
REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 10
DATE OF MEETING:	22nd NOVEMBER 2018	CATEGORY:
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN/EXEMPT
MEMBERS' CONTACT POINT:	CHRIS SMITH / 5924	DOC:
SUBJECT:	SOUTH DERBYSHIRE DISTRICT COUNCIL SURVEILLANCE POLICY	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

1.1 That the Committee adopts a new South Derbyshire District Council Surveillance Policy.

2.0 Purpose of Report

2.1 To seek the Committee's approval to the adoption of a Surveillance Policy. The new Policy is required due to changes in legislation and best practice. The Policy sets out the necessary steps that should be taken to ensure the Council's surveillance systems comply with the overarching legislation, including the 12 principles set out in the Home Office's Surveillance Camera Code of Practice.

3.0 Detail

3.1 The Policy applies to all surveillance systems in use by the Council with the exception of Vehicle Location Systems and Noise Monitoring Machines; these are both governed by standalone policies and procedures.

3.2 Surveillance systems collectively refers to closed circuit television (CCTV), mobile CCTV, motion activated cameras and body worn cameras.

3.3 This Policy applies to the installation and operation of surveillance systems; access to and retention of recorded images; complaints, access requests and enquiries; deletion and disposal of recorded images.

3.4 The legitimate aim of the Council's surveillance systems is for 'the prevention and detection of crime and disorder'.

3.5 The Policy is intended to ensure that the Council acts properly and proportionately when considering using CCTV and, where used, that appropriate arrangements are put in place. All system operators (Surveillance Administrators) should adhere to the

12 guiding principles set out in the Home Office's Surveillance Camera Code of Practice.

- 3.6 The Policy details the need for departments to complete Privacy Impact Assessments (PIA) for all surveillance systems. The purpose of the PIA is to ensure compliance with privacy legislation and the Surveillance Camera Code of Practice Principle 2; i.e. the use of a surveillance camera system must take into account its effect on individuals and that any privacy risks are acknowledged and minimised; annual reviews are required to ensure its continuing use remains justified.
- 3.8 Covert surveillance activity is not covered in the Policy because this activity is governed by the Regulation of Investigatory Powers Act 2000. This type of recording is covert and directed at an individual or individuals and is covered in the Council's Regulation of Investigatory Powers Act Policy and Guidance.
- 3.9 All officers responsible for the day-to-day management of a surveillance system (System Administrators) will be provided with a copy of the Policy and will be required to sign a compliance statement stating that they are aware of their corporate and statutory responsibilities.

4.0 Financial Implications

- 4.1 There are no financial implications arising from this report.

5.0 Corporate Implications

- 5.1 This purpose of this Policy (Appendix 1) is to ensure that South Derbyshire District Council complies fully with its legal obligations under the Data Protection Act 1998 (DPA) and General Data Protection Regulation (GDPR) in relation to the protection of personal data that it holds / processes about or concerning any individual.

6.0 Community Implications

- 6.1 The Policy should be made publically available via the Council's website.
- 6.2 The Policy is intended to ensure that human rights are considered prior to and during the operation of CCTV. The use of PIAs and CCTV Self-Assessments will provide the Council with protection to any claim that an individual's human rights have been breached.

7.0 Background Papers

- 7.1 South Derbyshire District Council Surveillance Policy.