

Report for: Cabinet

Date of Meeting: 7 January 2025

Subject: **CCTV Policy and Code of Practice**

Cabinet Member: Cllr David Wolff – Cabinet Member for Quality of Living, Equalities and Public Health

Responsible Officer: Paul Deal , Head of Service for Finance, Property and Climate Resilience

Exempt: N/A

Wards Affected: All

Enclosures:

- Annex A – Surveillance and CCTV Policy
- Annex B –Code of Practice for Surveillance Camera Systems operated by Mid Devon District Council
- Annex C – Code of Practice for operation and management of Body Worn Video Cameras
- Annex D - Code of Practice for management and operation of CCTV on Street Scene Vehicles

Section 1 – Summary and Recommendation(s)

To present the updated Policy and Codes of Practice to Members for approval.

Recommendations:

1. To approve the Surveillance and CCTV Policy (Annex A), Code of Practice for Surveillance Camera Systems operated by Mid Devon District Council (Annex B), Code of Practice for operation and management of Body Worn Video Cameras (Annex C) and Code of Practice for management and operation of CCTV on Street Scene Vehicles (Annex D) as recommended by the Community, People and Equalities Policy Development Group.
2. That delegated authority is granted to the Head of Finance, Property and Climate Resilience to make minor amendments to the Surveillance and CCTV Policy and Codes of Practice as required by changes to legislation, formal

guidance or local operational considerations as recommended by the Community, People and Equalities Policy Development Group.

Section 2 – Report

1. Background

- 1.1. Mid Devon District Council (MDDC) has a role to play in community safety. Therefore public space Surveillance Camera Systems (SCS) are in place across the district.
- 1.2. There are a host of purposes for these SCS, including these key elements:
 - To provide a deterrent to crime and anti-social behaviour;
 - To assist the prevention and detection of crime and apprehending criminals;
 - To improve public safety by reducing the perceived fear of crime; and
 - Occasionally SCS may be required to assist with ‘covert’ directed operations (e.g. by police, Competent Authorities, HMRC etc.) through the Regulation of Investigatory Powers Act 2000 (RIPA).
- 1.3. MDDC operates a number of SCS for its security purposes, including at these locations: Phoenix House, our leisure centres and depots, and for our staff particularly when lone working. Other systems, including Automatic Number Plate Recognition (ANPR), Body Worn Video (BWV) and Audio Recording are also covered by this policy.
- 1.4. In addition, there are SCS covering town centres across the District. The largest system covering Tiverton Town Centre, including the Multi-Storey Car Park (MSCP), is run in conjunction with the Exeter City Council who operate and monitor the system. Other smaller town centre operations are solely managed by the relevant Town or Parish Councils. MDDC has no involvement in any of the town centre systems, other than to maintain the Tiverton system. The footage from these systems is used by the Police as MDDC has no need for such data.
- 1.5. The use of SCS is covered by a raft of legislation, including the Data Protection Act 2018 (DPA), UK General Data Protection Regulation (GDPR), Freedom of Information Act 2000 (FOIA) and Human Rights considerations. Therefore the use of such systems is heavily controlled and any output is only shared on a formal request basis with the appropriate relevant authorities.
- 1.6. The Codes of Practice capture the consideration of the legislation in relation to SCS and adopts protocols for their use within MDDC. The Policy and Codes of Practice are reviewed and updated as necessary ensuring ongoing compliance. This is the latest update for approval.

- 1.7. Since the previous Policy and Codes were presented, MDDC has replaced the CCTV system(s) for the MSCP, Tiverton Town Centre Public Surveillance System (TTC PSS) (TTC PSS was co-funded with the Town Council and the Police) Lords Meadow Leisure Centre and Culm Valley Sports Centre. However, MDDC has limited budgets for ensuring the delivery of the discretionary surveillance monitoring service, or the on-going maintenance and compliance for our SCS. Although there is currently no additional budget for the replacement of any further surveillance systems, consideration is being given to replace the system at Phoenix House. Additional costs, including future upgrades may need to be spread over a few financial years.

2. Policy and Codes of Practice

- 2.1. The Surveillance and CCTV Policy is an operational document for the operation of MDDC's SCS - to ensure the tasks and documentation required by legislation, including the Surveillance Commissioner's Surveillance Camera Code of Practice, are applied across all MDDC's sites with SCS on a consistent basis, with identified roles and responsibilities.
- 2.2. The Codes of Practice fall under the umbrella of the Surveillance and CCTV Policy and provide specific guidance for the operation and management of CCTV, BWV and CCTV on Recycling, Waste and Road Sweeper Vehicles.
- 2.3. Both the Surveillance and CCTV Policy and the Codes of Practice draw on the legislation and Government guidance for the appointment of a Single Point of Contact (SPOC – the government guidance is in a link in the footer¹). The establishment of the role of a SPOC within a local authority is the first step in demonstrating to the public that the local authority is committed to operating all surveillance camera equipment in compliance with the Surveillance Commissioner's Surveillance Camera Code of Practice and key legislation, thereby building transparency, trust and confidence in its use.
- 2.4. The Council has appointed a SPOC, the Operations Manager for Corporate Property and Commercial Assets, who will have responsibility for the installation and operation of MDDC's SCS.

3. Conclusion

- 3.1. Members to note the report and recommend to Cabinet the approval of the Surveillance and CCTV Policy and the various Codes of Practice.

Financial Implications

¹ [Introducing a single point of contact \(SPOC\): guidance for local authorities - GOV.UK](#)

Tiverton Town Council agreed to contribute 50% towards the running cost of the TTC PSS for 2023/24 and 2024/25. Discussions are ongoing about the future operation of the system from July 2025 onwards. All other Council SCS are funded by operational revenue maintenance budgets.

Legal Implications

There are various pieces of legislation that must be adhered to when considering the continued use of SCS, including the Data Protection Act 2018, UK General Data Protection Regulation (GDPR), the Regulation of Investigatory Powers Act 2000 (RIPA), and the Surveillance Commissioner's Surveillance Camera Code of Practice and Human Rights considerations.

Risk Assessment

If MDDC SCS are not fit for purpose their use cannot be justified in accordance with the Surveillance Code of Conduct and provisions of the Data Protection Act 2018. To do nothing will expose MDDC to the risk of operating non-compliant SCS.

Impact on Climate Change

None identified

Equalities Impact Assessment

None identified

Relationship to Corporate Plan

None directly but there are implications for community safety.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151 Officer

Date: 17/12/24

Statutory Officer: Maria De Leiburne

Agreed on behalf of the Monitoring Officer

Date: 17/12/24

Chief Officer: Stephen Walford

Agreed by or on behalf of the Chief Executive/Corporate Director

Date: 17/12/24

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance and Improvement Manager

Date: 25 November 2024

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Paul Deal, Corporate Manager for Head of Finance, Property and Climate Resilience:

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Background papers: N/A