

Committee: **Corporate Overview Scrutiny Committee**

Date of meeting: **5th March 2021**

Report Subject: **Public Space CCTV System Annual Monitoring Report 2020**

Portfolio Holder: **Cllr N Daniels, Leader of the Council**

Report Submitted by: **Rhian Hayden, Chief Officer Resources (SIRO CCTV)**
Clive Rogers, Head of Community Services
Bernadette Elias, Interim Chief Officer Commercial

Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
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1. Purpose of the Report

To present the Council’s draft Public Space CCTV Annual Monitoring Report 2020 covering the period 1 September 2019 – 31 December 2020.

2. Scope and Background

2.1 The Council operates a Public Space Closed Circuit Television (CCTV) system as part of its lead responsible authority role for Community Safety.

2.2 Since 2018, Blaenau Gwent Council has utilised the [12 guiding principles](#) contained within the Surveillance Camera Commissioner’s Code of Practice, to support the development of a holistic approach to raising its standards and compliance. Part of these expectations include responsible authorities carrying out a regular reporting process (annually).

2.3 The Report attached at Appendix 1, is the first Council report in-line with the above expectations and covers the period 1st September 2019 to 31st December 2020.

2.4 The report demonstrates the Council’s progress made on the journey to compliance with the Surveillance Camera Commissioner’s CCTV Codes of Practice, and includes:

- An overview of the legal and policy framework for CCTV, including the work progressed for the local Code of Practice (Appendix 2);
- Progress made to comply with the Surveillance Camera Commissioner’s expectations, and their recent recommendations for local authorities in England and Wales from a 2020 compliance exercise
- An assessment of the effectiveness of the current public space CCTV camera scheme; and
- a forward work programme to further raise standards and compliance (provided at Appendix J of the Annual Monitoring Report).

3. **Options for Recommendation**

3.1 **Option 1**

That the Committee considers the Annual Monitoring Report (including its supporting appendices) and provides comment prior to being presented to Executive Committee for approval. Following which the report will be published and sent to the Surveillance Camera Commissioner.

Option 2

That the Committee considers the Annual Monitoring Report (including its supporting appendices) and provides specific recommendations prior to being presented to Executive Committee for approval. Following which the report will be published and sent to the Surveillance Camera Commissioner.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

Key progress and activity outlined in the report make valued contributions to the following Corporate Plan Priorities:

- Protect and enhance our environment and infrastructure to benefit our communities
- Support a fairer sustainable economy and community
- To enable people to maximise their independence, develop solutions and take an active role in their communities
- An ambitious and innovative council delivering the quality services we know matter to our communities

This report is informed and shaped by statutory requirements under the Crime and Disorder Act 1998 and its amending legislation, the Protection of Freedoms Act 2012 (PoFA), which introduced the regulation of public space surveillance cameras and the Surveillance Camera Commissioner's 'Surveillance Camera Code of Practice'.

The report articulates the ways that CCTV is used by the Council and its Partners that make valued contributions to a number of the Blaenau Gwent Well-being Plan objectives, with a sharp focus on 'Safe and friendly communities'.

5. **Implications Against Each Option**

5.1 ***Impact on Budget***

The 2020/21 revenue budget set aside for CCTV was £84,000. The budget is committed, and was used to part fund a CCTV Policy Officer to support the compliance review process and the purchase of additional IT equipment to support home working.

- 5.1.1 Further the maintenance for the CCTV system has proven to be more time consuming than predicted, particularly at the early stages of the system being operational. This has been due to a number of different factors, such as the integration of newer technology on old existing infrastructure (water ingress etc.), damage to Wi-Fi transmitting equipment, necessary reconfigurations of electrical supplies to alternative sources as a consequence of change of ownership of the buildings. These matters were resolved within budget.
- 5.1.2 Technical Services have identified broadband connectivity to the main viewing centre does drop out on occasion due to issues with local router. Exploratory work is being undertaken to investigate feasibility and costs of increasing data speeds to local hub sites.
- 5.1.3 Over and above the above noted challenges, there are a number of further technical issues that affect performance of the CCTV system, most notably:
- Broadband connectivity of the Council's Designated CCTV Operator accessing the network to view live feed of cameras.
 - Transient Wi-Fi and power fluctuations issues affecting reliability of CCTV units and the system.
 - Wi-Fi connection download speeds are slower compared to a hardwire broadband system which hinders the speed of downloading footage for the user.
- 5.1.4 As a result of the technical issues, some of which are ongoing, Technical Services are increasingly reliant on the maintenance contractor to manually download footage directly from cameras in order to provide footage promptly upon receipt of a lawful request, which come with cost implication. These matters were resolved within budget.

5.2 **Risk**

There are many risks associated with being a public sector 'CCTV System Owner' of a public space surveillance camera scheme. The Local Authority as a 'relevant authority' must have regard to the Surveillance Camera Code of Practice. Should any criminal or civil proceedings arise, a court or tribunal may, in particular, may take into account a failure by a relevant authority to have regard to the surveillance camera code in determining a question in any such proceedings.

- 5.2.1 The legislative landscape that surveillance cameras occupy is very complex. The known risks are mitigated by the Council as they prioritise delivery of key requirements identified in the Surveillance Camera Commissioner's 'Surveillance Camera Code of Practice', which was developed in partnership with the Information Commissioner's Office.
- 5.2.2 The Code draws all relevant legislation governing the use of surveillance cameras into one place, and therefore also acts as a good practice guide. In taking this holistic policy to practice approach, the progress made on its journey to raise its standards and compliance are set out in the Report.

5.3 **Legal**

The Annual Monitoring Report sets out the ways in which the Council is complying with the legal requirements arising from the Surveillance Camera Code of Practice.

5.3.1 Where necessary the Council considers the use of intrusive overt surveillance cameras in public places, whenever it evidences that use is:

- in pursuit of a legitimate aim;
- necessary to meet a pressing need;
- proportionate;
- effective, and compliant with any relevant legal obligations

5.3.2 To guide the Council through the legal and practical requirements to comply with the above, the Council completed the Surveillance Camera Commissioner's Data Protection Impact Assessments (DPIA) for each of its seven CCTV Zones, which are reviewed annually or at any point when changes to the CCTV system are deemed necessary.

5.3.3 However, it is noted that COVID-19 pressures also impacted on the Council's CCTV journey to compliance, which led to a delay in the production of this CCTV Annual Monitoring Report and a delay in the annual review of the DPIAs, which were finally reviewed and signed off by the SIRO in January 2020.

5.4 **Human Resources**

The senior responsible officer for the Council is the Senior Information Risk Officer (SIRO), the Chief Officer Resources, who is responsible for authorising the use of the public space surveillance cameras and for authorising any changes to the function of the CCTV Scheme.

5.4.1 The Council's Technical Services Team has project managed the tendering, design, and implementation of the Council's CCTV's system, and continues to provide the full technical expertise and support required to maintain the effective operational functioning of the CCTV system.

5.4.2 The Policy Team (Community Safety) has led on the development of the policy to practice framework to ensure the Council's compliance with the Surveillance Camera Code of Practice. The Team has further provided 24/7 operational support to manage all 'lawful requests' received for CCTV data, ensuring the Police receive evidence bags to support their investigations.

5.4.3 COVID-19 regulations for Wales, have seen a number of local and national lockdowns and significant business restrictions, given Blaenau Gwent's reported high COVID rates when compared against other Welsh Local Authorities.

5.4.4 In light of COVID-19, like many of the public sectors including those across the criminal justice system, the Council experienced significant disruption in terms of staffing and delivery of its services during most of 2020. In response, the Community Safety Team worked from home throughout,

which impacted of the effectiveness of delivering a CCTV service (i.e. home broadband issues etc.). On two occasions during the COVID period, it became necessary for only very serious criminality or disorder to be dealt with by the designated CCTV Operators.

5.4.5 Further the Council experienced technical issues arising outside of their control, which reduced the availability of other Council staff and contractual staff to address such issues, though every effort was taken to minimize any disruption.

6. **Supporting Evidence**

The following performance information and data, unless stated otherwise, covers the period 1 September 2019 to 31 December 2020.

6.1 ***Performance Information and Data***

6.1.1 **Elected Member Engagement:** Between September 2019 and September 2020 there were five occasions where CCTV was considered within the meetings of Overview and Scrutiny Committee.

On the 3 & 5 February 2021 Member engagement sessions were attended by thirty-five elected members, providing the opportunity for them to have their say on the Council's journey towards compliance with the SCC's Camera Code of Practice. The responses to the subsequent member consultation are contained in the CCTV Annual Monitoring Report, however some of the key points raised were:

- Consideration whether the Council has sufficient number of CCTV cameras.
- Queries about the perceived effectiveness of the current CCTV camera system and the perceived benefits of monitoring 24/7.
- A need to understand how the Council's deployable cameras will be used.
- Queries in relation to how some council service areas are dealing with crime and anti-social behaviour, and how CCTV could be used
- Broadly accepted that CCTV is not the panacea and should be part of a wide-ranging community safety partnership response to crime and anti-social behaviour.
- Members recognising the value of more engagement sessions on the journey to compliance.

6.1.2 **CCTV Evidence Requests:** Between 1st September 2019 – 31st December 2020 the Council received 103 requests for CCTV footage. Of the 103 requests for footage, 85 were lawful requests made by the Police, and of the 85 requests the Council provided 34 evidence packets to the Police to support their investigation.

Overall, of the 103 requests, there were 66 occasions when CCTV footage was unavailable.

6.1.3 During the elected member engagement sessions, it was acknowledged that the Council could explore the opportunity to broaden the intelligence and evidence base, to include Local Authority recorded crime and anti-social behaviour and community intelligence alongside the Police recorded data. This would place the Council in a better place to understand that richer picture of community safety across Blaenau Gwent.

6.2 ***Expected outcome for the public***

The Council uses its CCTV system as a valued resource to create 'Safe and friendly communities' by working in partnership with the public, Police and partners to reduce crime and disorder and increase public safety.

6.3 ***Involvement (consultation, engagement, participation)***

When the Council brought its CCTV system back in-house, there was extensive involvement and consultation with Gwent Police who also represented views from town centres traders, to determine the pressing need and identify the most appropriate CCTV Camera Zones.

Gwent Police were fully engaged in the service provision arrangements for CCTV imagery requests during the COVID-19 pandemic.

As noted earlier in the report, on the 3 & 5 February 2021 Member engagement sessions were attended by thirty-five elected members, providing the opportunity for them to have their say on the Council's journey towards compliance with the SCC's Camera Code of Practice.

6.4 ***Thinking for the Long term (forward planning)***

The new CCTV system utilises up-to-date hi-tech equipment and software which will provide a long-term CCTV solution, as long as there is appropriate investment in the running, upkeep and maintenance of the overall system.

The ongoing SIRO oversight and the preparation of a CCTV Annual Monitoring Report will allow for forward planning and technological advancement to be regularly considered.

6.5 ***Preventative***

The Council in delivering its core business and through its contribution to Partnership working, employs a strong focus on early intervention and prevention strategies and working practices. Whilst its CCTV system records passively, its presence may act as a crime deterrent in some cases.

6.6 ***Collaboration / partnership working***

The Council's passive overt surveillance camera system relies on strong partnership working between the public, the Police and the Council: The public to report crime and anti-social behaviour, the Police to investigate and the Council to support those investigations. However, CCTV is merely one resource the Council has at its disposal to address any public safety matter that arises and there are an extensive network of partnerships and collaborations that make significant contributions to community safety in Blaenau Gwent.

6.7 ***Integration (across service areas)***

The effective delivery of the CCTV system is supported by a number of departments of the Council. As noted CCTV is not a panacea, but a valued resource that can be utilised when we have exhausted the less intrusive methods of addressing public safety issues.

Section 17 of the Crime and Disorder Act, created the opportunity for the Council to undertake an extensive review of its departmental contributions to public and community safety. These contributions are integrated into our strategies, policies, service design and working practices.

6.8 ***EqIA***

As this is an annual report there is no requirement to carry out an Equality Impact Assessment. Equality Issues are considered as part of the operational delivery of the service.

7. **Monitoring Arrangements**

7.1 The SIRO, Chief Officer Resources, has an established officer group who will continue to monitor the Council's progress on its journey to compliance with the Codes of Practice.

The CCTV Annual Monitoring Report will form part of the Committee's forward work programme for 2021.

Background Documents /Electronic Links

Appendix One: Public Space CCTV System: Annual Monitoring Report
Appendix Two: Public Space CCTV System: Code of Practice