

Public Space Closed Circuit Television (CCTV) Scheme

Code of Practice for Horsham and Southwater



Revised April 2024



Horsham District
Community Safety
Partnership



Horsham
District
Council

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1. Introduction

- 1.1 This Code of Practice relates to the use of the Public Space Closed Circuit Television (CCTV) network that operates within areas of Horsham Town Centre and Southwater. The system is owned by Horsham District Council and monitored by Sussex Police through a partnership agreement.
- 1.2 This Code of Practice has been revised to take into account the requirements of the Surveillance Camera Code of Practice issued by the Home Secretary under Section 30 of the Protection of Freedoms Act 2012 that came into effect in August 2013. It is limited in its scope to the Partnership CCTV network and does not cover the use of Automatic Number Plate Recognition systems or other CCTV systems operated by either Horsham District Council or Sussex Police.

2. Definitions and Glossary of Terms

- 2.1 **Public Place** – A public place is defined as any highway, and any place to which at the material time the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
- 2.2 **Public Space CCTV System** – An overt Closed Circuit Television system with cameras located in prominent locations within public places.
- 2.3 **ACC** – Assistant Chief Constable.
- 2.4 **CCTV Operator** – The person who is responsible for watching, controlling and recording pictures produced by CCTV cameras.
- 2.5 **Controller** – Persons employed by Sussex Police, whether Police Officers or Police Staff, who staff the Police Resourcing Centre(s) and are responsible for the local command and control of police communications.
- 2.6 **Police Monitoring Centre (PMC)** – A monitoring centre or facility which is located on Sussex Police premises or under the direct control of Sussex Police.

3. Legislation governing the use of CCTV

3.1 The Public Space CCTV System will be operated in accordance with the requirements of the following legislation:

- General Data Protection Regulation (GDPR)
- Protection of Freedoms Act 2012
- Freedom of Information Act 2000
- Regulation of Investigatory Powers Act 2000 (where this is relevant)
- Human Rights Act 1998

3.2 The requirements of both the Police and Criminal Evidence Act 1984 and the Criminal Procedures and Investigation Act 1996 will also apply to material recorded by the system for use in criminal prosecutions.

4. Purpose of the CCTV System

4.1 The purpose of the Public Space CCTV System is the prevention, detection and investigation of crime and the maintenance of public order to enhance the safety of those who live, work and visit the Horsham District. The System will also assist in the apprehension and prosecution of offenders.

4.2 The CCTV System may also be used to support Horsham District Council's statutory obligations and duties and to resolve complaints against Police Officers or others.

5. Management Responsibility

- 5.1 The Public Space CCTV System is operated as a partnership between Horsham District Council and Sussex Police. Horsham District Council owns and maintains the system infrastructure whilst Sussex Police is responsible for operating and monitoring the system.
- 5.2 The Sussex Police CCTV Manager has responsibility for all aspects of the scheme that relate to the collection, processing and recording of personal video image data. Freedom of Information requests are managed by Sussex Police Information Access Unit. Under the Freedom of Information Act 2000, requests need to be made in writing by email or letter:

Email: foi@sussex.police.uk

Or write to:

Access to Information Unit
Sussex Police Headquarters
Church Lane
Lewes
East Sussex
BN7 2DZ

CCTV footage may be disclosed to insurance companies. Requests are to be submitted by email to Sussex Police using this email address:
insurance@sussex.police.uk

Subject Access Requests under General Data Protection Regulation are to be submitted in writing by email or letter:

Email: subject.access1@sussex.police.uk

Or write to:

Sussex Information Access
Sussex Police
Church Lane
Lewes
East Sussex
BN7 2DZ

6. General Principles

- 6.1** Horsham District Council and Sussex Police support the individual's right of privacy and would expect that this is a paramount consideration of all agencies involved in a Public Space CCTV System. The community at large should be satisfied that there is responsible and accountable supervision of CCTV schemes in public places. This Code of Practice will ensure that the scheme is operated fairly and within the law and operation of the scheme is fully compliant with the legislation outlined in paragraph 3.1.
- 6.2** Horsham District Council and Sussex Police fully support the use of Public CCTV Systems but the support is conditional upon there being appropriate local consultation involving local authorities, Sussex Police, the business community and the public during the planning phase of any new scheme.
- 6.3** Horsham District Council is in liaison with Sussex Police at every stage of any new development of the system.
- 6.4** Horsham District Council and Sussex Police set performance criteria for the quality of the recorded images produced by CCTV systems and would insist that these standards are maintained.
- 6.5** No sound recording facility should be provided with any Public CCTV System.

7. Camera Positioning

- 7.1** The installation of new CCTV cameras will be considered as part of the Council's duty under Section 17 of the Crime and Disorder Act 1998. This states that Councils must have due regard of the need to reduce crime, disorder and anti-social behaviour. When considering the installation of new cameras the following principles will be followed to ensure that they are deployed appropriately in response to a pressing need.
- 7.2** Maximum deterrent value will be achieved by having cameras clearly visible and the areas of coverage clearly indicated by the use of street mounted signs. Signs will be deployed on the main access routes into each area covered by a CCTV scheme and also at strategic locations within the designated area.
- 7.3** The cameras will be sited as a consequence of agreement between Horsham District Council and Sussex Police, chambers of trade and other public interest groups. A crime pattern analysis should be utilised to assist in the determination of the location of a camera or group of cameras. Cameras will be prominently situated in fixed positions, in areas to which the public have unrestricted access and within public view. No camera will be hidden or obscured and, as far as possible, all cameras should be out of risk of criminal damage.
- 7.4** Privacy Impact Assessments will be conducted to ensure that any new camera is deployed in the most appropriate way and the Council meets its obligations under the relevant legislation.

8. Monitoring

- 8.1** Sussex Police monitor the Horsham District Council Public Space CCTV System and will respond, where possible, to information provided which requires police action. The response will at all times be the responsibility of the local police commander and should comply with the published Sussex Police Policing Plan.
- 8.2** Horsham District Council and Sussex Police clearly cannot guarantee that all offences will be detected even when a CCTV picture of suspect(s) is available. Equally Horsham District Council and Sussex Police cannot guarantee that where an offence has occurred that CCTV pictures of that offence will be available. Consequently Horsham District Council and Sussex Police are unable to accept liability for any loss, damage, or injury that occurs within the areas that are monitored.
- 8.3** Horsham District Council's Public Space CCTV System will not be used to obtain recorded evidence to prosecute minor street offences unless accompanied by a more serious offence or unless it is of a nature which causes public danger or nuisance (this does not preclude the use of the system in connection with the Council's core business and statutory duties).
- 8.4** The use of the Public Space CCTV System to obtain recorded evidence in relation to other non-serious offences will be guided by the Local Policing Plan, Police Priorities and guidance from the Crown Prosecution Service.
- 8.5** Except where used for training or demonstration there shall be no public view of the monitors. Furthermore, images of areas in which individuals would have an expectation of privacy will not be made available for these purposes nor will they be viewed by non-authorised persons.
- 8.6** Except for wide angle or long distance shots, views into residential premises, office accommodation and other 'private' areas will be excluded from the field of vision. CCTV Operators are trained to recognise the privacy implications of viewing such areas and would only do so when a serious crime is being committed or they have reason to believe a serious crime is being committed.
- 8.7** Individuals who have concerns over any potential intrusion of their privacy may request a review of camera operations by writing to the Sussex Police CCTV Manager, whose address is given in paragraph 5.2.

9. Recorded Material

- 9.1** Recorded digital material will be retained for 30 days then the material will be deleted.
- 9.2** All captions inserted on to camera images, such as camera location, time and date will be kept accurate by the appointed CCTV Maintenance contractor, who is responsible to the CCTV Manager. The source of the time information will be the Caesium clock transmissions from the National Physical Laboratories, Rugby.
- 9.3** Under normal circumstances, there will be no public access to recorded material. Any access that is granted by the Sussex Police Data Protection Officer / CCTV Manager will be strictly controlled and supervised, according to the Data Protection principles.
- 9.4** Members of the general public may apply to view a recording made of them by writing to the Sussex Police Data Protection Officer at the address given in Section 5.2. Information will be provided outlining the information the applicant will need to provide to enable the images to be located and identified. A leaflet describing the types of images that are recorded, their purpose and the disclosure policy will also be provided.
- 9.5** Viewing of images, when granted to members of the public under the provisions of the General Data Protection Regulations, will take place in a separate and restricted room to ensure confidentiality. Only the person requesting access to the material and the CCTV Manager, or a designated member of staff, will be present.
- 9.6** In criminal cases, access to recorded material must adhere fully to the Police and Criminal Evidence Act 1984 and associated Codes of Practice.
- 9.7** Recorded material will on occasions be used for training or demonstration purposes, subject to the limitations set out in section 8.6.
- 9.8** Where the recorded material relates to a criminal offence and publication via the Media, including television, is desirable to identify witnesses or suspects, this will require the authority of an ACC as per the Association of Chief Police Officers Media Policy.
- 9.9** It is essential that digital recordings do not pass into public circulation.
- 9.10** Media access to CCTV recorded material and prints will only be given in strictly controlled circumstances, following the guidance recommended by the Association of Chief Police Officers in their Media Advisory Group publication dated November 1995. There will be no release of CCTV material or prints where, in the opinion of the police, considerations of commercial gain or entertainment appear to outweigh those of public service.
- 9.11** The Copyright of all recorded digital material originated from this Public Space CCTV System remains the property of Sussex Police.

10. Evaluation

- 10.1** The Police CCTV operators will keep a record of all arrests and notable incidents that have been assisted by the use of the Public Space CCTV System. These details will be recorded by appropriate predefined comment on the relevant incident log.
- 10.2** The Sussex Police CCTV Manager will produce a statistical report annually and will include the numbers of arrests and notable incidents by date and type that have been assisted by the Public Space CCTV System.
- 10.3** The report should also include a cost benefit analysis of the Public Space CCTV System and the number and type of complaints that have been attributed to the Public Space CCTV System, together with an analysis of the technical performance of the system.
- 10.4** Statistical analysis will be carried out by Sussex Police on crime and incident trends and particularly on how it appears that the introduction of any Public Space CCTV System has affected neighbouring areas.
- 10.5** Reports will be made available to Sussex Police Authority, the relevant local authorities and to the local police / community consultative group.
- 10.6** Any complaints regarding the operation of the CCTV system should be forwarded in writing to Sussex Police for the attention of the CCTV Manager, whose address is given in section 5.2.

11. Independent Visitors

- 11.1** The Sussex Police and Crime Commissioner's Independent Visitor Scheme operates solely in regard to Police Monitoring Centres. Horsham District Council does not operate a permanently staffed Monitoring Centre.
- 11.2** The objective of the scheme is to ensure that the Codes of Practice detailed above are being fully complied with.
- 11.3** The Visitors may observe, comment and report upon any of the practices of the CCTV Operators. They may visit a Police Monitoring Centre with or without an appointment.
- 11.4** Visitors should be admitted immediately to the Police Monitoring Centre. If access is delayed or denied for any reason a full explanation must be given to the Visitor by the CCTV Manager, if available. Where the CCTV Manager is not available, the FCC Inspector must be consulted, or failing that, the most senior CCTV Operator should assume this responsibility.
- 11.5** Visitors should have full access to all parts of the Police Monitoring Centre but should not operate any machinery without the assistance of the CCTV Operator.
- 11.6** An integral part of the visit is the opportunity to carry out dip checks on historical recorded material which is selected randomly and the necessary facilities should be made available to the Visitor by the CCTV Operator. In the new digital system this will entail the lay visitor randomly choosing a date, time and location to view historical images from the last 30 days.
- 11.7** Report forms should be completed by the Visitors and Monitoring staff after each visit and forwarded to the Head of CD, the CCTV Manager, and the Police and Crime Commissioner's Office.

12. Dash Cams

12.1 Horsham District Council's Neighbourhood Wardens have a Dash Cam in their vehicles for the purpose of recording footage relating to crime and public safety.

12.2 Footage will be kept for 30 days and then deleted.

Further Information

For further information on anything contained within this Code of Practice please email communitysafety@horsham.gov.uk.

Useful Websites

Sussex Police:

www.sussex.police.uk

Sussex Police and Crime Commissioner:

www.sussex-pcc.gov.uk

Surveillance Camera Commissioner:

www.gov.uk/government/organisations/surveillance-camera-commissioner

Information Commissioner:

www.ico.org.uk



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