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### Document Change History

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<tr>
<th>Date</th>
<th>Ver.</th>
<th>Status</th>
<th>Author</th>
<th>Details of Change</th>
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<tr>
<td>01/12/2009</td>
<td>0.1</td>
<td>Draft</td>
<td>SM Andy Clayton/ Allan Darby</td>
<td>Initial Draft</td>
</tr>
<tr>
<td>22/01/2010</td>
<td>0.2</td>
<td>Draft</td>
<td>SM Andy Clayton/ Allan Darby</td>
<td>Inclusion of ‘Scope’ section to take account of ‘Silent Witness’ plus minor changes at sections 3, 5.2, 8 and 9.</td>
</tr>
<tr>
<td>23/04/2010</td>
<td>1.0</td>
<td>Approved</td>
<td>SM Andy Clayton/ Allan Darby</td>
<td>First Approved Version</td>
</tr>
</tbody>
</table>

### Approval and Authorisation

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<th>Date</th>
<th>Ver.</th>
<th>Action</th>
<th>Person or Group Responsible</th>
<th>Comments</th>
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<td>Authored by:</td>
<td>SM Andy Clayton/ Allan Darby</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Reviewed by:</td>
<td>Deputy Property Manager/ Director of Corporate Resources/ Senior Corporate Resources Manager/ Corporate Services Manager</td>
<td></td>
</tr>
<tr>
<td>22/01/2010</td>
<td>0.2</td>
<td>Authored by:</td>
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<td></td>
<td></td>
<td>Reviewed by:</td>
<td>Director of Corporate Resources/ Corporate Services Manager</td>
<td></td>
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<tr>
<td>23/04/2010</td>
<td>1.0</td>
<td>Approved by:</td>
<td>Finance and Resources Committee</td>
<td></td>
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</tbody>
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1 Introduction

West Yorkshire Fire and Rescue Authority uses closed circuit television (CCTV) images to provide a safe and secure environment for staff and visitors, and to protect Authority property.

This document sets out the accepted use and management of the CCTV equipment and images to ensure the Authority complies with the Data Protection Act 1998, Human Rights Act 1998 and other legislation. It is also designed to meet the requirements of Her Majesty’s Government Security Policy Framework.

The Authority has produced this policy in line with the Information Commissioner’s CCTV Code of Practice.

2 Scope

This policy relates to the use and management of CCTV throughout the Authority with the emphasis on fixed cameras sited throughout WYFRS Headquarters, Stations and other Authority premises. For more specific details relating to the use and management of appliance mounted CCTV (Silent Witness) refer to Operational Procedure No. 53.

3 Purpose of CCTV

The Authority has installed CCTV systems to:

- deter crime
- assist in prevention and detection of crime
- assist with the identification, apprehension and prosecution of offenders
- monitor security of Authority buildings
- identify vehicle movement problems around Authority premises.

Before installing and using CCTV on Authority premises, the following steps should be taken:

1. Assess and document the appropriateness of, and reasons for, using CCTV.
2. Establish and document the purpose of the proposed scheme.
3. Establish and document who is responsible for day-to-day compliance with this policy.
4. Because CCTV involves the processing of personal data, register the scheme with the Information Management Officer (IMO), Corporate Services Department before using the system, so as to ensure it is covered by the Authority’s Data Protection Notification with the Information Commissioner’s Office.

4 Covert recording

The Authority should ordinarily only undertake covert recording in accordance with the Regulation of Investigatory Powers Act (RIPA) 2000 Policy. Covert recording, other than in compliance with RIPA, shall not be authorised without prior consultation with the Director of Corporate Resources.
Covert surveillance is that carried out in a manner calculated to ensure that subjects of it are unaware it is, or may be, taking place.

If activities are open and not hidden from the subjects of an investigation, the 2000 Act framework does not apply.

Any such covert monitoring will only be carried out for a limited and reasonable amount of time consistent with the objectives of the monitoring, and only for a specific unauthorised activity.

All such occasions will be fully documented showing who made the decision to use covert monitoring and why.

Fire Service Headquarters, Fire Stations and Silent Witness cameras are readily visible to any person in the vicinity with suitable signage displayed. As their usage is to monitor the general activities happening in the vicinity, such monitoring is not covert and authorisation is not required. If that usage changes, the 2000 Act may apply.

If the CCTV cameras are targeting a particular individual, and are being used to monitor his/her activities, then that has turned into a specific operation and will require authorisation.

5 Cameras

The Authority will make every effort to position cameras to ensure they only cover Authority premises.

No cameras will focus on Authority residential accommodation (public areas and entrances excepted). Camera operators will receive training and written procedures for maintaining the privacy of the occupants of such accommodation.

The Authority will clearly display signs in the vicinity of the cameras so that staff, Members and visitors are aware they are entering an area covered by CCTV.

If, for any reason, any neighbouring domestic areas that border the Authority's property are included in the camera view, the occupants of the property will be consulted prior to any recording, or recording for those areas will be disabled.

Signs will state:

- West Yorkshire Fire and Rescue Authority is responsible for the CCTV scheme
- the purpose(s) of the scheme
- contact details for queries regarding the scheme.

6 Images

6.1 Quality

Images produced by the equipment must be as clear as possible so that they are effective for the purpose(s) for which they are intended.
The following standards must be adhered to:

1. After installation, make an initial check of the equipment to ensure it works properly.
2. Ensure that tapes, where used, are of good quality.
3. Do not continue to use media once it becomes clear that the quality of the images has begun to deteriorate.
4. Where the location of the camera and time/date are recorded, these should be accurate. Document the system for ensuring accuracy.
5. Site the cameras so they will capture images relevant to the purpose(s) for which the scheme has been established.
6. Assess whether it is necessary to carry out constant real-time recording, or only at certain times when suspect activity usually occurs or is likely to occur.
7. Cameras should be properly maintained and serviced and maintenance logs kept.
8. Protect cameras from vandalism so that they are kept in working order.
9. In the event that cameras break down or are damaged, there should be clear responsibility for getting them repaired and working within a specific time period.

6.2 Retention

Images and recording logs will be held in accordance with the Authority’s Records Retention Schedule and associated schedules.

For digital recording systems, CCTV images held on the hard drive of a PC or server will be overwritten on a recycling basis once the drive is full, and in any event, will not be held for more than 30 days, without prior authorisation by a Director for reasons which are recorded and notified to the IMO. Images stored on removable media such as CDs will be erased or destroyed once the purpose of the recording is no longer relevant. All digital recordings will be digitally watermarked to maintain integrity.

Recording media no longer in use will be securely destroyed.

7 Access to and disclosure of images to third parties

Access to, and disclosure of, images recorded on CCTV will be restricted and carefully controlled. This will ensure that the rights of individuals are retained, and also ensure that the images can be used as evidence if required. Images can only be disclosed in accordance with the purposes for which they were originally collected, and in accordance with the Authority’s Data Protection Notification to the Information Commissioner’s Office.

The Authority’s Data Protection Policy and Visual Imaging Policy should also be consulted in relation to the capture, storage, access to and disposal of personal information, in this case images.

This document separates access and disclosure into two subsections.

7.1 Access to images

Images of staff will only be accessed if an event occurs that the Authority cannot be expected to be ignored such as criminal activity, gross misconduct, or behaviour that puts others at risk. Access to recorded images will be restricted to requests from a Group Manager (or above) or equivalent FRS Grade, and will not be made more widely available. Each request will need the specific approval of a Director to authorise access using Form FS706 (see
Monitors displaying images from areas in which individuals would have an expectancy of privacy should only be seen by staff authorised to use the equipment.

Viewing of recorded images should take place in a restricted area to which other employees will not have access while viewing is occurring.

If media on which images are recorded are removed for viewing purposes, this should be documented.

Images retained for evidence should be securely stored.

The following must be documented information when media are removed for viewing:

1. Date and time they were removed.
2. The name of the person removing the media.
3. The name(s) of the person(s) viewing the images.
4. The name of the Authority department to which the person viewing the images belongs, or the person’s organisation if they are from outside the Authority.
5. The reason for viewing the images.
6. The date and time the media were returned to the system or secure storage.

### 7.2 Disclosure of images

Disclosures to third parties will only be made in accordance with the purpose(s) for which the system is used and will be limited to:

- police and other law enforcement agencies, where the images recorded could assist in a specific criminal enquiry and/or the prevention of terrorism and disorder*
- prosecution agencies
- relevant legal representatives of people whose images have been recorded and retained (unless disclosure to the individual would prejudice criminal enquiries or criminal proceedings)
- in exceptional cases, to others to assist in identification of a victim, witness or perpetrator in relation to a criminal incident
- members of staff involved with Authority disciplinary processes.

*The Director of Corporate Resources, or his/her designated agent, is the only person who can authorise disclosure of information to the police or other law enforcement agencies.

All requests for disclosure should be documented. If disclosure is denied, the reason should also be recorded.

In addition to the information required in section 6.1 above, the following should be documented:

1. If the images are being removed from the CCTV system or secure storage to another area, the location to which they are being transferred.
2. Any crime incident number, if applicable.
3. The signature of the person to whom the images have been transferred.

8 Individuals’ access rights

The Data Protection Act 1998 gives individuals the right to access personal information about themselves, including CCTV images.

All requests for access to images by individuals (when they are asking for access to images of themselves) should be made in writing to the Authority’s Information Management Officer. The Subject Access Request form to use is available at:

http://www.westyorksfire.gov.uk/departments/informationTeam/documents/SubjectAccessRequestForm.pdf

The manager responsible for the system will liaise with the Information Management Officer to determine whether disclosure of the images will reveal third-party information.

8.1 Image access requests

Requests for access to CCTV images must include:
- the date and time when the images were recorded
- the location of the CCTV camera
- further information to identify the individual, if necessary
- payment of a fee of £10.

The Authority will respond promptly and at the latest within 40 days of receiving the fee and sufficient information to identify the images requested.

Staff responsible for CCTV systems will refer all such requests to the Information Management Officer.

If the Authority cannot comply with the request, the reasons must be documented. The requester will be advised of these in writing, where possible.

If there is any doubt about what information must be provided to enquirers, please contact the Information Management Officer.

9 Responsibility for CCTV systems

For systems operated by West Yorkshire Fire and Rescue Authority, the overall responsibility lies with the Director of Corporate Resources.

The Property Manager is tasked with day-to-day responsibility of the systems and the training of staff responsible for operating or administering CCTV (not including ‘Silent Witness’ – see Operational Procedure No. 53).
10 Staff training

The Director of Corporate Resources will ensure, through the Property Manager and Visual Services Manager, that staff handling CCTV images or recordings receive training on the operation and administration of the CCTV systems. In addition, the Property Manager and Visual Services Manager will liaise with the Information Management Officer for advice on the impact of the Data Protection Act 1998 with regard to those systems.

11 Complaints

Complaints and enquiries about the operation of the Authority’s CCTV systems should be made using the Authority’s Compliments and Complaints Procedure available at:

http://www.westyorksfire.gov.uk/contact/contact_complimentsAndComplaints.htm

Enquiries relating to the Data Protection Act should be addressed to the Information Management Officer: (email: information@westyorksfire.gov.uk).

If a complainant or enquirer is not satisfied with the response received, they should write to the Information Commissioner’s Office.
Appendix A – Sample Form FS706

West Yorkshire Fire & Rescue Service
Corporate Services – Closed Circuit Television (CCTV) -
Access to View or Copy Images Form

Name of person making request:

Department:

Rank/Grade:

DETAILS OF IMAGE TO BE VIEWED

Date of image:

Details of image and reason for request:

Director Approval

Signed: ____________________________ Date: ____________________________

Name: ____________________________ Position: ____________________________

Request Granted

Request Denied (Reason):

TO BE COMPLETED IF IMAGES ARE REMOVED

Ref. No. ____________________________

Issued To: ____________________________

Crime No: (For police only) ____________________________

Date issued: ____________________________

Issued By: ____________________________

Return Date: ____________________________

I acknowledge receipt of the above CD/DVD:

Signed: ____________________________ Date: ____________________________

Once this form has been approved it should be forwarded to the Deputy Property Manager, Property Management Unit. All approvals must be retained on file for reference purposes.
West Yorkshire Fire & Rescue Service
Oakroyd Hall
Birkenshaw
BD11 2DY

www.westyorkshire.gov.uk