association has published a "User Guide to CCTV Systems Performance"**
- **The Local Government Association**
- **The Home Office Scientific Development Branch**

16. DIGITAL IMAGE RECORDING PROCEDURES

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.

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. Any images retained beyond the 31 days should be archived and retained for no longer than 12 months, after which all images should be deleted manually by the appropriate nominated officer.

Real time digital Images are automatically recorded on the spot monitors and are kept for 31 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.

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.

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.

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

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 Force Wide Incident Number (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 indefinitely.

17. LOCAL MONITORING AND RECORDING

A premise 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).

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.

All CCTV equipment at LMR sites should be securely stored to prevent theft, loss etc. The recording equipment and images are the most vulnerable.

Premises Managers, School Governors etc. should appoint a Responsible Officer to manage and control the CCTV systems on their premises.

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 404040).

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.

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;

- 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;

- 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);
- CCTV images required for the investigation must not be overwritten unless Police approval is given by the rank of Inspector or higher authority;
- The Police should return the CCTV image at the conclusion of the case and when the appeal period has lapsed.

18. DISCIPLINARY ACTION

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 via the HR and OD share point portal on the intranet.

19. REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)

It is essential that before conducting any surveillance that advice should be sought from the Wigan Council's Legal Services.

20. FREEDOM OF INFORMATION ACT 2000

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 internet/intranet;
www.wigan.gov.uk/Council/DataProtection-FOI-Stats/Freedom-of-Information.aspx

21. PROTECTION OF FREEDOMS ACT 2012

The Protection of Freedoms Act 2012, Part 2 Regulation of surveillance refers to the introduction by the Secretary of State of a code of practice containing guidance about the development or use of surveillance camera systems and the use or processing of images or other information obtained by virtue of such systems. Information relating to this subject can be found on the internet;
www.legislation.gov.uk/ukpga/2012/9/part/2/enacted

22. COUNCIL DIRECTORATE/SECTION REQUEST TO VIEW IMAGES

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)

23. COUNCIL DIRECTORATE/SECTION REQUEST TO USE CCTV EQUIPMENT

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.

APPENDIX1

Wigan Council Complaints Procedure

Making a Complaint

We aim to provide high quality services at all times. To improve our standards, we want to know if you think we have got things wrong.

If you have a specific query, comment or suggestion regarding a Wigan Council service, you should contact the service directly. Services will also try to resolve complaints on the spot by talking through problems with you, without the need to go through our formal complaint's procedure. This can save a great deal of time, distress and cost.

If the service is unable to resolve a complaint to your satisfaction informally, then you can proceed with the formal procedure outlined below.

Formal complaints

Formal - Stage 1

A complaint will be progressed under Stage 1 of our formal complaint's procedure when:

- We can't resolve the problem informally
- You tell us that you want to make a formal complaint
- We believe it is necessary to use the formal procedure to resolve or respond to the complaint.

Complaints at Stage 1 will be investigated by a Head of Service, or appropriate Manager, from the service you have complained about.

We will acknowledge your complaint on receipt and confirm our understanding of the complaint. We will try to provide you with a full response within 10 working days of receipt of your complaint. If this is not possible, we will write to you to let you know why there is a delay, and the estimated time it will take to provide a full response. The full response will advise you how to progress to Stage 2 if you are still unhappy.

Formal - Stage 2

You can ask us to review your complaint at Stage 2 if:

- You are unhappy with how your complaint was handled at Stage 1
- You are unhappy with the response you have received.

We need to know which part of the complaint you feel wasn't handled well, and what action you would like to be taken.

Stage 2 complaints will be investigated by an independent Senior Officer appointed by the Chief Executive, who will review how your complaint was dealt with.

At the end of the review, and within 15 working days of receipt of your request, the Senior Officer will write to you with the outcome of the investigation and any actions resulting from it.

Ombudsman

If your complaint has progressed through both stages of the council's complaints procedure, and you are still not happy with our response, you can ask the Local Government Ombudsman to review our investigation.

The Local Government Ombudsman is an independent body, whose purpose is to provide impartial and prompt investigation and resolution of complaints of injustice through maladministration by local authorities.

Note: The Ombudsman is unlikely to investigate your complaint unless you have given us the opportunity to consider your complaint under our procedures.

How to make a formal complaint

Please use the following link for more information on how to make a formal complaint.

<https://www.wigan.gov.uk/Council/Contact-us/Council-Complaints.aspx>



WIGAN COUNCIL'S CCTV SURVEILLANCE SYSTEM

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

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.wigan.gov.uk/cctv

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 General Data Protection Regulation 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 General Data Protection Regulation.

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

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, Wigan Town Hall, Wigan WN1 1YN.



WIGAN COUNCIL'S CCTV SURVEILLANCE SYSTEM
General Data Protection Regulation
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 prejudice any of the above purposes then access can be refused.

THE APPLICATION FORM:

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, CCTV & Risk Management Section, Safer Environment, 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 404040



**WIGAN COUNCIL'S CCTV SURVEILLANCE SYSTEM
Request for Access to Data
General Data Protection Regulation**

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

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

Your Current Home Address <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.

Previous addresses								
Dates of Occupancy	From:				To:			
Dates of Occupancy	From:				To:			



WIGAN COUNCIL'S CCTV SURVEILLANCE SYSTEM
Request for Access to Data
General Data Protection Regulation

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.

**WIGAN COUNCIL'S CCTV SURVEILLANCE SYSTEM
Request for Access to Data
General Data Protection Regulation**

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 'Other' section giving a full description of what information you are requesting to access. Also please note that you will be required provide documentary evidence as a means of proving that you are entitled to obtain information relating to a vehicle, property, or other type of information.

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

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**WIGAN COUNCIL'S CCTV SURVEILLANCE SYSTEM
Request for Access to Data
General Data Protection Regulation**

Further Information:

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

**The Office of the Information 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 Information Commissioner

OFFICIAL USE ONLY

Please complete ALL of this section (refer to CHECK box above)

Application complete and legible	<input type="checkbox"/>	Date application received	<input type="text"/>
Identification documents checked	<input type="checkbox"/>	Fee paid	<input type="text"/>
Details of documents (see page 4)	<input type="text"/>	Method of payment	<input type="text"/>
Member of staff completing this section		Receipt No.	<input type="text"/>
Name	<input type="text"/>	Documents returned	<input type="text"/>
Signature	<input type="text"/>	Location	<input type="text"/>
		Date	<input type="text"/>

