
Report to: Audit and Governance Committee
Date of Meeting: 7th December 2016

Council 2 March 2017

Subject: CCTV Policy Statement
Wards Affected: All

Report of: Head of Regulation and Compliance

Is this a Key Decision? No **Is it included in the Forward Plan?** No

Exempt/Confidential No

Purpose/Summary

To consider a Policy Statement for the use of the Sefton Closed Circuit Television System and to make a recommendation to the Full Council

Recommendation(s)

That the Council be recommended to approve the CCTV Policy Statement attached at Annex A of this report

How does the decision contribute to the Council's Corporate Objectives?

| | <u>Corporate Objective</u> | <u>Positive Impact</u> | <u>Neutral Impact</u> | <u>Negative Impact</u> |
|---|---|------------------------|-----------------------|------------------------|
| 1 | Creating a Learning Community | | ✓ | |
| 2 | Jobs and Prosperity | | ✓ | |
| 3 | Environmental Sustainability | | ✓ | |
| 4 | Health and Well-Being | ✓ | | |
| 5 | Children and Young People | | ✓ | |
| 6 | Creating Safe Communities | ✓ | | |
| 7 | Creating Inclusive Communities | | ✓ | |
| 8 | Improving the Quality of Council Services and Strengthening Local Democracy | | ✓ | |

Reasons for the Recommendation:

Operators of CCTV systems are encouraged by the Government to adopt a set of guiding principles so as to achieve a balance between public protection and individual privacy and to comply with statutory duties.

Alternative Options Considered and Rejected:

The alternative would be to not adopt the Policy and Codes of Practice which could lead to inappropriate use of CCTV systems.

What will it cost and how will it be financed?

[A] Revenue Costs – No additional costs

(B) Capital Costs – No additional costs

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

| | | |
|--|--|-------------------------------------|
| Financial | | |
| Legal : The legal implications are included within the report | | |
| Human Resources | | |
| Equality | | |
| 1. | No Equality Implication | <input checked="" type="checkbox"/> |
| 2. | Equality Implications identified and mitigated | <input type="checkbox"/> |
| 3. | Equality Implication identified and risk remains | <input type="checkbox"/> |

Impact of the Proposals on Service Delivery:

Adoption of the Policy and Codes of Practice will ensure that the service is delivered in a compliant manner

What consultations have taken place on the proposals and when?

The Head of Corporate Resources (FD 4420/16) and Head of Regulation and Compliance (LD 3703/16) have been consulted and any comments have been incorporated into the report.

Implementation Date for the Decision

Immediately following the Council Meeting.

Contact Officer: Peter Cowley, Senior Lawyer

Tel: 0151 934 2288

Email: peter.cowley@sefton.gov.uk

Background Papers:

There are no background papers available for inspection

- 1.0 Introduction/Background
- 1.1 Surveillance systems, specifically Closed Circuit Television Systems [CCTV], are used to monitor or record the activities of individuals or both. As such they process individuals' information – their personal data – and are therefore covered by the Data Protection Act 1998 (DPA).
- 1.2 Sefton Council uses CCTV systems in public spaces, within car parks and at several Council owned sites.
- 1.3 It is therefore essential that the Council has appropriate Policies and Codes of Practice in place, in relation to the use of CCTV, which ensure that it complies with the DPA and other relevant statutory obligations, including:
 - (a) Regulation of Investigatory Powers Act 2000 (RIPA) which governs the use of covert surveillance by public authorities.
 - (b) The Human Rights Act 1998.
 - (c) The Protection of Freedoms Act 2012 (POFA) . The POFA Code provides guidance on the appropriate and effective use of surveillance camera systems.
- 1.4 The use of CCTV and other forms of surveillance cameras is regulated by:
 - (a) the Information Commissioner's Office (ICO) in relation to data protection
 - (b) the Office of Surveillance Commissioners (OSC) in relation to the use of covert surveillance
 - (c) the Surveillance Camera Commissioners (SCC) in relation to operational requirements and technical standards.
- 1.5 On 4th July 2016, the Council was inspected by a Surveillance Inspector from the Office of Surveillance Commissioners. The Inspector was provided with a draft of the Council CCTV Policy Statement and noted that it was due to be approved by the Audit and Governance Committee.
- 1.6 The draft CCTV Policy Statement is attached .The Policy is intended to give clear guidelines on the Council's use of CCTV and the purposes for which it may be used.The purpose of the Policy is to seek to achieve an appropriate balance between protecting the public [by deterring and detecting crime and anti-social behaviour] and protecting the privacy of individuals.
- 1.7 The Policy incorporates [in Clause 3.1] the "12 Guiding Principles" to be adopted by the operators of CCTV Systems. These originate from the Home Office's "Surveillance Camera Code Of Practice". The inclusion, in the Policy ,of these Guiding Principles will allow the Council to establish a clear rationale for any overt surveillance camera deployment in public places and to ensure its compliance with its legal duties under the legislation referred to in paragraph 1.3 above.

1.8 The Policy is designed to protect the Council and its staff from allegations of misuse of the CCTV System and to protect the public from any abuse of the system.