

COMPLIANCE WITH THE SURVEILLANCE CAMERA CODE OF PRACTICE

Head of Service/Contact: Rod Brown, Head of Housing & Community

Annexes/Appendices (attached):

Other available papers (not attached): Surveillance Camera Commissioner:
Surveillance Camera Code of Practice
Report and Minutes of Audit, Crime & Disorder and Scrutiny Committee, 9 February 2017

Report summary

This report provides a progress update on work to make the Council's street scene CCTV system compliant with the Surveillance Camera Code of Practice.

Recommendation (s)

- (1) That the committee notes the progress in ensuring compliance with the Surveillance Camera Code of Practice.**

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 The provision of a street scene CCTV system in the major towns in the Borough contributes to the achievement of the Council's Key Priorities of "Supporting our Community" and "Supporting Businesses and our Local Economy"

2 Background

- 2.1 Although added to in the years since, the core of the street scene CCTV system was installed in the mid 1990s. The system comprises 20 cameras, 16 of them in Epsom town centre with two each in Ewell and Stoneleigh.

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- 2.2 Legislation applies requirements to the management of surveillance cameras generally, and the Surveillance Camera Commissioner has produced a Code of Practice for surveillance cameras.
- 2.3 At the 9 February 2017 meeting of the Audit, Crime & Disorder and Scrutiny Committee, it was reported that Officers were due to complete a self-assessment against the requirements of the Code and to submit this to the Commissioner.
- 2.4 Although the Surveillance Camera Commissioner's Office indicates the self-assessment was received, they cannot locate it on their files. Owing to the personnel changes within the Council's Community Safety team, it has not been possible to locate the Council's office copy.
- 2.5 In view of the circumstances, the time which has passed and with the additional resources now within the Community Safety team, a fresh self-assessment has been completed and submitted to the Surveillance Camera Commissioner. Officers currently await feedback on the outcome. Information from this will be used as the basis of an action plan to ensure compliance with the code.
- 2.6 Surrey Police monitor the footage from our street scene CCTV camera feeds, although there are indications that they are seeking to reduce their commitment to this work. It is therefore a possibility that the Council will need to consider alternative provision in the future.
- 2.7 A risk based approach has been taken when deciding on priorities for conducting reviews. The age and legacy issues surrounding the public space CCTV cameras has resulted in this area being prioritised. For the remainder of the Council's CCTV assets (including those mounted to vehicles and the limited number of body worn cameras in use), these will be considered in a further phase and the usage policy revised as appropriate.

3 Proposals

- 3.1 That Officers use the outcomes of the refreshed self-assessment as the basis of an action plan to achieve full compliance with the Surveillance Camera Code of Practice for street scene cameras.
- 3.2 That Officers explore options for future street scene CCTV coverage and monitoring with local authority partners, particularly within the East Surrey Community Safety Partnership.
- 3.3 That both these areas of work are reported back to the Audit, Crime & Disorder and Scrutiny Committee in April 2020.

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4 Financial and Manpower Implications

- 4.1 The Council now employs a full time experienced Community Safety and Enforcement Officer reporting into the Environmental Health team. Much of the work in the area of community safety is being achieved through this new resource and the structure around them.
- 4.2 The current budget for street scene CCTV is £35,500 having achieved a saving through moving the monitoring over to Surrey Police. Any future replacement monitoring arrangements are likely to require an increase in budget.
- 4.3 There is presently no capital programme for CCTV replacement and renewal. Officers are aware that the age and inflexibility of the system means it will require updating should there be a desire to maintain coverage. As part of the revised arrangements for monitoring, consideration will be given to the timing, technology and costs of renewal of any of the network.
- 4.4 **Chief Finance Officer's comments:** Any additional financial resource requirements would be considered as part of the Council's budget setting process.

5 Legal Implications (including implications for matters relating to equality)

- 5.1 The Council as an operator of a surveillance camera system is required to work within a framework of legal and regulatory requirements and industry standards. A number of statutory responsibilities arise as a result. Examples being the Data Protection Act 1998, the Regulation of Investigatory Powers Act 2000, and the Protection of Freedoms Act 2012 (PoFA).
- 5.2 As a public authority the Council is required to comply with the Code of Practice issued under the PoFA. Using the self assessment tool is a key element of verifying compliance with the Code.
- 5.3 **Monitoring Officer's comments:** none arising from the contents of this report.

6 Sustainability Policy and Community Safety Implications

- 6.1 There is evidence that the street scene CCTV service is valued by both the local police, members of the public and businesses in detecting and dispelling crime including antisocial behaviour.

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7 Partnerships

7.1 The provision of the street scene CCTV service has been a partnership between Surrey Police and Epsom & Ewell Borough Council. Going forward, the shared responsibilities in this area dictate a strong partnership approach will continue to be required including, if necessary, partner local authorities.

8 Risk Assessment

8.1 Should serious shortcomings remain unaddressed, there is a risk of Information Commissioner sanctions with resultant financial and reputational implications.

8.2 A significant unjustifiable loss of the CCTV asset may result in an increase in crime and disorder, loss of public confidence and affect partner relations.

9 Conclusion and Recommendations

9.1 In the event that Surrey Police withdraw from CCTV monitoring, significant decisions are likely to be required in the forthcoming year about what future monitoring arrangements are viable, together with any need to undertake a renewal of the technology.

9.2 The outcome of the self-assessment will be used to formulate an action plan which will be adjusted as necessary in light of developments in the future monitoring arrangements.

9.3 A further report will be presented in April 2020 updating the Committee on progress.

Ward(s) Affected: (All Wards);