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**TITLE: CCTV Data Protection Audit**

Committee: Community and Environment Committee

Date: 11 September 2012

Author: Community Safety Officer

[M100]

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1.0 ISSUE

1.1 To present the outcomes of a Data Protection audit of the CCTV service.

2.0 RECOMMENDATION(S)

2.1 That Members note the outcomes of the CCTV Data Protection audit and the remedial actions undertaken to address the issues identified.

3.0 BACKGROUND/OPTIONS

3.1 The CCTV operation is now managed by the City of Ely Council who deploy volunteers to undertake the monitoring at the control room located in Ely police station.

3.2 An integral part of CCTV service delivery is ensuring it is compliant with all aspects of the Data Protection Act (DPA). Although the CCTV operation is now managed by City of Ely Council, because ECDC retains ownership of the equipment, compliance with the DPA remains the responsibility of this Council<sup>1</sup>.

3.3 Compliant CCTV usage under the DPA is set out in a CCTV Codes of Practice produced by the Information Commissioners Office (ICO). The ICO Codes are referenced at Appendix A.

3.4 DPA compliance runs through all aspects of CCTV service delivery; from actual live monitoring of the cameras to downloading images for evidential purposes in the pursuit of criminal or civil investigations.

3.5 Robyn Sones of the CCTV Advisory Service was commissioned by City of Ely Council to conduct the Data protection audit. The audit was conducted on Tuesday 19 June 2012.

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<sup>1</sup> Under the requirements of the Data Protection Act 1998, the beneficial owner of the system is the Data Controller and has to comply with requirements of the DPA

3.6 The audit report identified a number of issues which were considered of highest importance in terms of non-compliance with the DPA, which included:-

1. Privacy zone settings that use software pixels to obscure camera views into private dwellings needed improving for a number of cameras.
2. Signing in procedures for visitors to the control room needed to be more regulated and use standardised paperwork or data entry protocols.
3. Evidence download procedures need to consider the usage of a twin disk system that has a unique reference number (URN) embossed into the plastic construct of the disk. This is felt to reduce risk around any potential tampering with evidence disks or operator error in marking disks with pen (as occurs with current procedures).

3.7 A full list of non-compliance issues is set out in Appendix B along with the remedial actions required.

3.8 Issue 3 identified in 3.6 above, is the only non-compliance issue that remains outstanding. This issue requires agreement to be reached with the Police about the purchase and implementation of a synchronised embossed disc system to replace the manual labelling of CCTV evidence. Although this has been highlighted as a potential risk by the audit, the police are of the view that they are not concerned about the current CCTV processes for downloading CCTV footage on to DVD, and are happy that this would stand up evidentially in court. ECDC Officers are currently seeking legal advice on this issue and are awaiting this advice and the return from annual leave of DI Donna Wass, the Crime Manager for East Cambs, before agreement between ECDC and the Police can be reached.

#### 4.0 ARGUMENTS/CONCLUSIONS

4.1 The audit flagged the major headline Data Protection compliance issues for the CCTV service and identified that the operation of the service up to the date of the audit was around 50% compliant with the DPA.

4.2 The highest priority audit issues identified have now been addressed and resolved.

4.3 There remains one outstanding non-compliance issue, which we are working to find a solution to with the police.

4.4 The audit will be repeated in a year's time around June/July 2013 as part of an ongoing requirement to ensure a fully compliant CCTV service

#### 5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

5.1 The audit costs and remedial actions will be met from the CCTV Partnership's shared resources.

5.2 Equality Impact Assessment (INRA) not completed\*

6.0 APPENDICES

6.1 Appendix A - CCTV Codes of Practice Information Commissioners Officer 2008 are contained at;

[http://www.ico.gov.uk/upload/documents/library/data\\_protection/detailed\\_specialist\\_guides/ico\\_cctvfinal\\_2301.pdf](http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/ico_cctvfinal_2301.pdf)

6.2 Appendix B - Advisory Service Data Protection Audit – Summary of headline compliance issues June 2012

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<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
Full CCTV DPA compliance report is available on request	Room FF115 (Location: i.e. The Grange,) Ely	Nick Ball Community Safety Officer (01353) 616455 E-mail: <a href="mailto:nick.ball@eastcambes.gov.uk">nick.ball@eastcambes.gov.uk</a>



## **Appendix A – Information Commissioners Code of Practice CCTV**

The full ICO guidance to CCTV and DPA is contained at the following web page;

[http://www.ico.gov.uk/upload/documents/library/data\\_protection/detailed\\_specialist\\_guides/ico\\_cctvfinal\\_2301.pdf](http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/ico_cctvfinal_2301.pdf)

## Appendix B - Summary of headline compliance issues and remedial actions

### CCTV Audit Action Log 11th July 2012

Ref	Audit report heading ref	Audit recommendation / Remedial Action ( <i>italics</i> )
3	Purpose of scheme	<p>Advised to amend and re-register online the purpose of the scheme, to include use for investigating health and safety aspects such as trips and falls.</p> <p><i>The issue was discussed at the July CCTV Committee meeting at City of Ely Council and the decision was made not to re register the service for these purposes.</i></p>
7	Camera settings	<p>Quadrant to provide either a cost for re-setting the privacy area zones or to give the code to Louise to re-set or create new privacy zones.</p> <p><i>The CCTV Coordinator worked with Quadrant security to reset all slipped privacy zone settings and this was completed by close of July 2012.</i></p>
		<p>Quadrant to check areas are holding and aren't slipping after re-setting complete</p> <p><i>This was completed with the CCTV Coordinator by close of July 2012</i></p>
		<p>Quadrant to review all cameras to check if they have privacy boards and if correctly in place. Fully compliant system by w/e 10th August 2012.</p> <p><i>This was completed with the CCTV Coordinator by close of July 2012</i></p>
8	Monitors	<p><b>Advisory only</b> as these monitors are in the police reception and not part of the CCTV system being audited - police to be advised to repositioned so they can only be viewed by staff and not the public</p> <p><i>This has been aired with the police who have considered the view of the consultant and will act if they deem it appropriate. Not an issue for the public space surveillance system.</i></p>
9	Recording equipment	<p>Equipment is not operating at the right speed or to the right number of recording days. Quadrant to be asked to correct as a priority maintenance issue. Quadrant also to provide a URN for the hard drives that complies with the industry standard which should have been in place when installed.</p> <p><i>Quadrant engineers have adjusted the frame rate recording for each DVDR device and ensured that a URN is affixed to each recorder. Completed close of July 2012.</i></p>
10	Disclosure of images	<p>Visitor viewing log form to be sent to auditor to challenge the statement that it doesn't capture all of the required details.</p> <p><i>This has now been replaced with an appropriate form by the CCTV Coordinator.</i></p>
11	Access recordings by individuals	<p>Police to be asked to replace with a new 3 synchronised disk URN system, as at the moment the current process for hand labelling DVD's has a risk it could be tampered with and ruled inadmissible evidence in court.</p> <p><i>This was considered by a Detective Inspector at Ely Police station, who is happy that the current procedures are rigorous enough to stand in court. Action currently outstanding waiting upon legal advice.</i></p>
12	Control of electronic images	<p>As above in 11, this will be covered if a new 2 synchronised disk URN system replaces current manual numbering system</p> <p><i>The police have indicated they are satisfied from a Data Protection aspect that their current systems are adequate – action currently outstanding</i></p>

		Investigate what systems other forces are using and costs
		Policy required for the ongoing replacement of hard drives
13	Video prints	Procedure to be sent to auditor to explain what we currently do, to determine if we need to keep a hard copy in addition to one we already keep on the screen.
16	SIA licensing of CCTV operators	Check the legal position and ask auditor is this is a high priority issue compared to the other audit issues raised.  <i>All operators receive SIA accredited training though are not certificated members of the SIA. This was deemed not to be a fundamental compliance issue but a technical detail by the CCTV Committee meeting at COEC.</i>
19	Control Room Review	Hard drive URN's an issue already covered in 9 above  <i>As noted at 9 above.</i>
20	Record keeping	Instigate recording check logs. Auditor to be provided with the current procedure to clarify why current process is not sufficient  <i>Logs are now being made onto the back office software system for all maintenance and monitoring issues.</i>