



**Ysgol Gynradd
Parc Borrás**



**Borrás Park
Primary School**

Be kind 🐝 Be respectful 🐝 Be your best

Wrexham County Borough Council's

Code of Practice for CCTV Systems

In

Council Run Buildings

1. Introduction

The aim of this Code of Practice is to ensure that Council staff involved in running independent CCTV systems understands the principles, which govern the operation of CCTV camera's and recording equipment situated in Council owned buildings.

The purpose of CCTV cameras and recording equipment within council buildings is to improve public safety and security and provide additional protection to property and staff that work in them.

This code of practice sets out the aims of the Council's CCTV systems and how they will be used and should be read in conjunction with the Council's CCTV Policy Statement.

The system will not be used for any purpose other than those set out in this document without prior notification to staff and following consultation with the Trade Unions.

The day-to-day management of the CCTV systems within Council buildings will be the responsibility of the Responsible Officers listed in Appendix 1. The CCTV Manager who acts as the Single Point of Contact (SPOC) will assist in this process.

2. Legislation

CCTV operations are subject to legislation under:

2.1 The Data Protection Act 2018 (DPA)

All Wrexham County Borough Council's CCTV systems are registered under the Data Protection Act. All enquiries regarding Data Protection should be directed to the Council's Corporate Information Team on foi@wrexham.gov.uk

2.2 The Human Rights Act 1998 (HRA).

2.3 The Freedom of Information Act 2000 (FOIA).

2.4 The Regulation of Investigatory Powers Act 2000 (RIPA).

2.5 **The Protection of Freedom Act 2012 (POFA).** Resulting in the Home Office's Surveillance Camera Code of Practice 2013 and the Information Commissioner's Office's (ICO's) Code of Practice for Surveillance Cameras and Personal Information 2015.

2.6 **The General Data Protection Regulation 2016 (GDPR)** (came into force on 25 May 2018).

2.7 Council policies, procedures and guidelines.

Use Wrexham County Borough Council's CCTV Team as a Single Point of Contact with regard to all image based overt and covert surveillance capabilities throughout the authority, including public space and building CCTV, drones, ANPR, body cams and subsequent audio recording. Enquiries should be directed to cctvoperators@wrexham.gov.uk or 01978 292414.

It will be rare for small building CCTV systems to be required to respond to a request for assistance under RIPA. The Council has a RIPA Policy in place and guidance and this should be consulted if surveillance work is being undertaken.

It is important that the operation of all Council run CCTV systems comply with these Acts and Council policies, procedures and guidelines and this Code of Practice to protect the public, staff and the council from abuse of the CCTV systems. They should also show due regard to the Surveillance Camera Code of Practice 2013 and the ICO's Code of Practice entitled, "In the Picture : A data protection code of practice for surveillance cameras and personal information. (2.5)

When clarification is required Responsible Officers (Head of Services) should contact the Council's Legal department for advice and guidance.

3. Purpose Statement

3.1 It is important that all staff as well as those responsible for operating the CCTV system understands exactly why the system has been introduced, its aim, why it is necessary and what the cameras will and will not be used for.

The key objectives of the CCTV camera in Council buildings are:-

- To enhance the security of designated areas and premises used by staff and the public.
- To enhance the security and protection of staff in public areas and where direct contact with the public takes place.
- To deter and detect crime and cases of Anti-social behaviour.
- To assist in the identification of offenders leading to their arrest and successful prosecution or other appropriate action.
- To discourage and/or reduce aggressive or violent behaviour towards staff.
- To reduce staff's fear of crime, aggression, violent behaviour and anti-social behaviour.
- To protect property and assets owned by Wrexham County Borough Council.
- To provide evidence and assist in cases of grievance, formal complaints, Health and Safety Investigations and alleged disciplinary offences by members of staff

3.2 The systems will not be used for any other purpose than those set out in this document without prior consultation with the Senior Manager, Simon Roberts.

3.3 Cameras will not be used to monitor the progress of staff or individuals in the ordinary course of lawful business in the area under surveillance, nor are managers permitted to use the cameras to observe staff's working practices or time keeping or to assist them in the day-to-day management of their staff – other than an investigation is taking place following an accident or incident to a child or adult e.g. to evaluate the levels of supervision in the location of an incident.

3.4 Individuals will only be monitored if there is reasonable cause to suspect a criminal offence or serious breach of discipline has occurred requiring the use of a RIPA authorisation. The

Responsible Officer should consult the Heads of Legal Services and Human Resources before any such action is taken.

4. Privacy

- 4.1 We respect and support the individual's entitlement to go about their lawful business and this is a primary consideration in the operation of the system. Regular reviews will be carried out to ensure the system remains justified. Although there is inevitably some loss of privacy when CCTV cameras are installed, cameras will not be used to monitor progress of individuals in the ordinary course of lawful business in the area under surveillance. Individuals will only be continuously monitored if there is reasonable cause to suspect an offence or serious breach of discipline has been, or may be, about to be committed.
- 4.2 Breaches of this section of the Code of Practice by staff will be regarded as gross misconduct and will lead to disciplinary action, which may result in dismissal.

5. Cameras

- 5.1 Most cameras are sited so that they are clearly visible and publicity will normally be given to the system by clear signing. This will ensure that both the maximum deterrent value is achieved and that the public and staff are clearly aware when they are in a monitored area. A copy of this Code of Practice will be made available to all staff or members of the public on request and consideration should be given to publishing on websites were possible.
- 5.2 Concealed and unsigned cameras may be used in areas of high security where there is no legitimate public access and only limited/restricted/controlled staff access. Where concealed cameras are used in areas other than these, Council staff that normally work in those areas will, where appropriate, be informed of the location of the cameras and the position of the monitors.
- 5.3 The system will not utilise non-functioning or "dummy cameras". Although "dummy cameras" can often increase the deterrence value of a CCTV scheme, they can also dangerously mislead the public or staff who believe that they are in a monitored area, when in fact they are not. This could compromise their safety.
- 5.4 The systems will not in general record audio/speech, except in exceptional circumstances following a full privacy impact assessment.

6. Monitoring

- 6.1 CCTV monitors sited behind reception areas are intended to provide live monitoring of reception areas by Departments. It is the responsibility of the Responsible Officer in the Departments concerned to ensure those observing the monitors are properly trained in their duties and responsibilities and that the ability to view the monitors are restricted to those authorised to see it.
- 6.2 The monitoring of other cameras where required will only be carried out by persons authorised by the Responsible Officers.

7. Viewing Images and the Provision of Evidence

- 7.1 The casual viewing or trawling of images is strictly forbidden. Viewings must only be undertaken for a specific, legitimate purpose.
- 7.2 The provision of evidence or viewings will normally be requested either by the police, other enforcement agencies or another Council department conducting an investigation into criminal activities, disciplinary matters, complaints, grievances or Health and Safety issues. The release of evidence or permission to view images may only be authorised by the Responsible Officer or in their absence, the Head of Service.

8. Third Party Access Requests

- 8.1 Under the Data Protection Act and the Freedom of Information Act members of the public and other organisations have the right to ask to see data held by Local Authorities and other Public Bodies. This data includes visual images captured by CCTV.
- 8.2 As a general principle access to this data should not be refused. However, there are certain circumstances when it will not be possible to provide images from CCTV - for example, when the images form part of a criminal investigation. In all instances where Access Requests are received, they should be passed onto Wrexham County Borough Council's Corporate Information Team (who has responsibility for dealing with Access Requests) for action, before CCTV images are released.

9. Breaches of the Code of Practice

Any breach of the Code of Practice is a serious matter

- 9.1 Staff who are in breach of this Code of Practice will be dealt with according to the Council's disciplinary procedures - a process that could ultimately result in their dismissal.
- 9.2 The responsibility for guaranteeing the security of the system will rest with the Responsible Officer of the system concerned. These officers will, in the first instance, investigate all breaches or allegations of breaches of security and will report his/her findings to their Head of Service and Directors.

10. Recording Systems

- 10.1 All of the Council's CCTV systems uses a digital recording system. Digital systems use computer hard drives and Compact Discs. Guidance on this type of recording system is given below.
- 10.2 All staff required to operate CCTV equipment are to receive training in the use of the equipment and must conform to this Policy Document and their systems Code of Practice at all times. They will be required to sign a 'confidentiality statement' 'Appendix A' which prohibits them from making any material available for purposes other than those stated in the Code of Practice. Any other staff having access to the equipment will also be required to sign a confidentiality statement. Once signed, the confidentiality statement should be placed in the person's Personal file.

- 10.3 Except for evidential purposes images will not be copied in whole or in part.
- 10.4 Recorded material will not be sold or used for commercial purposes or the provision of entertainment. Images provided to the Police or other enforcement or investigatory agencies shall at no time be used for anything other than the purposes for which they were originally released. All media will be disposed of securely when no longer required. All stored images remain the property of Wrexham County Borough Council.
- 10.5 All recording equipment and recording media will be kept in a secure location and where necessary, encrypted. No access will be granted to unauthorised staff.
- 10.6 Each use of media will be noted in the CCTV Register or Incident Log recording all incidents, events, viewings, camera faults etc. The CCTV Register will be stored in a secure place.
- 10.7 All recording protocol should be an 'Open' protocol. This enables the police and other agencies to view evidence on their own systems without having to preload operating software.
- 10.8 **Recorded materials may need to be submitted as evidence in criminal proceedings or at internal disciplinary hearings and therefore must be of good quality and accurate in content. All material provided as evidence will be treated in accordance with clearly defined procedures either under the Police & Criminal Evidence Act (PACE), this Code of Practice or the Council's main CCTV Code of Practice to ensure continuity of evidence and to ensure a clear audit trail.**

11. Digital Recording Systems

- 11.1 The digital recording system links cameras to digital-recording machines normally controlled through a computer. The system records cameras onto a computer hard drive and then Compact Discs are used to make copies of the images available to investigating officers instead of using traditional videotapes. There will be 24 hour a day 7 days per week recording of all Cameras.
- 11.2 Any recorded/ downloaded scenes or footage will be stored on the school's 'Admin' server to restrict accessibility to those staff authorised to use this section of the server. Downloaded footage may only be issued for investigation and evidential purposes.
- 11.3 Routine recordings will be retained to reflect the purpose for which the information is collected and how long it is needed to achieve its purpose. Information will not be kept for longer than is strictly necessary and once discharged, recordings will be deleted. There may be occasions however when the information may need to be retained for a longer period, such as the investigation of a crime, when the information will need to be preserved as part of an active investigation.
- 11.4 Details of viewing of digital images will be logged in a CCTV Register, which shall be maintained by the Responsible Officer.

12. Control of Images

- 12.1 All images will remain the property and copyright of Wrexham County Borough Council.

- 12.2 Each new downloaded footage/ image must be clearly labelled and stored within the CCTV folder on the school Admin server.
- 12.3 Images and information obtained from a surveillance camera system will only be kept for as long as is necessary to fulfil the purpose for which they were obtained. Once the purpose has been discharged, then such images and information will be deleted.

13. Evidential images on storage devices such as USB, CD-R

- 13.1 A record will be made in the Media Movement Record '*Appendix B*' of the release of any downloaded footage to the Police or to other authorised applicants. A certificate, accepting responsibility for the footage will be signed before the device is allowed to be removed.
- 13.2 When images are used under these circumstances a copy of the released images is to be held in a separate temporary file on the digital recorders hard disc. This will ensure the completeness of the archive for the specific period. Once the issued storage device is no longer required, the images are to be delete.

14. Disciplinary Offences

- 14.1 Images can be used in disciplinary procedures as set out in Council Policies and Procedures. However, they will NOT routinely be used for the purpose of monitoring individuals unless there is reasonable cause to suspect an offence or serious breach of discipline has been, or may be about to be committed.
- 14.2 Tampering with or misuse of cameras, monitoring or recording equipment, images or recorded data by staff may be regarded as gross misconduct and could lead to disciplinary action, which may result in dismissal or criminal prosecution.
- 14.3 Any breach of this Code of Practice or the Policy Statement will be regarded as a serious matter. Staff who are in breach of this instruction will be dealt with according to the Council's disciplinary procedures.
- 14.4 The responsibility for guaranteeing the security and proper use of the system will rest with the Responsible Officer of the system concerned. These officers will, in the first instance, investigate all breaches or allegations of breaches of security or misuse and will report his/her findings to their Head of Service and Director.

15. Complaints

- 15.1 Complaints about the operation of a CCTV system should be addressed initially to the Departmental Director. Complaints will be dealt with in accordance with the Council's formal complaints procedure or internally in accordance with the grievance policy.

16. Advice and Useful Contacts

Sioned Wyn Davies. Legal, Democratic &
Registration Services Manager
Corporate and Customer Services

Telephone No. 01978 - 292221
E-mail: sioned.wyndavies@wrexham.gov.uk

Aled Pugh-Jones.
Facilities Management Lead
Housing & Economy Department.
Telephone No. 01978 – 315630
E-mail: aled.jones@wrexham.gov.uk



Appendix 'A' to Code of Practice
For CCTV in Council Run Buildings

CCTV SYSTEMS IN COUNCIL PREMISES
CONFIDENTIALITY STATEMENT AND UNDERTAKING

I confirm that I am the person with overall responsibility for the standalone CCTV system installed at Borrás Park Primary School.


I understand that, as part of my contract of employment with Wrexham County Borough Council, I will be required to operate Close Circuit Television monitoring and recording equipment (CCTV equipment) installed as part of the Council building security arrangements.

I confirm that I have had explained to me and fully understand the importance of operating and using the CCTV equipment entirely in accordance with the Code of Practice and all other instructions governing this issued to me from time to time. In particular, I understand the need to maintain confidentiality about events and/or staff or public movements seen or recorded by the CCTV equipment, unless required or authorised to disclose these in accordance with the Code of Practice.

I therefore undertake not to divulge to any person whatsoever or otherwise make use of (except in the proper course of my duties with the Council and as required or authorised by the Code of Practice), and will use my best endeavours to prevent the improper publication, disclosure or use of any information about events and/or staff or public movements seen or recorded by the CCTV equipment.

I understand that any breach of this undertaking, the Code of Practice or other instructions concerning the use or operation of the CCTV equipment may amount to gross misconduct and will result in disciplinary action, which may lead to my dismissal. I also understand that, if such breaches involve the supply of information or material to a third party for gain or reward, the Council will be entitled to the return of any payment (actual or in kind) received by me and will take legal action to enforce this

I have read the attached CCTV Code of Practice for standalone CCTV systems in use within Wrexham County Borough Council alongside its Policy Statement and agree to comply with the procedures in the Code.

Signed: 

Name: Mr R Nicholson
Designation: Headteacher

It will be the responsibility of the Building Manager to update the confidentiality statement and undertaking form should there be any changes made to persons responsible for the CCTV system. Changes should be notified to the Facilities Management Lead officer.

Please return this completed page to the Head of Housing and Economy, Ruthin Road, Wrexham LL137TU.

Appendix 'B' to Code of Practice
For CCTV in Council Run Buildings.

MEDIA MOVEMENT RECORD

Incident Date	Media URN	Inserted by	Signature	Date of Media download	Media Seized by	Signature	Company	Destruction details	Remarks Issues to enforcement agencies

Equality Impact Assessment

Responsible Officer (Head Teacher)	Rob Nicholson
Assessment Owner	Rob Nicholson
e-mail address	mailbox@borraspark-pri.wrexham.sch.uk
Full job title	Headteacher
Title of Policy	CCTV Policy / Code of Practice
Rationale: Why is it being considered? addressed?	What need is being Statutory requirement
Aim: What is the intended outcome of the policy?	The aim of this Code of Practice is to ensure that Council staff involved in running independent CCTV systems understands the principles, which govern the operation of CCTV camera's and recording equipment situated in Council owned buildings.
How: How will it be delivered, by whom and by when?	Plan will be implemented across the site internally and external
Who: Who are the people likely to be affected by this policy? How have you consulted with the people who are likely to be affected?	Pupils and staff and parents/carers Discussed at staff and GB meetings.
Measures: How will you know you have achieved your aims?	Plan will be reviewed and updated where necessary. Plan will be shared with all stakeholders on school website.
Identify any other policy or decision [internal or external] that may affect your proposal. Consider this in terms of: <ul style="list-style-type: none"> • Statutory requirements; local policies e.g. • Regional decisions e.g. those made by cross county partnerships for your schools; and / or 	This is a statutory plan. The plan has to be monitored, shared with all stakeholders and published on the school website.

	Carers	Age Child	Age Adults	Disability	Gender / Sex	Pregnancy and Maternity	Race/ Ethnicity	Religion or Belief	Sexual Orientation	Marriage and Civil Partners- hip	Gender Reassign- ment	Pover ty	Welsh langua ge / culture
Q1 Would this proposal significantly affect how functions are delivered to any of these groups?													
Q2 Would this discriminate against any of these groups?	(-)	(-)	(-)		(-)								
Q3 Would this proposal advance the equality of opportunity for these groups?													
Q4 Would this promote good relations between these groups and the wider community?	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)

Where you have identified a positive impact (+) in the Screening Tool, please outline this briefly using bullet points:

- CCTV acts as a deterrent and would therefore lead to the promotion of positive relationships between identified groups and wider community.

EIA: Are we being fair?

Please complete the <u>relevant</u> sections of the Matrix below that correspond to any ■ symbols you have recorded in the screening tool	List what information you have used to identify these issues e.g. consultation, stakeholder involvement, reports, data ...	Based on the information you have gathered give a summary of key issues that have been identified.	How will you mitigate these issues to improve the service?	Who is officer responsible for delivering the mitigation?	Which other partners will you work with to achieve this? (Governors, PTA etc.)	By when
Discrimination against site users in relation to privacy and confidentiality.	The location of internal CCTV cameras may breach personal space, private space in personal areas such as	The angle of the new internal cameras are located in the corridors of Year 1&2 and Year 6. Pupil toilets are in this location.	The angle of the CCTV cameras will be adjusted so they do not provide images of the internal toilet areas.	RN	Deputy Head, Governors, Local Authority	From installation September 2024