



# **Folkestone Town Council Public Space CCTV Policy**

*Adopted 14 November 2024 – Full Council – Minute 2130*

## **1. Introduction**

- 1.1 Folkestone Town Council uses a range of surveillance systems for a variety of purposes. These are managed either directly by the Town Council or, through another party.
- 1.2 The system is installed and operated with full consideration for the privacy impact on communities and the legal requirements within which it must adhere to.
- 1.3 This document, along with operational procedures, are designed to give clear guidelines to Folkestone Town Council on the use of CCTV.
- 1.4 This policy covers the commissioning of CCTV equipment; and the gathering, storage, use and disposal of visual image data.
- 1.5 The system has been notified to the Information Commissioners Office.

## **2. Objectives of the Public Space CCTV System**

- 2.1 Folkestone Town Council operates its public space CCTV system in compliance with the Information Commissioners CCTV Code of Practice. This states that CCTV use may be necessary to address one of the following – crime prevention (including ASB); Public Safety; and/or National Security.
- 2.2 The Crime and Disorder Act 1998 places an obligation on Councils to consider the crime, disorder and environmental issues affecting the local area and ensure their activities do all they reasonably can to prevent them. The implementation and monitoring of CCTV is one activity delivered by Folkestone Town Council that contributes towards this obligation as it is one of the regulated authorities that can offer this service to the community.
- 2.3 It is important that those operating the system understand exactly why it has been installed and what the cameras may be used for. The Folkestone Public

Space CCTV System will be used for the following reasons:

- Help to Prevent and Detect Crime and Anti-Social Behaviour;
- Provide quality evidence to support Police investigations and prosecutions;
- To safeguard the most vulnerable members of the community;
- To support the management of emergencies or major incidents, along with ongoing out of hours assistance;
- To address Public Safety;
- To assist in addressing parking and traffic related issues, as resources allow.

2.4 The CCTV system will not be used for any other purpose other than those set out above.

2.5 A number of mobile CCTV cameras are used by the Town Council to provide short term CCTV coverage of public spaces identified as hotspot locations for crime or disorder and/or to assist Local Police/Council Departments in carrying out their regulatory, investigatory and enforcement duties.

### **3. Legislation**

3.1 Folkestone Town Councils Public Space CCTV System will be operated subject to legislation below:

- Information Commissioners Surveillance Code of Practice and the 12 guiding principles (See Appendix 1)
- Data Protection Act (2018)
- Human Rights Act (1998)
- The Freedoms of Information Act (2000)
- The Regulation of Investigatory Powers Act (2000)
- The Protection of Freedoms Act (2012)

3.2 It will be ensured that the Folkestone Public Space CCTV system is operated with in the recommended BS7958 CCTV Management and Operation Code of Practice.

### **4. Responsibility**

4.1 The Folkestone Town Council CCTV Single Point of Contact (SPOC) will be the Town Clerk.

- 4.2 Folkestone Town Council is a member of the Swale CCTV Partnership. The three partners of the CCTV Partnership are; Swale Borough Council, Gravesham Borough Council and Folkestone Town Council.

The day-to-day operations for Folkestone CCTV service is overseen by Swale Borough Councils Control Centre Manager. This person will have direct control of the CCTV System. This role will include:

- Ensure that procedures are in place for the CCTV System to be operated in a compliant manner with appropriate legislation;
- Ensure that authorised staff use the CCTV system appropriately and taking appropriate disciplinary action if required;
- Giving guidance and advice on the procurement, specification, operation and maintenance of all CCTV systems used by the Town Council;
- Advising the Town Council Officers and Elected Members on all CCTV related matters Maintaining an inventory of all CCTV systems operated by the Town Council;

- 4.3 The CCTV SPOC details will be published on the Folkestone Town Council website.

- 4.4 Swale Control Centre Operators will ensure that, at all times, the CCTV system is operated in accordance with its policy and all procedural instructions. They will bring to the immediate attention of the Control Centre Supervisor any matter that may affect the operation of the service. This will include any breaches, or potential breaches of the policy, procedures, security or data or confidentiality. They will also update the SPOC.

- 4.5 Swale Control Centre Operators will be regularly vetted for handling of personal data and images. They will also be required to hold a valid Security Industry Authority (SIA) licence and vetted by Kent Police NPPV level 1.

- 4.6 Swales Control Centre Manager will ensure that the Control Centre Supervisor and Control Centre Operators are made aware of the CCTV Policy and associated procedures as part of their induction process. There will be regular training to ensure their continued competence especially related to relevant operational, technical, privacy consideration, policies, and procedures. This will be monitored through staff appraisal and one-to-one processes.

## **5. Deployment of CCTV cameras**

- 5.1 It is vital that in the deployment of any public space CCTV Cameras that serious consideration is given to their necessity and the impact on the privacy

of individuals using the area where cameras are installed, in line with the Code of Practice and guiding principles.

- 5.2 Other, less intrusive solutions must be considered to resolve a problem prior to the installation of CCTV.
- 5.3 Any requests for the installation of public space CCTV must be discussed with the CCTV SPOC. There will be consultation with the Police or other enforcement agencies, to determine if there is the evidence of reported crime or ASB concerns, or another justification for community safety purposes. This will include the volume and frequency of incidents, the risk level of the victim and if they are a repeat victim and if there is under reporting in the area. Consideration will also be given to the other solutions already tried to resolve the problem and how it is felt that CCTV will resolve the problem. If required, there will also be consultation with other partner agencies and communities to determine if there is a legitimate aim and pressing need for the camera.
- 5.4 If based upon the level of evidenced need and justification for its deployment, additional CCTV is agreed, any equipment installed must be of suitable quality to address this need. The equipment must be regularly maintained.
- 5.5 If a need for additional CCTV is identified, any new deployments would require a Data Privacy Impact Assessment (DPIA) to be completed.
- 5.6 There will be a regular review of all deployments of CCTV Cameras to ensure that their necessity remains. The CCTV Decommissioning procedures will be utilised should this need no longer remain. Consultation as part of this will take place with Kent Police and other appropriate partners/community members.
- 5.7 The Town Council operates a small number of mobile CCTV cameras. These are deployed to areas of increase crime/ASB and locations are agreed in conjunction with Kent Police where the need is evidenced. They are deployed for a limited period and their impact is continually assessed.
- 5.8 The Town Council does not operate 'dummy' cameras as these give a false sense of security to the public who may otherwise have avoided an area under 'real' monitoring.
- 5.9 CCTV cameras will not be installed in a way that they can view into private space such as private dwellings.
- 5.10 None of the cameras forming part of the public space CCTV System will be installed in a covert manner.
- 5.11 All areas where CCTV is deployed will have suitable signage that is compliant with the CCTV Code of Practice. The signage includes the reasons for the operation of the CCTV cameras and a point of contact for further information.

- 5.12 Additional functionality of the CCTV Cameras including the use of analytical software, automatic number plate recognition (ANPR) software and facial recognition may be used if it is felt necessary to meet the crime prevention needs of that camera system. Any Data Protection Impact Assessments (DPIA) will take this into consideration if started to utilise.

## **6.0 Monitoring and access to images**

- 6.1 The Town Councils Public Space CCTV service is currently monitored and staffed by Swale Borough Council within their Control Centre.
- 6.2 The equipment will be capable of recording all cameras simultaneously throughout every 24-hour period. Recorded data is stored onto a hard drive and automatically deleted after 28 days.
- 6.3 A live data feed will be made available for Kent Police's Force Control Room at Maidstone.
- 6.4 Recorded images from any camera for evidential purposes shall be managed by the CCTV Control Centre.
- 6.5 Control Centre Operators are able to record images from selected cameras in real-time, produce hard copies of recorded images, replay or copy any pre-recorded data in accordance with this policy and procedure documents. Only trained, authorised, and licensed officers shall operate viewing and recording equipment. Reviews will only be undertaken for a specific, legitimate purpose, in line with Swale Control Centre Procedures.
- 6.6 The intentions of the CCTV system has a clear, defined purpose in pursuit of a legitimate aim. The data held is appropriate for the objectives of the system. The system captures, processes, analyses and stores images and data at a quality which is appropriate for its defined purpose. The data or images will not be held for longer than necessary in accordance with its objectives.
- 6.7 As the purpose of the CCTV system includes crime prevention, detection, and investigation, it must be capable of providing images and other data which are of evidential value to the criminal justice system and shared with Police and other statutory agencies. Effective safeguards will be in place to ensure that the integrity of the recorded images and data. A recorded audit trail will be in place as agreed in the Control Centre procedures. Should any recorded media not be collected within 28 days of it being made, it will be destroyed in line with the control centre procedures.
- 6.8 Images recorded may be required by authorised Council officers for lawful purposes in connection with the Council's statutory duties.
- 6.9 The CCTV System may be able to assist in third party insurance claims in relation to road traffic collisions. Such requests will only be processed if

received in writing from the insurance company formally, as agreed in the CCTV Control Centre Procedures.

- 6.10 Any subject access requests will be handled in line with the Council' subject access procedures.

## **7.0 Maintenance**

- 7.1 To ensure compliance with the Information Commissioner's CCTV Code of Practice and to ensure images recorded continue to be of appropriate evidential quality, the system shall be maintained in accordance with the requirements of the CCTV Procedures under a maintenance agreement.
- 7.2 The maintenance arrangements will make provision for regular service checks of all equipment including cleaning and checks/minor adjustments to the equipment settings.
- 7.3 The maintenance arrangements will make provision for 'emergency' attendance on site by a CCTV engineer to rectify any loss or severe degradation of image or camera control. This will include maximum time periods for attendance and repair, depending on the severity of the impact.
- 7.4 It is the responsibility of the Swale Control Centre to ensure that appropriate maintenance records are kept.
- 7.5 Provision will be made to ensure that equipment is replaced that is reaching the end of its serviceable life.
- 7.6 There will be regular checks to determine if there is any foliage obstructing the view of the cameras and necessary cutting will be arranged.

## **8.0 Transparency**

- 8.1 This CCTV Policy, performance information and any reviews of the system will be made publicly available to demonstrate transparency to those persons that the system is monitoring.
- 8.2 In the development or review of a CCTV scheme, consultation and engagement will take place with all relevant parties and partners to determine if CCTV is a proportionate response.
- 8.3 Any complaints in relation to the operation of the CCTV System should be addressed through the Town Councils complaints process.
- 8.4 A Data Protection Impact Assessment (DPIA) will be completed for the CCTV System and reviewed on a regular basis. An additional one will be completed if there are fundamental changes to the system such as large equipment upgrades.

## **9.0 Security of Folkestone Town Councils CCTV Control Centre**

- 9.1 Authorised personnel will normally be always present at the Control Centre when monitoring is in progress. At times when the control room is not being monitored, it will be kept secure.
- 9.2 The Control Centre will be secured at all times.
- 9.3 In the event of the control centre being evacuated for safety or security reasons, the CCTV Procedure manual will be followed.
- 9.4 The CCTV Recorders are kept in a secure room within the Town Council. These can only be accessed by authorised officers.
- 9.5 Access to the Control Centre will be strictly limited. Where there is a requirement for an authorised officer to attend or an officer from another statutory service, their attendance will be logged as per the operational procedures. Visitors may also attend Swale Borough Councils Control Centre in conjunction with the SPOC at Folkestone or Control Centre Manager at Swale.
- 9.6 Visitors to the Control Centre that have not been Police vetted should not be able to hear any police broadcasts or review or see any live CCTV images.
- 9.7 Appropriate controls and safeguards will be put into place to protect the recorded data from cyber security threats.

———— **POLICY ENDS HERE** ————

## **Appendix 1: The guiding principles of the Surveillance Camera Code of Practice**

System operators should adopt the following 12 guiding principles:

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.

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.

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.

There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.

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.

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.

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.

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.

Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.

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.

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.

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.