



**London Borough
of Hounslow**

CCTV

Code of Practice

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Forward

The aim of our Safer Communities Strategy is to keep Hounslow a low crime borough and a safe place to live, work, study and visit and the CCTV system helps keep it that way.

CCTV is in use in our public spaces and many of our buildings, housing estates and roads, and we also have body worn cameras in use and those mounted in vehicles.

We use cameras to help protect our residents, businesses and visitors as well as our own officers.

Our CCTV Code Practice has been developed to show how the system operates and what we do to make sure your privacy is protected. It is supported by additional site-specific documents that detail the arrangements where CCTV is in use.

The Council is committed to a preventative approach focused on tackling crime issues, supported by intelligence and data. CCTV plays an important part in this, and the Code of Practice shows how it operates in Hounslow.

Councillor Ajmer Grewal

Cabinet Member for Safer Hounslow

2 Introduction

This Code of Practice outlines how the Council uses its CCTV cameras to meet the relevant legislation and guidance. The Code addresses the aims and objectives for the system. It covers the controls in place for the running of the Council's CCTV system and the management of CCTV footage. It deals with the handling of requests for information and complaints, review arrangements and future changes to the Code.

The Code will be supported by the local operational documents that cover the arrangements and procedures in place at each location where CCTV is in use.

London Borough of Hounslow operates CCTV cameras within Hounslow's public areas (public area cameras) and within and around premises (premises cameras) and is the Data Owner of these CCTV cameras.

The public area cameras cover public areas within the town centres, housing estates (internal and external, door entry, car parks, lifts), car parks, foot tunnels, open spaces and other public open spaces and are operated from a secure central control room where the images are monitored and recorded. The public area cameras may also be operated from the Council's Emergency Planning Control Centre.

Secondary monitoring facilities are located at the centralised Police Control Room. There are no recording facilities at the centralised Police Control Room with all recording undertaken by the London Borough of Hounslow Council.

There are also premises cameras which may be standalone systems that cover separate Council premises and will be operated in a secure environment where the images can be monitored and recorded.

Public area and some premises cameras operate in colour and have pan, tilt, and zoom capabilities, which means they can scan areas, focus in on people (and objects) and follow them.

The Council may also record footage using:

- Body worn cameras
- Mobile cameras mounted in Council vehicles
- Automatic number plate recognition cameras

CCTV cameras and monitoring and recording equipment are owned by the Council but may be operated by contractors and Council companies, as well as Council staff.

This Code of Practice does not apply to schools in the London Borough of Hounslow area as schools are data controllers in their own right. It does not cover CCTV in private use.

Aims of London Borough of Hounslow Council's CCTV

1. To keep Hounslow a low crime borough and a safe place to live, work, study and visit.
2. The Council's CCTV schemes will be operated fairly and lawfully and will only be used for the purposes for which they were established, or subsequently agreed in accordance with this code.
3. The Council will regularly monitor, review, and enhance its CCTV schemes to ensure and improve their effectiveness.

3 Objectives of the CCTV System

The Council's objectives in using CCTV cameras are:

- To ensure Hounslow is a safe place to live, work, study and visit, to include monitoring, for security and safety purposes, Council staff and visitors in Council premises.
- To keep Hounslow a low crime borough so all communities feel safe
- To assist in the prevention and detection of crime and anti-social behaviour in Hounslow. This will include
 - increasing feelings of safety and protection for victims and witnesses
 - helping to identify, apprehend and prosecute offenders
 - providing evidence for criminal and civil action in the courts including preliminary investigation of claims
 - counter terrorism
- To assist in developing the economic well-being by encouraging greater use of the borough's facilities, town centres, shopping areas, open spaces, car parks etc
- To assist the Council in carrying out its regulatory functions in relation to environmental health and protection e.g. fly tipping, pollution control, contaminated land, health and safety, animal welfare and licensing.
- To provide traffic management support, to enforce bus lanes and moving traffic restrictions
- To provide assistance and direction in the event of a major emergency in Hounslow
- To allow the use of CCTV to support the Council's disciplinary policy

4 Statement of Purpose and Principles

Purpose of this code

The purpose of this Code is to outline how the Council uses CCTV cameras to meet its objectives in accordance with the relevant legislation and guidance.

General Principles of Operation

The Council is committed to safeguarding the rights of people visiting, living, and working in Hounslow. The council will ensure that the cameras are operated in accordance with law and the principles found in:

- [The Human Rights Act 1998](#)
- The Data Protection Legislation (see the data protections principles in Appendix 1).
- [The Home Office's Surveillance Camera Code of Practice](#) prepared in accordance with section 29 of the Protection of freedoms Act 2012 (the Surveillance Code) (see the guiding principles in Appendix 2).
- The ICO's code [In the picture: A data protection code of practice for surveillance cameras and personal information produced by the Information's Commissioner's Office](#)
- The [Regulation of Investigatory Powers Act 2000](#)
- The [Freedom of Information Act 2000](#)

CCTV cameras will be operated fairly, within the law, and only in so far as is necessary to achieve the purposes for which they are currently used and which are set out in this code, or which are subsequently agreed in accordance with this Code.

Any other organisation, individual, including Council staff, Council companies or authority participating in the operation of the CCTV cameras or accessing footage provided by the CCTV cameras must fully comply with this Code.

Monitoring by Council CCTV Managers

The Council's CCTV Manager or other officers who have the day-to-day management of a CCTV control room or secure operating environment and CCTV footage, irrespective of their job title but referred to in this Code of Practice as CCTV Manager, have unrestricted access to the CCTV Control Rooms and receive regular reports as and when required from the Council's CCTV Team.

The Council's CCTV Managers will have day-to-day responsibility for the monitoring and operation of the Council's CCTV cameras and the implementation of this Code for the system within their control.

Copyright

Copyright and ownership of all CCTV footage from Council CCTV cameras will remain with the London Borough of Hounslow Council. However, once there has been disclosure of footage to another body such as the MET Police then the recipient becomes responsible for their copy of that CCTV footage and must comply with all applicable legal obligations. Rules for disclosure of CCTV footage is addressed further sections 8 and 9 of this Code.

5 Accountability and Public Information

Safeguards are used to ensure cameras cannot be focused within private areas, such as windows, where there is no public access. Where it is unavoidable to have a camera focused on a home or other private area as part of a larger point of focus, privacy masking will be used to cover the private area from view.

The Surveillance Code is clear that individuals and the public must have confidence that CCTV cameras are deployed to protect and support them rather than to spy on them. Overt surveillance in a public place which is in pursuit of a legitimate aim and meets a pressing need should be characterised as surveillance by consent and such consent should be informed consent. This is dependent on the Council operating the CCTV cameras in a transparent and accountable manner. The Council has therefore placed signs where possible to inform residents of cameras and has established procedures for requesting information and making complaints. This allows the public to be fully informed about the operation of the Council's CCTV cameras. Section 11 of this Code provides details for requesting information.

Signage

The area protected by CCTV will be indicated by the presence of signs. The signs will be placed so that the public are aware that they are entering a zone which is covered by surveillance equipment. The signs will state the organisation responsible for the scheme, the purposes of the scheme and a contact telephone number. Data will not be held for longer than necessary and disposal of information will be regulated. Signs, such as the example shown below, will be placed in the locality of the cameras or at main entrance points to the relevant areas.



In the case of body worn cameras, persons wearing them will clearly identify that CCTV footage maybe recorded.

In the case of mobile cameras on CCTV vehicles, the CCTV vehicles have signs on them alerting the public that they record using CCTV cameras.

Published Information

A copy of this Code of Practice will be published on the Council's website.

6 Management of the CCTV Control Rooms & Staffing

The Council will ensure that CCTV Control Rooms or locations where CCTV is accessed or stored are staffed by suitably authorised officers. The Council will also ensure that staff are aware of quality management and competency standards produced by the Biometrics and Surveillance Camera Commissioner and are trained in respect of all legislation appropriate to their role, including a comprehensive induction process. Operational procedures ensuring the security and integrity of the CCTV cameras' use will be in place for each location and kept up to date.

The Council will ensure that all relevant staff members are aware of its rules, policies and procedures relating to operation of the CCTV cameras including this Code, the ICO code and the Surveillance Code.

The Council will ensure that staff are aware that the CCTV cameras must be operated fairly and without discrimination based on personal prejudice, and not for personal reasons or personal curiosity. Staff may be asked to justify their interest in, or recording of, a particular piece of footage as part of regular audits.

Training

All staff must complete the Councils GDPR and Data Protection training as a minimum before being able to use CCTV equipment. Specific training may also be required to operate certain CCTV equipment which will need to be identified by the various teams who use CCTV. A log of the training undertaken should be kept and refresher training should be undertaken as required.

Declaration of Confidentiality

Every person required to comply with the terms of this Code and who has any involvement with the operation of the CCTV cameras, will be required to act in accordance with their operational procedure.

7 Access to CCTV Control Rooms and Associated Equipment

For reasons of security and confidentiality, access to the CCTV Control Rooms or locations where CCTV is accessed or stored is restricted to authorised personnel only. Public access to the CCTV Control Rooms and recording facility is not permitted. Any such visits will be conducted and recorded in accordance with the Council's operational rules.

Control and Operation of Cameras

Any person operating the CCTV cameras will always act with the utmost probity.

Control

Control of the CCTV cameras lies only with those trained and authorised staff with responsibility for using the CCTV cameras, including control equipment, and recording and reviewing equipment.

Operation of the CCTV System by the MET Police

The police may make a request to direct CCTV cameras under the Regulation of Investigatory Powers Act 2000 (RIPA). Only requests made on the written authority of a police authorising officer of Superintendent rank or above will be considered. If the urgency of the situation makes a written request impracticable, a verbal request from a police officer of any rank may be made. Any such request will be complied with, or not, at the discretion of the relevant CCTV Manager, or their designated deputy, and a record kept of that decision.

If a request from the police is accepted, the relevant CCTV Control Room will continue to be staffed and equipment operated by only those staff who are authorised to do so, who will operate the CCTV cameras under the direction of the police officer designated in the written authority or who has made the verbal request; unless the written authority requests that the CCTV cameras be operated by a designated police officer and the relevant CCTV Manager has agreed to this.

Other legislation that relates to the management of evidence such as CCTV includes:

- Criminal Justice and Police Act 2001
- Criminal Procedure and Investigations Act 1996 (CPIA)
- Police and Criminal Evidence Act 1984 (PACE)
- Crime and Disorder Act 1998
- Police Reform Act 2002
- Data Protection Act 2018 (DPA) as it relates to the relevant parts of the General Data Protection Regulation (GDPR) or the Law of Enforcement Directive (LED)

8 Management of CCTV Footage

Guiding Principles

The Council and its contractors will operate the CCTV cameras with regard to the guidance in the ICO Code for looking after footage from the CCTV cameras and using the information contained in it. In this Code, footage means anything recorded from the CCTV cameras, including digitally recorded footage. All footage obtained through using the CCTV cameras has the potential for containing material that may need to be admitted in court as evidence.

The public must have total confidence that information recorded about their ordinary every day activities will be treated with due regard to their right to respect for their private and family life. The Council will therefore, irrespective of the format (e.g. paper copy, CD, DVD, or any form of electronic processing and storage) of the footage obtained from the CCTV cameras, treat it strictly in accordance with this Code from the moment it is received by the CCTV Control Room until final destruction. Every movement and usage will be meticulously recorded. Access to and the use of footage will be strictly for the purposes defined in this Code. Footage will not be copied, sold, otherwise released, or used for commercial purposes or for the provision of entertainment.

Footage may be released for the purposes of identification on a case-by-case basis where considered proportionate and necessary and as permitted by law.

Recording Policy

Subject to the equipment functioning correctly, images from every camera will be recorded on a continuous basis.

Retention

Where practicable all digital recording will have a 31-day retention period. Footage may, however, be retained for longer than the usual 31 days if required, or appears likely to be required, for evidential purposes in accordance with the provisions of this Code. The appropriate additional retention period will be decided on a case by case basis by the relevant CCTV Manager or authorised officer.

Record of use of footage

A record log will be kept, showing what footage has been accessed, retrieved, recorded, viewed, or disclosed. Where footage is released in accordance with this Code, a record will be kept which identifies the basis for that release, and to whom. These records will be retained for at least two years.

Storage of footage

Footage is stored in a way that maintains the integrity of the information contained in it. CCTV footage is stored in a secure manner in secured areas and only authorised staff may access the footage on the system.

Prints from footage

Prints will be treated in the same way as footage. They will only be released as permitted by this Code, and any release will be recorded. Prints which contain personal images should not be kept for longer than can be reasonably justified and should be regularly reviewed. Prints that are no longer required will be securely destroyed.

9 Requests for individual's footage (Data Subject Access Request)

The use of the CCTV cameras and footage captured from them will comply with the Data Protection legislation.

Any person making a request must be able to satisfactorily prove their identity and sufficient information to enable the data to be located. Subject Access Requests (SAR) can be made via the following information below:

[Subject Access Requests | London Borough of Hounslow](#)

Sufficient information is defined as:

- The date and approximate time (to the nearest 15 minutes) of the incident in relation to which the CCTV footage is requested
- The location and direction of travel of the person in the footage at the time of the incident
- Details of any vehicle in which the person in the footage was travelling at the time of the incident
- A description of the clothing worn by the person in the footage at the time of the incident, including details of any distinctive colours, markings, or materials
- Whether the CCTV footage is likely to include images of other people

All Subject Access Requests must be made by completing the e-form (contained in the above link), by writing to dataprotection@hounslow.gov.uk or by post to the Customer Relations Team, details within Section 11, Information and Complaints.

The Council and its contractors will have regard to [The Home Office's Surveillance Camera Code of Practice](#) relating to CCTV and requests for images captured by CCTV cameras.

Images of people obtained from CCTV cameras are their personal data and they have the right to be given a copy of the CCTV footage containing their images, subject to certain exemptions. The most likely exemptions are where releasing the footage would be likely to prejudice:

- The prevention or detection of crime
- The apprehension or prosecution of offenders

Any exemptions will be considered on a case by case by the Council.

The Council will **not** be permitted to charge a fee for providing the footage unless it determined the request is manifestly unfounded or excessive. If a fee is charged it must reflect the administrative costs of providing, communicating the information or taking action as requested. Requests received will be logged by the Customer Relations Team.

The Council normally destroys CCTV footage after 31 calendar days. Upon receipt of the request, the relevant team will arrange for the CCTV footage to be retained while waiting for the documents referred to in later in this document.

Where appropriate, the team will write to the applicant requesting the following:

- Two forms of proof of photographic identity, including confirmation of the current address of the person asking for footage
- A signed letter of authority (if the request is being made through an agent such as a solicitor or insurance company)
- A recent photograph of the person who is making, or on whose behalf, the request is being made

People asking for footage will be advised of the 31-day retention period for CCTV footage and that the relevant CCTV Manager has been requested to keep any footage until receipt of the documents. CCTV footage requested to be retained is kept for a period of six months.

If it is confirmed that no CCTV footage exists, the relevant CCTV Team will inform the requestor.

When all the documents have been provided the CCTV team will copy the footage on to a disc which will be provided to the relevant CCTV Manager. They will view the footage to consider if it is appropriate to release it in accordance with the Data Protection Legislation.

If the footage is to be released, a copy is made and then it will be sent to the person asking for the footage on an encrypted disc by recorded delivery or some other secure method.

10 Requests by Third Parties for CCTV footage

General principles

Requests to disclose footage generated by the CCTV cameras may be made by third parties for any one or more of the following purposes:

- Providing evidence in criminal proceedings
- Providing evidence in civil proceedings or tribunals
- Insurance/Solicitor claims
- The prevention of crime
- The investigation and detection of crime (including identification of offenders)
- Identification of witnesses
- To comply with a court order

Third parties must show lawful and adequate grounds for disclosure of footage. These may include but are not limited to:

- Police investigations
- Statutory authorities with powers to prosecute, (e.g. H M Revenue and Customs, the Department for Work and Pensions, Trading Standards, etc.)

Third party CCTV footage requests which includes Insurance/Solicitor claims must be made to dataprotection@hounslow.gov.uk

Upon receipt from a third party of a valid request for the release of footage, the Council will exercise its discretion in accordance with its duties under the Data Protection Legislation and:

- (i) Assess and process the request with reasonable speed; and
- (ii) Where it decides to comply with the request, ensure appropriate retention of footage which may be relevant to the request and make clear any time limit for retention.

The Council will, as far as reasonably practicable, safeguard people's right to privacy and ensure that footage is disclosed to third parties lawfully and fairly in accordance with the provisions of the Freedom of Information Act 2000, the Human Rights Act 1998 and the Data Protection Legislation.

11 Assessment, Review and Audit

Annual Review

The operation of the CCTV cameras will be reviewed every year in accordance with the Surveillance Code's second guiding principle, to ensure the cameras' effectiveness and compliance with the Council's objectives. The review and any proposed changes will require the completion of a data protection impact assessment to consider whether continued use of the CCTV cameras and any proposed changes are necessary and proportionate in terms of their effects on people's privacy rights. Less intrusive methods that meet the same needs should be considered.

The annual review will also consider how use of the CCTV cameras complies with this Code, the ICO Code and the Surveillance Code.

Outside of the annual review, the Council may also draw up specific key objectives based on local concerns but if it wishes to extend the purposes for which the cameras are currently used it will not do so unless:

1. a data protection impact assessment has been completed
2. relevant individuals and organisations and stakeholders who may be affected by the changes have been consulted
3. appropriate approval given

Changes to the Code

This Code will be reviewed annually unless there is a change in legislation or policy which warrants a review within that period.

Minor changes to this Code may be approved by the Chief Officer with overall responsibility for CCTV.

Any major changes will require the approval of Cabinet.

12 Information and Complaints

Information

Requests for information may be made to the Customer Relations Team at:

Customer Relations
London Borough of Hounslow
Hounslow House
7 Bath Road
Hounslow
TW3 3EB
Email: feedback@hounslow.gov.uk

Complaints

A member of the public wishing to register a complaint with regard to a data subject access request for footage may do so by following the Council's Access to Information – Complaint and Appeal Procedure and writing to the department that initially dealt with the request.

A member of the public wishing to register any other complaint about the Council's use of CCTV cameras may do so by contacting the Council. All complaints will be dealt with in accordance with the Council's complaints procedure.

Methods of contacting the Council to submit a complaint are as follows.

By email - complaints.crt@hounslow.gov.uk

Online: https://www.hounslow.gov.uk/info/20158/customer_services/1402/make_a_complaint_or_comment

By textphone – this service is a means for hearing-impaired people to use the telephone as a method of contacting the Council. The number is 020 8583 3333.

By post – write to Customer Relations, London Borough of Hounslow, Hounslow House, 7 Bath Road, Hounslow TW3 3EB.

Your data protection rights

The rights available to you depend on our reason for processing your information. For further information about your data protection rights and how to make a request, please email: dataprotection@hounslow.gov.uk or see '[Your rights](#)'

Appendix 1 Data Protection Principles

Article 5 of the General Data Protection Regulation

1. Personal data shall be:

(a) processed lawfully, fairly and in a transparent manner in relation to individuals (“lawfulness, fairness and transparent”).

(b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes (‘purpose limitation’);

(c) adequate, relevant, and limited to what is necessary in relation to the purpose for which they are processed (“data minimisation”).

(d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (“accuracy”).

(e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals (“storage limitation”).

(f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures (“integrity and confidentiality”).

2. The data controller shall be responsible for and be able to demonstrate compliance with paragraph 1. (“accountability”).

Appendix 2 Surveillance Camera Code of Practice - Guiding Principles

1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
2. The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
3. There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held, and used.
5. Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
6. No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
7. Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
10. There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
11. When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
12. Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

Appendix 3 Terms and Definitions

CCTV Manager has the responsibility for the implementation of the policies, purposes, and methods of control of a CCTV System.

CCTV System means the surveillance items comprising cameras and associated equipment for monitoring, transmission and controlling purposes.

Data means all information collected by the CCTV system, including personal data.

Data Protection Legislation means Data Protection Act 2018 & General Data Protection Regulation.

Incidents means an activity that has been identified as an offence that has been committed or an occurrence that has taken place that warrants further specific action from either MET Police, or from the Council.

Operators means employees of London Borough of Hounslow or contractors employed by the Council and are specifically designated to carry out physical operation of controlling the CCTV system and the data generated. All operators are screened, trained, and licensed to the standards required in the Private Security Industry Act 2001.

Personal Data means data which relates to a living individual who can be identified:

- a) from that data or
- b) from that data and other information which is in the possession of or is likely to come into the possession of, the data controller

Privacy Masking means covering the need to restrict what can be seen by means of CCTV. It applies equally to images displayed in real time for surveillance purposes and images recorded for later use.

Recording means any data that has the capacity to store data, and from which data can later be recalled, irrespective of time.

The Code means this Code of Practice.

The CCTV Control Room means the secure area of a building where CCTV is monitored and where data is retrieved, analysed, and processed.

The Owner means London Borough of Hounslow.