

Report to Cabinet

Subject: Update on Council Surveillance Systems and Policy Document

Date: 10 July 2025

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Wards Affected

All

Purpose

To update members on work undertaken and planned, to ensure good governance and compliance with the law in respect of the Council's surveillance systems.

Key Decision

This is not a key decision.

Recommendations

THAT Cabinet:

- 1) Notes the work that has been undertaken and continues to be done to ensure lawful compliance and good governance and efficacy in the operation and use of the Council's surveillance systems.

1 Background

- 1.1 In March 2020, Cabinet approved the Council's Policy and Code of Practice for Surveillance Cameras. Under this policy the Senior Responsible Officer for Surveillance Cameras is required to report to Members on the auditing of CCTV systems and review of the policy document on an annual basis. Members also agreed an approval system for the introduction of new CCTV cameras in the Borough to ensure good governance and solid justification for the introduction of new cameras. This is to ensure the Council's compliance with the Protections of Freedom Act 2012 (PoFA).
- 1.2 In July 2024 as part of the annual audit and review, Cabinet approved that the Deputy Chief Executive be designated as the Council's senior

responsible officer (SRO) for Surveillance Systems and be given authority to approve additional CCTV installations in consultation with the Portfolio Holder responsible for Crime and Prevention including, where necessary, authority to submit an application for planning permission in respect of CCTV equipment. The Single Point of Contact (SPOC) for CCTV, has continued to effectively operate the Council's CCTV systems and ensure compliance with the approval process for the introduction of new cameras. Minor amendments to the Council's Policy were approved to represent this designation.

- 1.3 Section 33 of the PoFA requires local authorities to pay due regard to the Surveillance Camera Code of Practice ("the Code"), issued under sections 29-31 of the PoFA, where they operate surveillance cameras overtly in an open space. During the 2023 audit and review amendments to the Council's Policy were approved by Cabinet to reflect amendments made to the Code in February 2022. These included reference to considering equality impacts on the installation and use of surveillance systems, ensuring that the ongoing technical capability of the systems and the images captured is kept under review, and placing greater emphasis on the consideration of Human Rights implications on the utilisation of surveillance camera systems. As part of this review of the Council's Policy and Code of Practice, the Council have had regard to the amended Code of Practice.
- 1.4 As there have been no other updates to the Code of Practice, and no new CCTV systems introduced throughout the Council, the Policy remains fit for purpose and no further amendments are proposed at this time.
- 1.5 The Council's Town centre CCTV which at the last time of reporting included 84 cameras over 14 sites has now expanded with an additional 4 cameras installed around the Borough since June 2024. The Town Centre System remains fit for purpose with clear justification provided for additional cameras and an established internal approval process.
- 1.6 As reported during the last audit report, in order to support all those officers with oversight of CCTV systems the SPOC has established a CCTV officer working group, with the support of legal services, to support the SPOC in the implementation of recommendations following audit, and to ensure compliance with the Council's Policy and Code of Practice it was reported that this working group planned to arrange bi-annual meetings going forward once the current re-structure has been implemented. The working group met on the 14 May 2025, and will be meeting again shortly to report back on and discuss the results of the audits undertaken and the steps required.

- 1.7 Since the last report to Cabinet, audits have been completed on all of the Council's CCTV systems including the town centre system, leisure centre systems, civic centre system, vehicle mounted system and the system at the AMP. Data protection impact assessments are also being reviewed with a view to being updated. These audits will be presented to and discussed at the next meeting of the working group. The audits assist in ensuring that the systems in place remain fit for purpose and compliant with the legislation and Code of Practice. Work has been identified in the areas of training and signage, and the quality of images and necessity of all cameras has been assessed.
- 1.8 The audits checked the operation of the cameras, and also looked at the processes for storing, handling and accessing data recorded from the cameras to our CCTV control room or other control locations. The Council work very closely with the Police and frequently get requests for access to CCTV footage by police officers as part of criminal investigations. The processes and powers to release this data to the police is managed well in the control room and we need to ensure that the same process is adopted in respect of all our surveillance cameras.
- 1.9 The working group will ensure further scrutiny of our surveillance systems to ensure sufficient justification for the volume of cameras. This work will continue to be undertaken through the CCTV working group in 2025/26. A performance management metric has also been added to the Council's Risk Management system to assist in highlighting the necessity for the relevant actions to be undertaken and ensure ongoing robust action regarding the use of the Council's CCTV systems and ensure compliance with the PoFA and other relevant legislation.
- 1.12 Further work has also been undertaken by the working group and will continue in 2025/26 to review Data Protection impact Assessments for surveillance systems and to ensure inclusion of an assessment of equality impacts where this has not been undertaken.
- 1.13 Any Council operation of surveillance systems must not be undertaken covertly unless this is in line with the Regulation of Investigatory Powers Act 2000 (RIPA) and the necessary authorisations under that legislation are obtained. Training in respect of RIPA powers is delivered annually and will be delivered by the RIPA Co-ordinating Officer in July 2025 this will include a section on the Council's CCTV Policy and Code of Practice so will be offered to those involved in the monitoring, control and managing of the Council's CCTV systems, as well as the Council's investigating officers. The training delivered in 2024 included the same.
- 1.14 Since June 2024, there have been 362 incidents captured by the CCTV control room where CCTV was used to assist prevent and detect crime,

including assaults, anti-social behaviour, begging, theft, drug use and knife crime and to support Nottinghamshire Police with arrests, the police reviewed 108 incidents, and 93 discs of evidence were provided.

2 Proposal

- 2.1 It is proposed that Members note the work that has been undertaken and the ongoing work being carried out in relation to the Council's surveillance cameras. It is also proposed that members be updated annually in relation to this work, including reports on audits and any policy updates needed.

3 Alternative Options

- 3.1 Members may recommend amendments to the policy. This document has been reviewed having regard to all relevant legislation and the updated Surveillance Commissioners Code of Practice for Surveillance Cameras. It is considered to be fit for purpose and is considered essential in ensuring good governance and ongoing lawfulness of the Council's surveillance cameras. The document also provides key operational guidance to ensure those responsible for managing surveillance camera systems do so in a cohesive way.

4 Financial Implications

- 4.1 The work to ensure compliance with the relevant legislation will be undertaken within existing resource. Surveillance cameras are already part of agreed budgets for relevant service areas.

5 Legal Implications

- 5.1 The Council are required to have due regard to the Government's Surveillance Camera Code of Practice issued under s.29-31 of the Protection of Freedoms Act 2012 when exercising any functions to which the Code relates. The Council should take into account this Code when reviewing its own policy documents.
- 5.2 Surveillance systems must be conducted in accordance with other legislation including RIPA, Human Rights Act 1998, Equality Act 2010 and Data Protection Act 2018. Other legislative requirements are referenced within the Council's Policy document.

6 Equality Implications

- 6.1 Equality Impact Assessments should be completed in relation to the installation of CCTV systems as well as continued review of the impacts of the operation of those functions on any of the protected characteristics.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 There are no carbon reduction/sustainability implications arising directly from this report.

5 Appendices

None

6 Background Papers

- 6.1 <https://intranet.gedling.gov.uk/wp-content/uploads/2024/07/Surveillance-Camera-Systems-Policy-and-Code-of-Practice-2024.docx>

7 Reasons for Recommendations

- 7.1 To ensure Members are up to date in relation to recommendations from the Surveillance Commissioner and the resulting work undertaken.
- 7.2 To ensure the governance arrangements around surveillance cameras are lawful and to ensure transparency in the use of such cameras.
- 7.3 To ensure ongoing monitoring and control of the Council's surveillance cameras and to ensure compliance with relevant legislation, the Code of Practice and the Council's policy by evidencing sound justification for the acquisition of any new surveillance cameras.