



Wiltshire Fire & Rescue Service

Data Protection Act 1998

Code of practice

Control of Closed Circuit Television (CCTV)

Introduction

1. The Wiltshire Fire & Rescue Service are owners of a closed circuit television system installed at Service Headquarters, Potterne. Legal responsibility resides with the Members of the Wiltshire Fire & Rescue Service as represented by the Clerk to the Authority (the Monitoring Officer).

2. The sole purpose of the CCTV is to provide a safe and secure environment for the benefit of those who might visit or work in the area. Subject to this code of practice and the Human Rights Act the CCTV will not be used to invade the privacy of any individual in residential, business or other private premises, buildings or land. Except such as in accordance with the law. This CCTV system will only be used for the following purposes and within this Code of Practice the Data Protection Act 1998 and the Human Rights Act at all times:

- a. To reduce the fear of crime.
- b. To provide a safe environment for staff working on site and any members of the public with lawful reasons for being on our premises.

4. Circumstances may arise when the Service may wish to conduct a pre-planned operation. The use of this CCTV system within this code and the presence of a Service Investigating Officer in the Control Room for this purpose must be authorised by a signed written authority issued by the Assistant Chief Fire Officer or the Clerk to the Authority authorising directed surveillance as defined under Section 26(2) of the Regulation of Investigatory Powers Act 2000. This authority allows access to the CCTV to be utilised to prevent and detect crime.

5. Any use of this CCTV system or materials produced, which is frivolous, or for private purposes will be a matter of gross misconduct and will not be tolerated. A 24-hour record is kept of every use of every camera.

6. The Data Protection Officer is responsible for the day to day operation and maintenance of the CCTV equipment. There is also a legal requirement to make sure all employees work to this Code of Practice and in accordance with the principles of the Data Protection Act 1998.

The CCTV System

7. The CCTV surveillance covers the Headquarters site. In siting and maintaining the CCTV equipment the authority will ensure that:

- a. The location of cameras is justified by the stated purpose; paragraph 3 refers.
- b. The equipment should as far as practicable and possible, continually operate effectively and efficiently.
- c. The image quality is maintained on the reproduction to tape or disk.
- d. There are records of use, including duration and reasons for downtime, maintenance and repair of equipment, including the time elapsed between failures and repairs. Periodic review of records, by the Data Protection Officer or his assignee, should be recorded.
- e. Cameras are in full view of staff and the public, signs are placed so that staff and public are aware of the system and who's responsible for it. These signs comply with the Data Protection Act.
- f. There is no sound recording on the system. Images from the cameras are transmitted to the designated control points and they are recorded for use in accordance with this code of practice.

Control Point

8. Images are captured at the Headquarters site and can be monitored on one of the following control points:

- a. At the Headquarters site secondary control room.
- b. At the Brigade's Control room within the ECC Building in Devizes on activation of the burglar alarm.
- c. A screen located in the Visual Aids Department at the Headquarters site.

9. Entry to the control point located in the secondary control room at the Service HQ site is restricted to authorised staff. The Data Protection Officer is responsible for keeping an accurate list of authorised persons. Emergency entry to this control point may be granted to a person with a valid reason for entry. The member of staff deciding entry must be shown a suitable means of identification before approving access. The person allowed entry must be accompanied throughout their stay in the control point.

Control Point Procedures

10. A logbook is held to show the name, department/organisation, time and duration of visits to the Headquarters Control Point. The name of the person allowing any entry must also be shown. A record will also be kept at the Control Room, giving a short account of any incident noted on the CCTV once an alarm has activated and any action taken as a result. All logbooks are to be held and stored in secure conditions.

11. Images obtained are sensitive and subject to the laws on Data Protection and the Human Rights Act. CCTV recordings must be handled according to the Data Protection and Human Rights principles. This allows the Service to maintain the integrity of the information obtained, held and stored.

12. A record is to be kept to identify any person viewing a recording. It gives the name of the viewer, their department/organisation, the person giving the authority for the viewing, the date and time of entry/exit to the viewing site. This information is also held under secure conditions. Copies of recordings are made for:

- a. The purposes of crime detection.
- b. Gaining evidence in a prosecution or
- c. Where required by law.

Recordings and Procedures

13. The equipment used, records automatically and adds the date and time. Recordings are kept for 11 days and 17 hours. When the recording equipment is full it automatically records over the previous images. At the end of its useful life the recording media is disposed of as confidential waste. Any recording required for evidence will be held for as long as the Police and the Courts rule.

Images and Snapshots

14. Printed images taken from recordings as a still or snapshot are subject to the same controls and principles of Data Protection as any other information held in the Control Points. They may be taken to help identify, apprehend and prosecute alleged offenders. They can also be used during staff training. Persons approved by the Data Protection Officer must only

produce images. Requests for images will normally only originate from the Police. The Data Protection Officer will consider any other requests on an individual basis. All images produced must be recorded in the logbook. The entry must also show the identity of the person making the request together with the data and any other appropriate information.

Access to and Disclosure of Recorded Images to Third Parties

15. The exemptions allowing disclosure of Personal Data, Corporate Policy in Regard to Compliance with the Data Protection Act 1998 refer, will apply also to recorded images.

16. Disclosure of unedited discs and disc copies will, otherwise, only be affected with the explicit (written) consent of the Data Subject(s).

17. Edited discs, masking the identity of individual(s), may be available to media representatives. When editing facilities are not available in-house, the advice of the Information Commissioner is that the Service may consider disclosure if supported by a formal (enforceable) contractual agreement with the media to effect the appropriate editing of tapes before they are made available for public viewing.

◆ It is accepted that, in these circumstances, failure on the part of the media representative (the agent) to adequately mask the identity of an individual, or individuals, may result in action being taken against the Authority (the principal) not the media representative.

18. Records will be prepared and maintained for the release to, or viewing of, disks or tapes on third party requests, which include:

- a. The identity of the third party.
- b. The reason for access and justification by a third party.
- c. Principal Officer authorisation for the access.
- d. Details of the information to which access was granted.
- e. The date and time on which access or disclosure was allowed.
- f. The identification of any third party who was allowed access, or to whom disclosure was made.
- g. The reason for allowing access or disclosure.
- h. The extent of the information to which access was allowed or which was disclosed.

19. Data Subjects may only see the images of themselves recorded by the system. Since the tapes will be indiscriminate in the recording of data it will be necessary to install, or otherwise have access to editing facilities in order to respond to requests for access to personal data.

Access by Data Subject

20. Data subjects will complete a standard Data Subject Access Request form which:

- a. Defines the Data Subjects rights under the Data Protection Act 1998.
- b. Requires the provision of sufficient information for the Data Protection Officer to establish the true identity of the applicant.
- c. Requires the provision of sufficient information for the Data Protection Officer to identify and locate the images requested, including dates, times and locations.
- d. Draws the attention of the applicant to the fee charged for the service, an amount not exceeding the maximum provided for under the Data Protection Act 1998.
- e. Requires the applicant to choose to whether to simply view the tapes or to receive copies.

21. All subject access requests will be referred for the attention of the Information Rights Advisor:

Wiltshire Fire & Rescue Service,
The Manor
Potterne,
Devizes
Wiltshire
SN10 5PP

Telephone 01380 731170

22. The Information/Data Security Officer will monitor the retrieval and the disclosure of the Personal Data to the Data Subject.

23. Should the decision be taken that all or any of the images should not be disclosed to the Data Subject the applicant must be advised of:

- a. The reason for denying access.
- b. Advice on the procedures for making an appeal against the decision.

Camera Control

24. The cameras can be tilted panned and zoomed to enhance images and can be switched from one to another. If a major incident occurs, where life or property may be threatened by criminal action, the Police may take over a control point and remain until the incident is closed.

Comments, Complaints and Appeals

25. Wiltshire Fire Brigade has a formal complaint procedure. If an applicant wishes to make a complaint about the way their application for information has been dealt with they may do so verbally or in writing addressing their complaint to:

a. Brigade Administrative Officer
Corporate Services Department
Service Headquarters
Manor House
Potterne
Devizes
Wiltshire
SN10 5PP

Telephone 01380 731181

27. Should the applicant remain dissatisfied with the way that the Wiltshire Fire & Rescue Service has dealt with the application the Officers of the Service will give every possible assistance in the preparation of an appeal to the Information Commissioner. The Commission has set up a public inquiry service which may be contacted by telephone on (01625) 545745 or by E-mail at; data@dataprotection.gov.uk or by post to:

The Information Commission,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF