

# WANDSWORTH



# CCTV

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## Code of Practice

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**Wandsworth Council  
In Association with the  
Wandsworth Division of the Metropolitan Police  
Service**

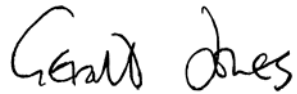
**Code of Practice for the Operation of  
Closed Circuit Television Systems  
in the London Borough of Wandsworth**

**Director of Technical Services  
The Town Hall  
Wandsworth High Street  
London SW18 2PU**

**A Wandsworth Crime  
Drugs & Disorder  
Partnership Crime  
Prevention Initiative**

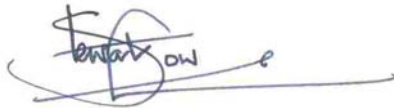
**Partnership Declaration**

We, the undersigned, confirm that we are committed to uphold the provisions of this CCTV Code of Practice to ensure the efficient operation of closed circuit television (CCTV) whilst safeguarding the rights of the public in the borough: -



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Gerald Jones, Chief Executive & Director of Administration  
**Wandsworth Borough Council**



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Stuart Low  
**Divisional Commander**  
Wandsworth Police Division

**CODE OF PRACTICE FOR THE OPERATION OF  
CLOSED CIRCUIT TELEVISION**

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## 1. INTRODUCTION

- 1.1 The Wandsworth Crime & Disorder Reduction Partnership, led by Wandsworth Council, has a long standing commitment to developing and improving Closed Circuit Television Systems (CCTV) across the borough. Since the inception of the public domain CCTV system in Wandsworth in 1993, CCTV investment, technology, use and public profile have increased significantly.
- 1.2 The original concept was to reassure local residents, shoppers and travellers that should a crime and disorder incident occur there were monitoring facilities that could capture and record incidents and facilitate any follow up prosecutions.
- 1.3 A ‘raft’ of legislation, over the following years, helped regulate the use of CCTV images and made it a statutory requirement for CCTV system owners to comply with legislation covering issues such as data protection, human rights, surveillance, crime and disorder, freedom of information and, more recently, traffic regulations (a list of relevant legislation is shown in Appendix 1).
- 1.4 The Wandsworth CCTV system has grown considerably over the last 10 years. In 2002 an amalgamation of Council recording systems resulted in the development of the Frogmore CCTV suite and a centralised monitoring facility, currently recording nearly 1200 CCTV cameras all across the Borough, including over 700 CCTV cameras in housing estates.
- 1.5 An increased use of CCTV to enforce traffic regulations (e.g. bus lane infringements) followed the formation of Transport for London (TfL).
- 1.6 The formation of TfL has resulted in the parallel development of their own CCTV cameras, which can be confused with Wandsworth Council’s CCTV system. This Code of Practice specifically relates to the Wandsworth CCTV system. More details of TfL’s CCTV processes can be found on [www.tfl.gov.uk](http://www.tfl.gov.uk) .
- 1.7 Wandsworth Council and the Metropolitan Police Service remain committed to utilising CCTV for public safety, tackling crime and disorder, managing anti-social behaviour and helping manage the increasing levels of traffic in the Borough.
- 1.8 To manage this commitment, this Code of Practice has been made to meet current and future statutory requirements as well as to demonstrate clear direction for CCTV usage in Wandsworth Borough.
- 1.9 The current CCTV system is ‘multi-faceted’. There is a distinct division of roles: the crime prevention aspect and the enforcement aspect, both of which are important in reassuring the public and helping to make Wandsworth Borough safer.

## **2. CRIME PREVENTION PURPOSE STATEMENT**

- 2.1 The CCTV system is established to assist in reducing crime, disorder, anti-social behaviour and the fear of crime by helping to provide a safer environment for those people who live and work in the area and for visitors travelling through the area.
- 2.2 One of the main purposes of the CCTV system is to provide the Police with assistance to detect, deter and prevent crime and disorder; to help identify, apprehend and prosecute offenders; to provide the Police/Council with evidence to enable criminal and/or civil proceedings to be brought in the courts; and to maintain public order.
- 2.3 The CCTV system will be operated at all times with due regard for the privacy of individuals and in accordance with the requirements of the Human Rights Act 1998. It will not be used to invade the privacy of any individual in residential, business or other private premises, buildings or land.
- 2.4 The CCTV system will not be used to harass any person or group of persons going about their business in a lawful way.
- 2.5 Any user found contravening the privacy of individuals in breach of the Code of Practice will be subject to disciplinary investigation.
- 2.6 Key objectives of the use of the CCTV system for crime prevention are to:
  - Deter crime and to provide public reassurance;
  - Detect, prevent or reduce the incidence of street crime against the person;
  - Improve general security in the main retail areas of the borough, both in terms of personal safety and security of buildings and premises, in order to make the town centres more attractive areas in which to shop, work and visit;
  - Increase security in a number of housing estates in the borough, both in terms of building security and in order to provide evidence to tackle anti-social behaviour and nuisance identified in these areas.
  - Improve communication between, and the operational response of, Police or civilian patrols in the Borough of Wandsworth and assist in the policing of major civil disorder incidents.
  - Assist the Police with specific operations aimed at apprehending criminals or intelligence gathering and in the event of acts of terrorism or civil emergencies;
  - Assist the Police in traffic management, for instance identifying and responding to traffic trouble spots.
  - Identify missing persons.
- 2.7 Recorded material will be made available to the Police to meet these objectives. Tapes will be handed over only after the relevant Police Criminal Intelligence System (CRIS) number or Police Computer Aided Dispatch (CAD) report has been provided.

- 2.8 Other statutory bodies, such as Customs and Excise, may also be provided with recorded evidence on receipt of an official request. Council departments may be provided with recorded material in pursuance of their statutory responsibilities upon receipt of a formal request from the responsible director or nominated deputy.
- 2.9 Recorded material is not provided to members of the public or media organisations for profit, gain or commercial exploitation. This does not affect the right of individuals to access any personal data under the provisions of the Data Protection Act 1998 or the Freedom of Information Act 2000.
- 2.10 Recorded material may be supplied to media organisations for purposes which are specifically approved by the Director of Technical Services e.g. searches for missing persons and information deemed to be in the public interest.
- 2.11 Wandsworth Borough Council and the Metropolitan Police Service (Wandsworth Borough Division) are committed to complying with this code of practice in all their dealings with public domain CCTV.
- 2.12 A joint procedure manual on the operation of the Council's CCTV system has been produced by Wandsworth Borough Council and the Metropolitan Police Service, (Wandsworth Borough Division) and is under constant review. Both organisations will comply with that procedure manual at all times. The procedure manual is restricted to those officers in both organisations who have specific responsibility for the operation and management of CCTV. The responsibility for updating and revising these procedures rests with the CCTV Progress Topic Group, part of Wandsworth's Crime & Disorder Strategy Working Group and Wandsworth's Crime & Disorder Reduction Partnership.

### **3. ENFORCEMENT PURPOSE STATEMENT**

- 3.1 The CCTV system ensures the safe and efficient operation of the road network through the detection of contraventions of traffic regulations.
- 3.2 In order for operators to determine non-compliance with Traffic Regulations the system enables fully trained staff to:
- Monitor traffic activity and deter violations of traffic regulations.
  - Identify vehicle registration number, colour and type of unauthorised vehicles contravening traffic regulations.
  - Support the serving of Penalty Charge Notifications (PCNs) to the registered keepers of vehicles identified as contravening the regulations.
  - Record evidence of each contravention to ensure that representations and appeals can be fully answered.
  - Enable timed and dated pictorial evidence of such unauthorised driving or stopping to be produced for adjudication or as information to the owner of such vehicles.
  - Enable the immediate dispatch of a parking attendant and tow-away truck for targeted enforcement against vehicles contravening traffic regulations.
- 3.3 The CCTV system will be operated at all times with due regard for the privacy of individuals and in accordance with the requirements of the Human Rights Act 1998. It will not be used to invade the privacy of any individual in residential, business or other private premises, buildings or land.
- 3.4 Key objectives of the use of the CCTV system for traffic enforcement are to:
- Satisfy the community that the camera enforcement system is being operated competently and honestly by its operators.
  - Reassure the community over the privacy of private areas and domestic buildings.
  - Ensure that operating staff are aware of and follow the correct procedures when incidents occur.
  - Use cameras as a deterrent and improve driver compliance with traffic regulations.
  - Facilitate the detection and prosecution of offenders in relation to non-compliance with existing regulations.
  - Assist with achieving the key objectives of other town centre schemes operated by Wandsworth Council. (e.g. roadworks, footway/pavement enhancements, street furniture etc)
  - Use the cameras as a deterrent and to improve the compliance with bylaws and dog related legislation and to detect and minimise crime and anti social behaviour in parks and open Spaces throughout the borough.
  - Use the cameras as a deterrent and improve the detection of violations of the Environmental Protection Act and other Waste Management related matters throughout the borough.

#### 4. MANAGEMENT OF THE COUNCIL CCTV SYSTEM

- 4.1 The CCTV system at the Frogmore Complex is utilised daily by local police and a range of Council departments. This usage is controlled by a number of key procedures including;
- 4.2 **Security access to viewing equipment** – a number of ‘satellite’ viewing systems exist outside of the secure Frogmore CCTV room, namely:
- The 24/7 Wandsworth Council Emergency Control Centre.
  - Remote access in Wandsworth Town Hall – Traffic Enforcement and Technical Services Director’s Office.
  - Remote access is available in the Deputy Director of Housing (Contract Services, the Head of Housing Strategy and Development, the Graffiti Section, the Installation Engineers Office and the four Area Housing Managers’ offices.
  - Remote Access in the Parks Police Control Centre in Battersea Park.
  - Remote Access in Emergency Planning Control Room at the Town Hall
  - Remote Access in Head of Operational Services office in Frogmore Complex.
- 4.3 Each of these “satellites” has secure viewing procedures and must comply with the Council’s CCTV procedures and protocols. The facility does exist to terminate these remote sites.
- 4.4 Local police can access, remotely, any of the CCTV cameras at their control rooms and have priority access should a serious incident occur.
- 4.5 Only authorised personnel, suitably ‘vetted’ to an appropriate level (Enhanced CRB checked) will be allowed to operate the CCTV system.
- 4.6 **28 day recording retention** – All recordings are stored at the Frogmore complex for 28 days on videotape and where possible digital storage. It should be noted that all material is the property of Wandsworth Council.
- 4.7 **Rigorous procedures and protocol documentation** – A CCTV procedure manual, which is a supplement to this document is constantly being reviewed and updated to ensure tight control and compliance with legislation, including the Data Protection Act 1998 and the Data Protection Principles (listed in Appendix 2).
- 4.8 **Installing new cameras** – Any new CCTV camera installation must have the agreement of the Council and local police. Additionally where there are identifiable interested parties, they must be consulted before any work is carried out unless the camera is to be used for covert operations. New installations must only be added when agreement of siting has been obtained from both police and council officers.
- 4.9 **Public information** - All overt cameras will have appropriate signage in areas covered. The signage will identify Wandsworth Council as the operator and give contact details of the Council should any queries arise. Additionally, the

Community Safety Annual Quality and Performance Report (AQPR) is published and reported to the Council's Regeneration & Community Safety Committee. Wandsworth Council's Housing Department has installed a significant number of CCTV cameras and their installation is reported to Wandsworth Council's Housing Overview & Scrutiny Committee. The use of CCTV to enforce traffic regulations is regularly reported to Wandsworth Council's Planning & Transportation Overview & Scrutiny Committee.

- 4.10 **Requests for Information** - Any request from an individual for the disclosure of personal data which he/she believes is recorded by virtue of the system will be directed to the data controller (Wandsworth Council is the CCTV system owner and the Director of Technical Services is the **data controller** for this system).
- 4.11 The principles of Sections 7 and 8 of the Data Protection Act 1998 (Rights of Data Subjects and Others) shall be followed in respect of every request; these are reproduced in Appendix 3. Exceptions can be made subject to section 29 of the Act (prevention or detection of crime). It should be noted that each and every application will be assessed on its own merits.
- 4.12 **Authorisation** – Covert camera (not in the public's awareness) use requires authorisation under the appropriate part of the Regulation of Investigatory Powers Act 2000 from either the Director/ Head of Environmental Services & Community Safety/or from Metropolitan Police Officers of Inspector rank or above (Superintendent if the operation is directed surveillance) and in the case of the equipment operated by the Parks Police – the Chief Officer Parks Police & Dog Control Service or, if the operation involves any other leisure and amenity service unit or involves directed surveillance, the Director/Assistant Director of Leisure & Amenity Services. Appropriate documentation must accompany this authorisation with explicit details of purpose, location, duration and the name of the responsible officer in line with the Regulation of Investigatory Powers Act 2000. Camera operators will not deploy CCTV for covert direct surveillance without the existence of such authorisation confirmed by the Officer in charge of the Control Room and signage is displayed in the Control room to this effect. Regular reviews will be undertaken to access current deployments.
- 4.13 **Media** - Recorded material is not provided to members of the public or media organisations for profit, gain or commercial exploitation. This does not prejudice the right of individuals to access any personal data under the provisions of the Data Protection Act 1998 nor the FIOA Act 2002
- 4.14 **Audit** – Regular checks on the operation of the CCTV system will be undertaken by the Head of Environmental Services and Community Safety and will include examination of control records; tape histories and their contents and will be undertaken on a sufficiently regular frequency to ensure safeguarding of the system.

- 4.15 Additionally Wandsworth's Policing Consultative Committee (WPCC) can request inspection of the CCTV system providing 3 working days notice are given.
- 4.16 **Accountability** – The Frogmore CCTV suite is owned by Wandsworth Council and managed on a day-to-day basis by the Community Safety Division (CSD) of the Environmental Services and Community Safety Division of the Technical Services Department. The 'satellite' access sites are regulated by CSD and are, in a similar fashion to auditing of the full CCTV system, subject to inspection by the WPCC.
- 4.17 **Complaints** – Wandsworth Council is committed to operating the CCTV system in an open and fair manner. Any complaints will be investigated thoroughly and promptly according to the Council's Suggestions and Complaints guide.
- 4.18 **Related documents** –More information can be found on the Council's website [www.wandsworth.gov.uk](http://www.wandsworth.gov.uk), including :  
Environmental Services and Community Safety Division's Citizens Charter  
Wandsworth Crime and Disorder Reduction Strategy 2005-2008  
Wandsworth Crime & Disorder Audit 2004

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## **APPENDIX 1**

### **Selected Legislation/documents Relating to CCTV**

- Crime & Disorder Act 1998 (CDA)
- Freedom of Information Act 2000 (FOIA)
- Human Rights Act 1998 (HRA)
- Data Protection Act 1998 (DPA)
- Regulation of Investigatory Powers Act 2000 (RIPA)
- The Association of London Government's Transport & Environment Committee minutes, June 2006

## **APPENDIX 2**

### **Data Protection Principles**

1. Personal data shall be processed fairly and lawfully, and, in particular, shall not be processed unless:
  - a) at least one of the conditions in schedule 2 of the Data Protection Act is met and
  - b) in the case of sensitive personal data, at least one of the conditions in schedule 3 is also met
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed
4. Personal data shall be accurate and, where necessary, kept up to date
5. Personal data processed for any purpose or purposes shall not be kept longer than is necessary for that purpose or those purposes
6. Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data

### APPENDIX 3

#### Section 7 and 8 of the Data Protection Act 1998 RIGHTS OF DATA SUBJECTS AND OTHERS

- Right of access to personal data. 7. - (1) Subject to the following provisions of this section and to sections 8 and 9, an individual is entitled-
- (a) to be informed by any data controller whether personal data of which that individual is the data subject are being processed by or on behalf of that data controller,
  - (b) if that is the case, to be given by the data controller a description of-
    - (i) the personal data of which that individual is the data subject,
    - (ii) the purposes for which they are being or are to be processed, and
    - (iii) the recipients or classes of recipients to whom they are or may be disclosed,
  - (c) to have communicated to him in an intelligible form-
    - (i) the information constituting any personal data of which that individual is the data subject, and
    - (ii) any information available to the data controller as to the source of those data, and
  - (d) where the processing by automatic means of personal data of which that individual is the data subject for the purpose of evaluating matters relating to him such as, for example, his performance at work, his creditworthiness, his reliability or his conduct, has constituted or is likely to constitute the sole basis for any decision significantly affecting him, to be informed by the data controller of the logic involved in that decision-taking.
- (2) A data controller is not obliged to supply any information under subsection (1) unless he has received-
- (a) a request in writing, and
  - (b) except in prescribed cases, such fee (not exceeding the prescribed maximum) as he may require.
- (3) A data controller is not obliged to comply with a request under this section unless he is supplied with such information as he may reasonably require in order to satisfy himself as to the identity of the person making the request and to locate the information which that person seeks.
- (4) Where a data controller cannot comply with the request without disclosing information relating to another individual who can be identified from that information, he is not obliged to comply with the request unless-
- (a) the other individual has consented to the disclosure of the information to the person making the request, or
  - (b) it is reasonable in all the circumstances to comply with the request without the consent of the other individual.
- (5) In subsection (4) the reference to information relating to another individual includes a reference to information identifying that individual as the source of the information sought by the request; and that subsection is not to be construed as excusing a data controller from communicating so much of the information sought by the request as can be communicated without disclosing the identity of the other individual concerned, whether by the omission of names or other identifying particulars or otherwise.

(6) In determining for the purposes of subsection (4)(b) whether it is reasonable in all the circumstances to comply with the request without the consent of the other individual concerned, regard shall be had, in particular, to-

- (a) any duty of confidentiality owed to the other individual,
- (b) any steps taken by the data controller with a view to seeking the consent of the other individual,
- (c) whether the other individual is capable of giving consent, and
- (d) any express refusal of consent by the other individual.

(7) An individual making a request under this section may, in such cases as may be prescribed, specify that his request is limited to personal data of any prescribed description.

(8) Subject to subsection (4), a data controller shall comply with a request under this section promptly and in any event before the end of the prescribed period beginning with the relevant day.

(9) If a court is satisfied on the application of any person who has made a request under the foregoing provisions of this section that the data controller in question has failed to comply with the request in contravention of those provisions, the court may order him to comply with the request.

(10) In this section-

"prescribed" means prescribed by the Secretary of State by regulations;  
"the prescribed maximum" means such amount as may be prescribed;  
"the prescribed period" means forty days or such other period as may be prescribed;

"the relevant day", in relation to a request under this section, means the day on which the data controller receives the request or, if later, the first day on which the data controller has both the required fee and the information referred to in subsection (3).

(11) Different amounts or periods may be prescribed under this section in relation to different cases.

Provisions  
supplementary  
to section 7.

**8.** - (1) The Secretary of State may by regulations provide that, in such cases as may be prescribed, a request for information under any provision of subsection (1) of section 7 is to be treated as extending also to information under other provisions of that subsection.

(2) The obligation imposed by section 7(1)(c)(i) must be complied with by supplying the data subject with a copy of the information in permanent form unless-

- (a) the supply of such a copy is not possible or would involve disproportionate effort, or
- (b) the data subject agrees otherwise;

and where any of the information referred to in section 7(1)(c)(i) is expressed in terms which are not intelligible without explanation the copy must be accompanied by an explanation of those terms.

(3) Where a data controller has previously complied with a request made under section 7 by an individual, the data controller is not obliged to comply with a subsequent identical or similar request under that section by that individual unless a reasonable interval has elapsed between compliance with the previous request and the making of the current request.

(4) In determining for the purposes of subsection (3) whether requests under section 7 are made at reasonable intervals, regard shall be had to the nature of the data, the purpose for which the data are processed and the frequency with which

the data are altered.

(5) Section 7(1)(d) is not to be regarded as requiring the provision of information as to the logic involved in any decision-taking if, and to the extent that, the information constitutes a trade secret.

(6) The information to be supplied pursuant to a request under section 7 must be supplied by reference to the data in question at the time when the request is received, except that it may take account of any amendment or deletion made between that time and the time when the information is supplied, being an amendment or deletion that would have been made regardless of the receipt of the request.

(7) For the purposes of section 7(4) and (5) another individual can be identified from the information being disclosed if he can be identified from that information, or from that and any other information which, in the reasonable belief of the data controller, is likely to be in, or to come into, the possession of the data subject making the request.