

# CCTV Code of Practice for Waste Operational Sites

## 1. Introduction

- 1.1 Waste Services are owners of Closed Circuit Television (CCTV) Systems installed at the waste services operational sites as per the table below.

Address
Midland Road Depot, Upper Bristol Road, Bath, BA1 3AT
Bath Transfer Station and Recycling Centre, Midland Road, Bath, BA1 3AT
Old Welton Recycling Centre, Wheelers Hill, Midsomer Norton, BA3 2AA
Pixash Lane Recycling Centre and MOD site, Pixash Lane, Keynsham, BS31 1TP

- 1.2 All materials produced by the System remain the property of the Council. All materials and recordings remain subject to “copyright”. All rights reserved.
- 1.3 The Systems comprise of a mixture of fixed cameras, ‘PTZ’ dome cameras, PIR detection and infra red lighting. These cameras are connected to a display monitor at each site and a digital recording system.

## 2. Statement of Purpose

- 2.1 “To provide a safe and secure environment for the benefit of those who visit and work at the operational sites”.

Subject to this Code of Practice and the Human Rights Act 2000 the scheme will not be used to invade the privacy of any individual in residential, business or other private premises, buildings or land, except such as in accordance with the law.

- 2.2 The System will be used for the following purposes and within this Code of Practice, Data Protection Act 1998 (DPA) and the Human Rights Act at all times.

- To prevent, deter and detect crime and criminal damage and public disorder.
- To identify, apprehend and prosecute offenders in relation to crime, criminal damage and public order offences.
- To assist in accident investigation. This will include near miss reporting that will help prevent future accidents.
- To identify dangerous activities.
- To assist in the investigation of alleged misconduct of staff

- 2.3 Any use of this System or materials produced, which is frivolous, or for private purposes will be a matter of gross misconduct and will not be tolerated.

### **3. Data Protection Act 1998**

- 3.1 The Data Protection Act 1998 requires all processing of personal data including video/digital recordings to conform to all principles of the Act, and to be registered under the Act.

### **4. Human Rights Act 2000**

- 4.1 The Human Rights Act 2000 incorporates into domestic law the rights and liberties enshrined in the European Convention of Human Rights, which guarantees a range of political rights and freedoms of the individual against interference by “public authority”. The use of the System within this Code incorporates Article 8 of the Convention.

### **5. The Regulation of Investigatory Powers Act 2000 (RIPA)**

- 5.1 The Regulation of Investigatory Powers Act received Royal Assent in July 2000. The aim of the Act is to ensure that the investigatory powers of the intelligence service, police and the military etc are used in accordance with human rights. The Act provides a basis for authorisation and use by organisations of ‘surveillance’ (including CCTV) and regulates the techniques employed and safeguards the public from invasions of privacy.
- 5.2 The Act does not cover the use of overt public CCTV systems, as members of the public are aware that such systems exist and are a means of detecting and deterring crime.
- 5.3 The Waste Operations CCTV Systems are all overt systems with the appropriate signage to inform site users and members of the public of their existence.

### **6. Responsibilities of the Owner of the Scheme**

- 6.1 The Waste Operations Technical Officer is the nominated ‘Supervising Officer’ for this Code of Practice.
- 6.2 The Supervising Officer, The Waste Collections Manager and Operations Manager are responsible for compliance with this Code of Practice.

### **7. Accountability**

- 7.1 Copies of this Code of Practice should be made available to staff and members of the public on request.

### **8. Public Information**

- 8.1 Cameras will not be hidden and as far as possible will be placed in public view.
- 8.2 Signs that CCTV cameras are operating will be prominently displayed. The signs will allow people entering the area to make a reasonable approximation of the area covered by the scheme. The sign will identify the owners of the scheme and give a contact number. Signs do not need to be placed close to cameras.

- 8.3 The Supervising Officer will continuously monitor the operation of the scheme and implementation of the Code of Practice.

## **9. Control and Operation of the System**

- 9.1 The Supervising Officer and other nominated persons will be the only users of the System.
- 9.2 All use of cameras and recording equipment will accord with the purposes and key objectives of the scheme, and shall comply with this Code of Practice.
- 9.3 Recorded material can only be downloaded by the Supervising Officer in accordance with this Code of Practice.

## **10. Recorded Material**

- 10.1 Recorded material will be used only for purposes defined in this Code of Practice. Access to recorded material will only take place as defined in the Code of Practice.
- 10.2 Ownership of all recorded material remains that of the Council who reserve all rights of copyright.
- 10.3 Recording equipment will be checked from time to time by the Supervising Officer to ensure it is in good working order. All recorded material should show the time and date.
- 10.4 Recorded material required for evidential purposes must be stored separately.
- 10.5 Still images will not be taken as a matter of course or routine. The taking of still images must be capable of justification.
- 10.6 Any recorded still image released to the Police will be dealt with by the Police as an exhibit and shall at no time be used for anything other than the purpose specified.
- 10.7 Requests to view files may be received from the following third parties.
- The Police
  - Solicitors
  - Claimants in civil proceedings
  - Accused persons or defendants in criminal proceedings
  - Other agencies.

Reasons for the requests may include:

- Providing evidence in criminal proceedings
- Providing evidence in civil proceedings or tribunals
- The prevention of crime
- The investigation and detection of crime, which may include the identification of offenders

- The identification of witnesses

Images may be viewed if there is an urgent request from the Police, these should be logged in the register. If the Police wish to view the image or obtain a copy of an image they will need to formally request this through the Councils Information Governance Team.

Where third parties other than the police make a request to view the files, then if this is due to a criminal incident this should be reported to the Police.

Where third parties wish to view images for other reasons then data can only be released in accordance with the National Standard for the release of Data to Third Parties. This requires consideration of other legislation such as the Human Rights Act 1998 and the Data Protection Act 1998. Such cases will be managed in conjunction with the Council's Information Governance Team.

- 10.8 Relevant extracts of recordings may be used during internal training sessions to demonstrate both good and bad practice.
- 10.9 Any breach actual or suspected of Health and Safety practice or acts of misconduct will be investigated under the statutory duty of care prescribed in the Health and Safety at Work Act 1974, which will include the viewing of recorded images by the investigating officer who may require the individual who has reported the breach to verify the image.