



POLICY SCRUTINY COMMITTEE

Tuesday, 16 August 2022

6.00 pm

Committee Rooms 1-2, City Hall

Membership: Councillors Jane Loffhagen (Chair), Calum Watt (Vice-Chair), Debbie Armiger, Rebecca Longbottom, Bill Mara, Mark Storer and Emily Wood

Substitute member(s): Councillors Gary Hewson and Pat Vaughan

Officers attending: Caroline Bird, Steve Bird, Democratic Services and Legal Services

A G E N D A

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Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.	
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You are asked to resolve that the press and public be excluded from the meeting during the consideration of the following item(s) because it is likely that if members of the press or public were present, there would be disclosure of 'exempt information'	

SECTION B

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Present: Councillor Jane Loffhagen (*in the Chair*),
Councillor Calum Watt, Councillor Debbie Armiger,
Councillor Rebecca Longbottom, Councillor Mark Storer,
Councillor Emily Wood and Councillor Rachel Storer

Apologies for Absence: Councillor Bill Mara

1. Confirmation of Minutes - 15 March 2022

RESOLVED that the minutes of the meeting held on 15 March 2022 be confirmed and signed by the Chair.

2. Declarations of Interest

Councillor D Armiger declared a Personal Interest in minute number 6 in relation to the Health Scrutiny Update as she worked on the staff side of Lincolnshire Partnership Foundation NHS Trust.

3. Updated Animal Policy (inc Welfare Statement)

Francesca Bell, PPASB & Licensing Manager:

- a. presented the revised Animal Policy for consideration prior to referral to Executive
- b. gave an overview of the council's roles and functions that related either directly or indirectly to animals
- c. explained that the policy had undergone a major review in 2017 which had brought together a number of Council functions into one collective policy
- d. referred to the revised policy at appendix 1 of the report and highlighted the following changes:
 - i. The policy had been updated to reflect the changes in the Councils Strategic Priorities
 - ii. Section 12 which detailed the licensing regime for animal activities had been updated to reflect the change in legislation which occurred in October 2018. The policy previously referred only to pet shops.
 - iii. Included minimal amendments in relation to changes in Data Protection legislation
- e. explained that the use of glue/sticky traps was currently under review, although the practice was still legal at the moment, this was likely to change, this would be reflected in the policy if/when the law changed. Currently the policy stated that the Council were opposed to the use of this method.
- f. invited members questions and comments:

Question: Referred to paragraph 10.1 of the report in relation to horses on the common and asked if concerns on how the public treated horses as well as the owners would be investigated.

Response: The Council worked closely with the Commons Horse Association and any concerns regarding the treatment of horses would be investigated. Individual evidence would be required for any enforcement action to take place.

Question: Asked if it would be better to include the banning of sticky traps in the policy now rather than waiting for legislation.

Response: There had been no reports that the use of sticky traps was taking place in the city. Although the Council was opposed to the use of sticky traps there was currently no enforcement action that could take place to prohibit the use of them.

Question: Asked why the policy had been updated now and when the next update would take place.

Response: The policy was on a 4 year cycle of being updated, if any major changes occurred, the policy would be updated as and when required.

Question: Referred to paragraph 4.1 of the policy and suggested that the word 'unnecessary' be removed.

Response: Agreed that the word "unnecessary" be removed and the policy would read "Reduce suffering to animals"

Question: Referred to paragraph 7.4.1 of the Policy and asked if the full title of the legislation should be included rather than "Lucy's Law"

Response: Suggested that a hyper-link could be included in the Policy for the website which would link to the legislation.

Question: Referred to paragraphs 7.8.1 and 7.8.3 of the policy which made reference to contacting the Council and asked if the contact details could be included in the Policy.

Response: Suggested that a hyper link be included to link to the contact form.

Question: Commented that not everyone was digitally engaged and asked if contact details could be included in the policy.

Response: Suggested that contact details could be added to the end of the policy.

Question: Referred to paragraph 7.8.7 of the policy in relation to snares and traps which stated that "The exception is for cases of pest control" and asked what was considered a pest.

Response: Insects or rodents were considered pests, this would be clarified in the policy.

Question: Asked if trophy hunting could be included in the Policy.

Response: A position statement about the Council being opposed to trophy hunting could be included in the policy.

The Chair further suggested a clause be included in the policy to state that should there be any changes in legislation then the policy would be updated.

Francesca Bell, PPASB & Licensing Manager confirmed that the policy would be updated to reflect the changes that had been suggested during the discussion of the item.

RESOLVED that the amended Animal Policy be circulated to members of the Policy Scrutiny Committee prior to referral to Executive.

4. Updated Noise Policy

Francesca Bell, PPASB and Licensing Service Manager:

- a. presented the revised Noise Nuisance Policy for consideration prior to referral to Executive
- b. advised that the Council has a statutory function in relation to the investigation of 'statutory nuisance' as defined in the Environmental Act 1990
- c. explained that the Council's Noise Policy was last revised and updated in 2016 following the introduction of the Anti-Social Behaviour Crime and Policing Act 2014 which specifically complemented statutory nuisance and noise investigation legislation
- d. referred to the revised policy at appendix A of the report and highlighted the following changes:
 - i. The policy had been updated to reflect the changes in the Councils Strategic Priorities
 - ii. Obsolete guidance which had been revoked had been removed in relation to alarms sounding and provided further guidance in relation to the silencing of internal and external alarms
 - iii. Included minimal amendments in relation to changes in Data Protection legislation
- e. invited members questions and comments:

Question: Referred to paragraph 9.3 of the report and asked what was considered reasonable times for DIY/ construction.

Response: Reasonable times was usually considered as Monday to Friday from 8am to 6pm. Saturday from 8am to 1pm. Sunday and public and bank holidays (only for emergencies).

Question: Further asked what was considered an un-reasonable time for children playing.

Response: Children playing at 10/11pm at night could be considered as unreasonable, however there may be other reasons for this and noise nuisance may not be the best way of dealing with this situation.

RESOLVED that the revised Noise Policy be supported and referred to Executive for approval.

5. Updated Internal Domestic Abuse Policy

Francesca Bell, PPASB and Licensing Service Manager:

- a. presented the revised Internal Domestic Abuse Policy for consideration prior to referral to Executive

- b. advised that the City of Lincoln Council had a legal and moral obligation to ensure that the workplace was safe in relation to supporting victims of Domestic Abuse
- c. explained that the Councils Internal Domestic Abuse Policy was last revised and updated in 2014 and so following changes in legislation and more detailed definitions produced a policy refresh was required
- d. referred to the revised policy at appendix A of the report and highlighted the following changes:
 - i. A detailed definition had been provided in section 2 of the policy to reflect the current legal definition and the complex nature of domestic abuse.
 - ii. The sections involving domestic abuse in the workplace had been reworded and updated for ease of reading to ensure they were robust and fit for purpose.
 - iii. Section 7: safety at work had been added to provide guidance on what the council may do to support and keep safe victims of Domestic Abuse whilst they were in the workplace.
 - iv. Section 9: recording of concerns had been added to set out how concerns would be recorded confidentially.
 - v. Section 11: raising awareness in the workplace had been added. This section set out how the council would raise awareness of this policy and the support available for those experiencing Domestic Abuse.
 - vi. Section 12: legislation had been added to the policy to set out the relevant legislation that related to domestic abuse and the Councils obligations to protect employees.
- e. invited members questions and comments:

Question: Commented that it was good to see that this issue was taken very seriously by the Council and asked if the policy would be updated more regularly in future.

Response: The Policy would be reviewed on a regular cycle and any major changes would be updated as and when required.

Question: Asked if the policy had been shared with outside agencies for consultation.

Response: The procedure for internal policies had been followed, the policy had been consulted on internally but not externally.

Question: Referred to paragraph 5.1 of the policy regarding the sharing of information with partner agencies and asked if the reasons why data may shared could be made clearer in the policy.

Response: The policy could be updated to give reasons for the data sharing.

Question: Referred to the definition of domestic abuse as detailed at paragraph 2 of the policy and asked if when the policy was publicised to staff that it be made clear that it was not just for inter-partner abuse but also included family members.

Response: Confirmed that it would be made clear to staff.

Question: Asked if training had also been provided to members of staff who visited people's homes to spot domestic abuse.

Response: All staff had received a basic level of training, depending on the job role, more in depth training was provided.

Question: Referred to paragraph 5.2 of the policy in relation to disciplinary offences and asked if action would be taken in both incidences.

Response: Action would be taken in both incidences; the policy would be updated to reflect this. Any disciplinary action would be overseen by Human Resources.

RESOLVED that that the updated Internal Domestic Abuse Policy be supported subject to the changes above and referred to Executive for approval.

6. Health Scrutiny Update

The Vice Chair of Policy Scrutiny Committee presented a report which summarised the business that had been discussed at the Health Scrutiny meeting held on 13 April 2022.

The topics that were discussed included:

- Lincolnshire Partnership NHS Trust which included a discussion on Mental Health and Suicide Rates in Lincoln
- Access to General Practice
- General Practice Provision
- United Lincolnshire Hospitals Consultation on Nuclear Medicine

The Chair of Policy Scrutiny further gave a verbal update on the business that was discussed at the Health Scrutiny meeting held on 18th May 2022.

The topics that were discussed included:

- United Lincolnshire Hospitals NHS Trust – Elective Recovery Plan and Response to the Care Quality Commission Inspection
- United Lincolnshire Hospitals Trust – Reconfiguration of Urology Services Update.

RESOLVED that the report be noted.

7. Policy Scrutiny Work Programme 2022-23 and Executive Work Programme Update

The Chair:

- a. presented the report 'Policy Scrutiny Work Programme 2022-2023 and Executive Work Programme Update'.
- b. presented the Executive Work Programme May 2022– April 2023.
- c. requested councillors to submit any items they wished to scrutinise from the Executive Work Programme and policies of interest.
- d. advised that an update on Neighbourhood Working had been added to the work programme for 4 October 2022 meeting

- e. further advised that Bulky Waste Collection would be added to the work programme at a date to be determined.

RESOLVED that:

1. the work Policy Scrutiny work programme be noted.
2. the Executive work programme be noted.

SUBJECT: CCTV CODE OF PRACTICE UPDATE

DIRECTORATE: COMMUNITIES & ENVIRONMENT

REPORT AUTHOR: CAROLINE BIRD, COMMUNITY SERVICES MANAGER

1. Purpose of Report

- 1.1 To share the revised CCTV Code of Practice with the Committee, with a view to seeking views prior to its adoption.

2. Executive Summary

- 2.1 The Council's CCTV service operates under a Code of Practice which brings together the various legislative requirements of a public CCTV system and ensures that the service operates lawfully and appropriately, providing a robust, reliable, trustworthy service.
- 2.2 This revision takes into account operational and legislative changes since the last full review in 2014, ensuring compliance with the Surveillance Camera Commissioner's (SCC) Code and all relevant legislation. Members, residents of Lincoln and visitors to the City can therefore be assured that the service is operating appropriately, efficiently and in a manner that maximises opportunities to help detect and reduce crime, and to make Lincoln a safer place, whilst protecting the privacy of individuals.

3. Background

- 3.1 The Council's CCTV service is bound by various legislative requirements, including the Data Protection Act, Human Rights Act, Protection of Freedoms Act and Regulation of Investigatory Powers Act.
- 3.2 In accordance with the Protection of Freedoms Act 2012, the SCC publishes a Code of Practice for CCTV (first published in 2013 and amended in 2021) which provides guidance on the appropriate and effective use of surveillance camera systems. Prior to 2013, the Information Commissioner published a Code of Practice for CCTV.
- 3.3 The City Council is required to publish its own Code of Practice for CCTV, with reference to the SCC Code and all other relevant legislation.
- 3.4 The Code was last updated in 2014. Since that time operational and legislative changes have taken place, including a major upgrade in 2017. The revised Code includes all changes that have taken place since the last edition.
- 3.5 It is important to note that at every stage, as changes have been made, the position of the SCC and all relevant legislation have been taken into account.

4. Changes to the Previous Code

- 4.1 The new edition (attached as Appendix A) takes into account legislative and operational changes since 2014. It encompasses the principles of the SCC Code and all relevant legislation.
- 4.2 Appendix B sets out the material changes since the previously adopted Code.
- 4.3 Lincolnshire Police have been consulted on the revised Code and have confirmed they are satisfied it reflects our arrangements with them, where relevant.
- 4.4 Once adopted, the Code will become a public document and will enable interested parties to be assured that the Council's CCTV system is fully compliant, and that the privacy of individuals is appropriately protected.
- 4.5 It is noted that historically the Council owns several small individual systems that were installed by departments to protect specific buildings/areas, which are not linked to the corporate CCTV system. These are therefore outside of the scope of this document. However, it should be noted that they do require their respective departmental owners to have their own Code of Practice document in place, tailored to the specific details of each scheme. Successful efforts have been made to reduce the number of these individual systems and to avoid new systems being introduced, in order to best ensure full compliance.

5. Strategic Priorities

5.1 Let's Reduce Inequality

Safer places are more accessible to more people, from different areas of the community. The presence of CCTV therefore helps improve access to our places, improving social cohesion.

5.2 Let's drive economic growth

A reliable, efficient and sustainable CCTV service is an important part of a thriving city centre offer and contributes to a healthy local economy. Businesses rely on the CCTV service both directly (use of Shoplink radio / Pubwatch help catching shoplifters / helping staff feel safe) and indirectly (members of the public are more likely to visit the city if they are safe doing so).

5.3 Let's enhance our remarkable place

Reduced crime, increased detection of crime, and confidence in a reliable CCTV service all help people to feel safe in our city. This enhances their experience of our city centre, parks, and council buildings where CCTV is in use.

6. Organisational Impacts

6.1 Finance

There are no financial implications to adopting the revised Code. The Code confirms the previously agreed decision to reduce standard data retention to 15 days which, as well as being appropriate in Data Protection terms, reduces the cost of storage servers.

6.2 Legal Implications including Procurement Rules

The Code of Practice is an important document which ensures, and evidences, that the Council operates legally in this highly legislated area. It is important to note that any changes in legal requirements have been introduced at the time, and have not waited for the adoption of the revised Code.

Adopting the Code will mean ensuring compliance with all relevant legislation and will therefore protect the Council from the risk of challenge on legal grounds, and ensure that CCTV footage can be used with confidence in legal actions by the Police and other enforcement agencies.

Colleagues representing Legal Services and Data Protection have been involved in the review.

6.3 There are no procurement implications.

Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

The adoption of the Code ensures ongoing compliance with all relevant legislation, including Data Protection Act and Human Rights Act and therefore contributes to the protection of the Human Rights of individuals.

Adherence to the Code means that individuals are only monitored in relation to their activities, and not because of who they are or who they might appear to be.

There are no equality and diversity implications.

6.4 Human Resources

CCTV staff are required to work to the Code at all times. The principles of the Code are already embedded in the working practices of the CCTV unit, and Job Descriptions reflect this.

6.5 Significant Community Impact

The adoption of the Code underlines, supports and embeds the changes since 2014, assuring the public that their CCTV service is fully compliant and has maximum respect for personal privacy and the human rights of individuals.

Adoption of the Code ensures ongoing confidence in the system and thus enables confident use of the evidence it provides to help in detecting crime and taking action against offenders, significantly contributing towards making Lincoln a safer place for people to live, work and visit.

6.6 Corporate Health and Safety implications

There are no H&S implications.

7. Risk Implications

7.1 (i) Options Explored

The Council is required to have a clear policy for the operation of its CCTV system.

The reviewed Code reflects legislative and necessary / appropriate operational changes since the last edition.

By not adopting the new Code the Council would be at risk of challenge relating to operating to an out of date Code, and the Code would not properly reflect operational changes and legislative changes which have already been delivered in practice.

7.2 Key risks associated with the preferred approach

There are no risks associated with adopting the revised Code.

8. Recommendation

8.1 That members give their views on the revised Code of Practice to inform Executive in their decision to adopt it.

Is this a key decision?

Yes/No

Do the exempt information categories apply?

Yes/No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?

Yes/No

How many appendices does the report contain?

Two

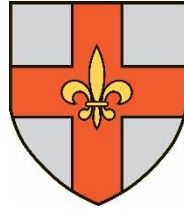
List of Background Papers:

None

Lead Officer:

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CITY OF
Lincoln
COUNCIL

Code of Practice For the Operation of Closed Circuit Television

Issued September 2022

Document control

Organisation	City of Lincoln Council
Title	Code of Practice for the Operation of Closed-Circuit Television
Author - name and title	TCTA / CB / JH
Owner - name and title	Community Services Manager – Caroline Bird
Date	
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Revision	Originator of change	Date of change	Change description

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Details	Date



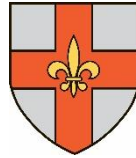
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CCTV System Code of Practice

Certificate of Agreement

The content of this Code of Practice is hereby approved in respect to the City of Lincoln Council Closed Circuit Television system and as far as is reasonably practicable, will be complied with by all who are involved in the management and operation of the system.

Signed for and on behalf of City of Lincoln Council

Signature:.....

Name:

Position held:

Date.....

Signed for and on behalf of Lincolnshire Police

Signature:

Name:

Position held:

Date.....



Section 1 Introduction and Objectives

1.1 Introduction

1.1.1 The City of Lincoln Council (Hereafter referred to as CoLC) Public Spaces CCTV system was set up in 1996. It is owned and operated by the City of Lincoln Council at City Hall, Beaumont Fee, Lincoln, LN1 1DD. Details of key personnel, their responsibilities and contact points are shown in appendix A to this Code of Practice, (hereafter referred to as 'the Code'). A public space for the purpose of this Code is described as 'A place to which the public have access whether on payment or not'.

1.1.2 All recorded material is owned by, and copyright of, the City of Lincoln Council. The CCTV system comprises of a number of cameras installed at strategic locations. The cameras are fully operational with pan, tilt and zoom (PTZ) facilities and static cameras, Body Worn Cameras (BWC) and Re-Deployable Cameras (RDC). Data is primarily transmitted to the CCTV control room by wireless transmissions. The CCTV system is monitored from a strategic, purpose-built Control Room based at City Hall in Lincoln. For the purposes of the Data Protection Act the 'Data Controller' is the City of Lincoln Council.

Note: *The data controller is the person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are to be processed. It must be a legal entity e.g. person, organisation or corporate body and in the case of partnerships all partners may be considered to bear the responsibility.*

1.1.3 It is recognised that operation of the CoLC CCTV system may be considered by some as an infringement on the privacy of individuals. CoLC recognises that it has a responsibility to ensure that the scheme always complies with all relevant legislation in order to ensure its legality and legitimacy. The scheme will only be used as a proportionate response and only as far as it is necessary in a democratic society, in the interests of national security, for public safety, for the economic well-being of the area, for the prevention and detection of crime or disorder, for the protection of public health and safety, and for the protection of rights and freedoms of others.

1.2 Key Legislation

1.2.1 CoLC recognises that public authorities and those organisations carrying out the functions of a public service nature are required to observe the obligations imposed by the Human Rights Act 1998 and consider that the use of CCTV is a necessary, proportionate and suitable tool to help reduce crime, reduce the fear of crime and improve public safety.



1.2.2 Section 163 of the Criminal Justice and Public Order Act 1994 creates the power for local authorities to provide closed circuit television coverage of any land within their area for the purposes of crime prevention or victim welfare and it is also considered a necessary initiative by the CoLC towards their duty under the Crime and Disorder Act 1998

1.2.3 Protection of Freedoms Act 2012 (PoFA 2012) including 12 Guiding Principles (See Appendix F). This Act provides for the destruction, retention, use and other regulation of certain evidential material. A code of practice is issued by the Secretary of state under sections 29-31 of PoFA 2012. It provides guidance on the appropriate and effective use of surveillance camera systems by relevant authorities (as defined by Section 33(5) of PoFA 2012) in England and Wales who must, under Section 33(1) of PoFA 2012, have regard to the code when exercising any functions to which the code relates. CoLC is a relevant authority for these purposes and therefore subject to the Secretary of state's code of practice. The code can be found here www.gov.uk/government/publications/update-to-surveillance-camera-code/amended-surveillance-camera-code-of-practice-accessible-version. The Information Commissioner's Officer have also updated their Video Surveillance guidance which can be found here www.ico.org.uk/for-organisations/guide-to-data-protection/key-dp-themes/guidance-on-video-surveillance/about-this-guidance/

1.2.4 The Data Protection Legislation includes the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR). Everyone responsible for using personal data must follow strict rules called 'data protection principles' (see 3.2.4). They must make sure the information is used fairly, lawfully and transparently.

1.2.5 Regulation of Investigatory Powers Act 2000 (RIPA) (See Appendix G) governs the use of covert surveillance by public bodies.

1.2.6 The Equality Act 2010 protects people from discrimination in the workplace and in wider society and makes it unlawful for someone to be discriminated against on the grounds of any of the protected characteristics set out in the Act: Age, Disability, Gender reassignment, Marriage and civil partnership, Pregnancy and maternity, Race, Religion and belief, Sex, Sexual orientation.

1.3 Aims of the CCTV System

1.3.1 The Aims of the scheme are:

- a) To enhance community safety
- b) To help secure a safer environment for those people who live in, work in and visit the areas
- c) The detection, deterrence and prevention of crime such as:



Providing assistance in the prevention of crime.
Deterring and detecting crime.
Helping to identify, apprehend and prosecute offenders.
Providing the Police with evidence to take criminal action in the courts.

- d) To assist in aspects of traffic management
- e) To assist in the delivery of City Council services
- f) To reduce the fear of crime and to provide reassurance to the public
- g) To assist in the improvement of the environment and the security of the areas, to make the city a more attractive area to live, shop, work or socialise in.
- h) To help with the communication and operational response of Police patrols in and around the city
- i) To assist in the finding of missing people and assist when searching for vulnerable people and high-risk individuals threatening suicide.

1.4 Operations Procedures Manual

1.4.1 The Code is supplemented by a separate 'Operations Procedures Manual' providing instructions on all aspects of the day-to-day operation of the system. To ensure that the purpose and principles (see Section 2) of the CCTV system are realised, the Operations Procedures Manual is based upon and expands on the contents of the Code.

Section 2 Statement of Purpose and Principles

2.1 General Purpose and Principles of Operation

2.1.1 The purpose of this document is to state the intention of the CoLC and its staff to support the Aims of the CoLC CCTV system, (hereafter referred to as 'the system') and to outline how it will do this.

2.1.2 The system will be operated in accordance with all the requirements and the principles of current legislation, the [Amended Surveillance Camera Code of Practice \(accessible version\) - GOV.UK \(www.gov.uk\)](http://www.gov.uk), this Code and CoLC policies and procedures.

2.1.3 The system will be operated fairly, within the law, and only for the purposes for which it was established, and which are identified within this Code, or which are subsequently agreed in accordance with the Code.



2.1.4 The system will be operated with due regard to the principle that everyone has the right to respect for their private and family life.

2.1.5 The public interest in the operation of the system will be recognised by ensuring the security and integrity of operational procedures.

2.1.6 The operation of the system will recognise the need for formal authorisation of any covert surveillance that falls within the definition of 'Directed Surveillance' under the Regulation of Investigating Powers Act 2000 (see Appendix G).

2.1.7 Throughout the Code it is intended, as far as reasonably possible, to balance the Aims of the system with the need to safeguard individual's rights. The Code shows that a formal structure has been put in place, including a complaints procedure, by which the system is not only accountable but is seen to be accountable.

2.1.8 Participation in the system by any organisation, individual or authority assumes an agreement by all such participants to comply with the Code. The Code will be provided to all new participants prior to their involvement with the service.

2.2 Cameras and Area Coverage

2.2.1 The Areas covered by CoLC CCTV to which the Code refers include:

Lincoln City Centre - Uphill and Downhill, Transport Hub, St Marks Shopping Centre, some public parks, residential areas on the edge of the city centre (Park ward, Abbey ward, Carholme ward and Castle ward), some city centre car parks, some council offices (public areas) and Housing properties, Yarborough Leisure Centre, Birchwood Leisure Centre, Bracebridge Heath recreation field and Forum Centre North Hykeham.

These are hereafter referred to as 'the Area'.

2.2.2. The CCTV system also has access to the Lincolnshire County Council Urban Traffic Control (UTC) cameras, which fall within range of the system. Access to and use of these cameras is subject to a separate agreement between Lincolnshire County Council and CoLC.

2.2.3 The system is a mix of pan tilt and zoom (PTZ) cameras and static cameras. All have full colour capability; some of the cameras have infra-red and monochrome options. Body Worn Cameras (BWC) and Re-deployable Cameras (RDC) are also included in the system and are covered by the Code.

2.2.4 No dummy cameras will be used in the system. It is important not to make false claims about the effectiveness of the system, to avoid raising false expectations. Public confidence afforded by the system should be based on



effective operating cameras and dummy cameras have no place in such a system.

2.2.5 DPIAs (Data Protection Impact Assessments) are in place for all existing cameras, and these are reviewed annually. Any expansion of the system will be tested by a DPIA and will be in line with current legislation and the Code.

2.2.6 The system includes cameras on land belonging to other organisations, in which case a charge is made for maintenance and monitoring, with reference to the Charging Policy. Some internal charges, within CoLC, are made with reference to land ownership.

2.3 Monitoring and Recording Facilities

2.3.1 The Control Room is located at City Hall, Lincoln. The CCTV equipment has the capability of recording all cameras connected to the Control Room simultaneously and continuously.

2.3.2 No equipment, other than that which is housed within the main CCTV control room, and other specified council buildings where appropriate, shall be capable of recording images from any of the cameras.

2.3.3 CCTV operators are able to produce hard copies of recorded images, replay or copy any pre-recorded data in accordance with the Code. All viewing and recording equipment shall only be operated by authorised users.

2.3.4 The CCTV Control Room shall be staffed by trained operators and operate in accordance with CoLC policy and procedures.

2.3.5 All operators shall be licensed by the Security Industry Authority (the SIA) and receive training relevant to their role in the requirements of the Human Rights Act 1998, Data Protection Legislation, Regulation of Investigatory Powers Act 2000 and the Codes of Practice and Procedures. Additional and 'refresher' training will be provided as necessary.

2.3.6 None of the cameras forming part of the system will be installed in a covert manner. The presence of CCTV cameras will be identified by appropriate signs. In exceptional circumstances, and under a RIPA process, it may be necessary to install a camera or cameras covertly as part of a specific operation, for the duration of that operation.

2.4 Operators Instructions

2.4.1 Technical instructions on the use of equipment housed within the Control Room are contained in separate manuals provided by the equipment suppliers.

2.4.2 The Operations Procedures Manual sets out how operations will ensure compliance with this Code.



2.5 Changes to the Code

2.5.1 Any major changes to the Code (i.e., those that will have a significant impact upon the Code or upon the operation of the system) will take place only after all organisations with a participatory role in the operation of the system have been notified.

2.5.2 A minor change (i.e., one which may be required for clarification and will not have such a significant impact) will be agreed by the Portfolio Holder.

2.5.3 All major changes will be approved by the Council's Executive Committee.

2.5.4 A formal review of the Code will take place every three years and will be approved by the Council's Executive, or in the event there are no significant changes, the relevant Portfolio Holder.

Section 3 Privacy and Data Protection

See also Appendix B.

3.1 Data Collection

3.1.1 All personal data obtained by virtue of the system, shall be processed fairly, lawfully and in a transparent manner and shall only be processed in the exercise of achieving the stated objectives of the system.

3.1.2 The collection, processing, storage and security of the data will be strictly in accordance with the requirements of the Data Protection Legislation.

3.2 Data Protection Legislation

3.2.1 The operation of the system has been notified to the Office of the Information Commissioner in accordance with current Data Protection Legislation. www.ico.org.uk

3.2.2. The data controller for the system is CoLC and day to day responsibility for the data will be devolved to the CCTV Team Leader.

3.2.3 DPIAs will be reviewed as part of an ongoing monitoring process taking into account changes to the system area. DPIAs will be reviewed annually. A DPIA will be undertaken for each addition to the system prior to any installation taking place.

3.2.4 All data will be processed in accordance with the principles of the Data Protection Legislation, which states in Article 5 of UK GDPR that personal data shall be:



- (a) processed lawfully, fairly and in a transparent manner in relation to individuals ('lawfulness, fairness and transparency').
- (b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes ('purpose limitation').
- (c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation').
- (d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy').
- (e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the UK GDPR in order to safeguard the rights and freedoms of individuals ('storage limitation');
- (f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality')."
- (g) The controller shall be responsible for, and be able to demonstrate compliance with, these principles ('accountability')."

3.2.5 Individuals can ask to see their data, and CoLC has a process for this which starts with the completion, by the requester, of [data-subject-request-form \(lincoln.gov.uk\)](https://www.lincoln.gov.uk/data-subject-request-form) Data will not be released under this process if other individuals can be identified in the footage.

3.3 Regulation of Investigatory Powers Act 2000 (RIPA)

3.3.1 RIPA 2000 came into force in October 2000 to regulate the use of relevant investigatory powers in accordance with human rights. The Act regulates both 'Directed' and 'Intrusive' surveillance.

3.3.2 With regard to "Directed" surveillance, S.26 (2) of the Act, defines this as a pre-planned activity, which is



‘Covert surveillance that is undertaken in relation to a specific investigation or a specific operation which is likely to result in obtaining private information about a person.’

3.3.3 On occasions the CCTV system may be used to undertake “Directed” surveillance providing the purpose of such surveillance is compatible with the provisions contained within the Act including any amendments as defined in the Protection of Freedoms Act 2012. It is anticipated that the majority of such surveillance will be:

- a) For the purpose of preventing or detecting crime or preventing disorder
- b) In the interest of public safety
- c) For the purpose of public health

3.3.4. CCTV cameras may be used for surveillance as part of a specific investigation or operation other than as an immediate reaction to events. In such circumstances authorisation may either be required by the Council’s Authorising Officer or it may come from the Police or other agencies. Where authorisation is given by the Police it will be authorised in writing by an officer not below the rank of Police Superintendent. A record of this authorisation will be kept and officers must ensure that any surveillance is kept within the terms of this authorisation. copy of the written authorisation will be provided to CoLC for review by CoLC Legal Services, and authorisation is required prior to commencement of any RIPA operation. Legal Services will keep all information on a central file.

3.4 Human Rights Act 1998

3.4.1 The system will be operated with due regard to the Human Rights Act 1998 and in particular the provisions of Article 8, conveying on an individual the qualified right to respect for his or her private and family life.

3.5 Use of Artificial Intelligence and Facial Recognition

3.5.1 CCTV cameras have Facial Recognition technology incorporated but are not configured within the system for its use. If the Surveillance Camera Commissioner approves the use of Facial Recognition in the future, it may be used if strictly in accordance with their Code and any other prevailing legal considerations.

3.5.2 Other forms of Artificial Intelligence may be used in the interests of finding ‘high risk’ people more quickly (for example to help search for a missing vulnerable person wearing a red coat), as ‘virtual tripwires’ (the CCTV system raises an alarm if someone goes in to an area where there shouldn’t be anyone within certain hours, for counting footfall etc. In all cases these AI methods do not involve capturing personal data over and above that which the CCTV service already captures.



Section 4 Accountability and Public Information

4.1 Access and Visits

4.1.1 For reasons of security and confidentiality, access to the CCTV Control Room is restricted in accordance with Section 8 of the Code. However, in the interests of openness and accountability, organised visits from outside organisations and groups, external partners, other CoLC departments and authorised members of the public will be undertaken where possible, but with minimum disruption to the CCTV operation. Such visitors will be reminded of the need for confidentiality. Arrangements for visits will be through the CCTV Team Leader.

4.2 Complaints Procedure

4.2.1 A member of the public wishing to register a concern or complaint with regard to any aspect of the system may do so by contacting the CCTV Team Leader. All complaints shall be dealt with in accordance with the CoLC complaints procedure, a copy of which may be obtained from the CoLC offices or on the website. Complaints will be dealt with and, where necessary, elevated through the following roles:

CCTV Team Leader 01522 873690 jonathan.hammond@lincoln.gov.uk or alternatively CoLC reception 01522 881188

Community Services Manager 01522 873405 caroline.bird@lincoln.gov.uk
Assistant Director DCE 01522 873421 steve.bird@lincoln.gov.uk

4.3 Accountability

4.3.1 The Director of Communities and Environment being the nominated representative of the system owners, will have unrestricted access to the CCTV control room.

4.3.2 The CCTV Team Leader will have day-to-day responsibility for the system. In the Team Leader's absence, the Community Services Manager takes on day to day responsibility. See Appendix A for key personnel and responsibilities.

4.3.3 Strategic decisions in relation to the CCTV system are subject to the council's formal decision-making structures.

4.3.4 Clearly visible signs will be placed in the locality of the cameras. The signs will indicate:

- a) The presence of CCTV monitoring, depicted by an 'Icon' representing a CCTV camera
- b) The 'ownership' and controller of the system.
- c) The reason for the presence of the CCTV



- d) Contact details of the 'data controller' of the system.

Section 5 Assessment of the System

5.1 Evaluation

5.1.1 The CCTV Team Leader will have day to day responsibility for the monitoring, operation and evaluation of the system and the implementation of the Code.

5.1.2 The CCTV Team Leader shall also be responsible for maintaining full management information relating to the incidents dealt with by the Control Room for use in the management of the system and in future evaluations.

5.1.3 The aims and need for cameras is reviewed as part of the DPIA process.

5.1.4 The three yearly review of the Code will ensure that the Code reflects the system and vice versa, and any significant changes will go through the appropriate process prior to adoption.

5.2 Audit

5.2.1 Audit checks undertaken by the CCTV Team Leader will include:

- a) Compliance with the Data Protection Legislation, Human Rights Act and RIPA
- b) Compliance with the Code
- c) Compliance with policy and procedural management of the system
- d) Staff compliance with all aspects of the system and their responsibilities under the Code
- e) CoLC staff welfare in relation to potentially shocking and upsetting incidents
- f) Other audits, which may be in the form of regular spot checks and will include the Control Room records and the content of recorded material.

5.2.2 In addition to the checks carried out and documented, CoLC internal audit section may from time to time conduct an audit of the system's processes, and the records of Lay Visitors (see section 5.2.3 below) will also be recorded.

5.2.3 CoLC operates a Lay Visitors scheme to inspect the system. Full training and guidance on the operation and confidentiality of the system is given to members of this group who are able to visit and inspect the system on a regular basis. These inspections include discussions on system use and interactions with staff, and feedback to the CCTV Team Leader (refer to 4.1).



5.2.4 The operational performance of the scheme is incorporated in the Council's Performance Management arrangements.

Section 6 Staff

6.1 Standards and Accountability

6.1.1 All staff will be subject to a Disclosure and Barring Service check. Staff are Security Industry Authority Licensed.

6.1.2 SIA licensing will also apply to elected members and management that have responsibility for the scheme, in accordance with CoLC interpretation of the current SIA requirements.

6.1.3 Breaches of the Code will be dealt with under the CoLC Disciplinary Policy or Capability Policy as appropriate.

6.1.4 The CCTV Team Leader will have primary responsibility for ensuring that there is no breach of security and that the Code is complied with. The CCTV Team Leader has day to day responsibility for the management of the Control Room and ensuring that systems are in place to ensure that staff comply with all requirements under the Code.

6.1.5 Production of evidential DVD footage for Police, and release of footage to individuals and third parties, will be produced, secured and released in line with the Data Protection Legislation, Human Rights Act, Freedom of Information Act and the National Standard for the release of Data to Third Parties (See Appendix C). All reviews of data will follow the principles of the Code.

6.1.6 All use of the cameras by staff shall be in line with the principles of the Code.

6.1.7 All CCTV staff will be issued with a copy of both this Code and the Operations Procedures Manual and will be required to confirm that they fully understand their obligations and adherence to these documents. They will be fully conversant with the contents of both documents, which may be updated from time to time, and which they will be expected to comply with as far as is reasonably practicable at all times.

6.1.8 CoLC is fully committed to the principles of equality and diversity, and this is an important part of initial training, refresher training and ongoing quality assurance checks.

6.1.9 No individual will be unjustifiably discriminated against. This includes, but is not limited to, discrimination because of the following characteristics (known as protected characteristics under the Equality Act): Age, Disability, Gender reassignment, Marriage and civil partnership, Pregnancy and



maternity, Race, Religion and belief, Sex, Sexual orientation.

6.1.10 Operators will be mindful of exercising prejudices which may lead to the system being used for purposes other than those for which it is intended. Operators may be required to justify their interest in, or recording of, any particular individual, group of individuals or property at any time by virtue of the audit of the system or by the CCTV Team Leader.

6.1.11 No interest will be shown in private dwellings unless as part of an authorised RIPA operation. In addition, the use of cameras will be proportionate to the objectives detailed in the Code. Where the equipment permits it, 'Privacy Zones' will be programmed into the system as required in order to ensure that the interior of any private residential property within range of the system is not surveyed by the cameras. Where such 'zones' cannot be programmed operators have been specifically trained in privacy issues. Operators of the system have clear guidelines regarding privacy issues, and any contraventions should be brought to the attention of the CCTV Team Leader as soon as is practicable and the details of the contravention to be recorded in the operator's incident log.

6.1.12 Any person operating the cameras will act with utmost honesty and decency at all times.

6.1.13 There will be no deliberate monitoring of CoLC employees going about their legitimate CoLC business; except in exceptional circumstances where there is a fear for their health/safety, in respect of an immediate reaction to an offence, or otherwise with the consent of the employee.

6.1.14 In the absence of the CCTV Team Leader the duty operator is responsible for the security of the control room and actions of authorised personnel in the control room. The duty operator must be satisfied that any individual seeking access to the CCTV control room meets the legitimate business criteria as defined in clause 8.1.2.

6.1.15 It is acknowledged and understood that CCTV Operators cannot always deal with every incident that comes to their attention, nor can they proactively pick up every incident that takes place within view of the cameras. Operators are expected to prioritise based on their own experience and training. Operators will not be criticised for missing or refusing to follow incidents based on decisions reasonably made based on the information available to them and the circumstances at the time.

6.2 Welfare

6.2.1 CoLC will risk assess the potential impacts on staff with regard to the nature and circumstances of their work. Team Leader checks will include reference to potentially disturbing incidents, and Operators will be made aware of the support that is available and encouraged to discuss concerns with the



Team Leader or colleagues. CoLC has a policy for dealing with potential trauma events.

Section 7 Control By, and Communication with, Other Schemes, Partners and Organisations

7.1 Operation of the System by the Police

7.1.1 Under extreme circumstances, such as national security, explosions or other localised serious emergencies, the Police may make a request to assume direction of the CCTV system. The Police at a senior level will seek authority from the Chief Executive, prior to Police assuming supervision of the CCTV Control Room for the duration of the incident. Any request and approval will be accepted verbally or in writing. A verbal request or approval will be supported in writing as soon as is reasonably practicable.

7.1.2 In the event of such a request being permitted, the Control Room will continue to be staffed, and equipment only operated by, those personnel who are authorised to do so, and who fall within the terms of Sections 6 and 7 of the Code. The incident log should record the date and time Police assumed responsibility for the CCTV control room and the date and time the Police handed back control to CoLC.

7.2 Communication with Other Schemes and Partners

7.2.1 The control room is linked to a number of related schemes that provide and receive reports concerning activity within the Area. These links are defined as:

7.2.1a A City Centre radio link has been established in the city by the CoLC. Operated by the Business Improvement Group (BIG), membership is open to businesses operating within the system area. Full training is provided by Lincoln BIG.

7.2.1b CoLC car parks and public toilets staff have a radio link. The training on correct radio protocols is undertaken by the department responsible for the staff using the radio link.

7.2.1c Lincolnshire Police Communication Centre is directly contactable by telephone from the CCTV Control Room. There is also a live video link located in the CCTV Control Room enabling operators to transmit camera images to Force Control. Images can be sent through to Lincolnshire Police Communications Centre, in line with the Data Sharing Agreement between Lincolnshire Police and CoLC. The Police radio system base unit is installed in the CCTV control room, this provides two-way radio communications between Lincolnshire Police and the CCTV Control Room, subject to agreed protocols.



7.2.2 Lincolnshire Police will assign a Police Liaison Officer with the necessary seniority to positively engage with the CCTV service and to respond to issues raised surrounding the scheme and Police use of or interaction with CCTV.

7.2.3 In all cases scheme members are aware of the requirement for confidentiality and sign a statement to confirm they will conform to the rules and regulations of the appropriate scheme.

7.2.4 No information received through any of the communication schemes in place shall be shared or passed to any organisation that is not a current member of the relevant schemes or party to a relevant Information Sharing Agreement.

7.2.5 Referrals using any of the listed schemes will be kept short and all parties will maintain a professional approach. Only activity that raises a concern that a member genuinely believes may escalate into a reportable activity such as a public safety issue or criminal act may be referred over a link.

7.2.6 Names may be used where quick identification is necessary; otherwise, a short description of the individual is more appropriate. Under no circumstances are relationships, (other than known relevant criminal connections) or personality (unless the individual is prone to violence) be discussed openly over any of the links, except the Police Airwaves Radio.

7.2.7 Any breach of confidentiality or inappropriate use of any link will automatically result in termination of membership of the scheme for the party responsible until it can be evidenced that necessary steps have been put in place to ensure future security.

7.3 Maintenance of the System

7.3.1 To ensure the system continues to operate effectively and in line with the Aims of the scheme the system shall be subject to a maintenance agreement. The contractual arrangements for the agreement shall make clear the need for confidentiality and the protection of data which the maintenance organisation may come in to contact with through their work with the CoLC CCTV system.

Section 8 Access to and Security of Control Room and Associated Equipment

8.1.1 Only authorised personnel will operate the equipment located within the CCTV Control Room (or equipment associated with the system).

8.1.2 Only those people who have legitimate business related to CCTV will be permitted to enter the CCTV control room. Entry to the CCTV control room will mean acceptance that anything witnessed whilst in the room is confidential (A notice to this effect is posted on the door. See Appendix E). A person entering the room who is not a member of CoLC staff or CCTV maintenance staff



attending for known maintenance purposes, will be asked to sign an entry logbook that will show arrival and departure times.

8.1.3 Group visits will require authorisation through a formal booking, in advance, through the Team Leader. All group bookings will have a lead organiser recorded whose full contact details will be provided to the Team Leader and recorded.

8.1.4 While on shift a duty operator will be at their station in the control room unless called away for other work duties or rest reasons. If the duty operator has to leave the control room unattended for any reason, they will ensure that the room is secured so as to prevent unauthorised access. If the duty operator has no option but to leave the control room whilst another person, who is not CCTV staff, is present, they will ensure that this is recorded in the operator's incident log.

8.1.5 CCTV Lay Visitors may visit without prior warning, although for practical purposes (to ensure minimal disturbance to the service and to ensure they can speak with the Team Leader or other management if required) they are encouraged to plan visits in advance with the Team Leader. Lay Visitors are required to sign into the Control Room.

Section 9 Management of Recorded Material

9.1 Control of Recorded Data

9.1.1 For the purposes of the Code 'recorded material' means any material recorded by, or as the result of, technical equipment which forms part of the system.

9.1.2 Every digital recording obtained by using the system has the potential of containing material that can, at any point during its lifespan, be admitted in evidence.

9.1.3 The public must have total confidence that information recorded about their ordinary everyday activities by virtue of the system, will be treated with due regard to their individual right to privacy in relation to their personal and family life.

9.1.4 It is therefore of the utmost importance, and irrespective of the means or format of the images obtained from the system, that images are treated strictly in accordance with the Code and the Operations Procedures Manual from the moment they are received by the control room until their final destruction. Every movement and usage will be recorded.

9.1.5 Access to and the use of recorded material will be strictly for the purposes defined in the Code.



9.1.6 As a matter of course, recorded material will not be sold or otherwise released to be used for commercial purposes or for the provision of entertainment. In exceptional circumstances the CLC may decide to release footage into the public domain, but this will only be done where the Chief Executive is content there is a wider public benefit. The decision to release footage under this clause is only at the discretion of the Chief Executive, or persons delegated with their authority.

9.2 Release of data to a third party

9.2.1 All data released to third parties will be documented, and the appropriate authority attained. The process for releasing data to Lincolnshire Police officers is set out in the Operations Procedures Manual. All requests for data by Lincolnshire Police must be authorised by an officer of Sergeant ranking or above.

9.2.2 All other requests for data will be channelled through the CCTV Team Leader, who will ensure the principles contained within National Standard for the Release of Data to Third Parties (appendix C) are followed at all times.

9.2.3 In compliance with this standard, it is intended, as far as is reasonably practicable, to safeguard the individual's rights to privacy and to give effect to the following principles:

- 1) Recorded material shall be processed lawfully, fairly and in a transparent manner and used only for the purposes defined in the Code
- 2) Access to recorded material will only take place in accordance with the Code
- 3) The release or disclosure of data for commercial or entertainment purposes is specifically prohibited.

9.2.4 Members of the Police service or other agencies having a statutory authority to investigate and/or prosecute offences may, subject to compliance with Appendix C, release details of recorded information to the media only in an effort to identify alleged offenders or potential witnesses.

9.2.5 If material is to be shown to witnesses, including Police officers, for the purpose of obtaining identification evidence, it must be shown in accordance with Appendix C and the Operations Procedures Manual.

9.2.6 It may be beneficial to make use of footage for the training and education of those involved in the operation and management of the system, and for those involved in the investigation, prevention and detection of crime. Material recorded by virtue of the system may be used for such bona fide training and education purposes.

9.2.7 CoLC does not currently charge for the production and release of footage, but this may be subject to review, and any changes will be in accordance with CoLC policy.



9.3 Recording and Retention Policy

9.3.1 Subject to the equipment functioning correctly, images from every camera will be recorded throughout every 24-hour period.

9.3.2 Footage will be retained and automatically deleted after 15 days (or other such period as shall be deemed appropriate, taking into account proportionality in terms of the Data Protection Legislation and service efficiency). Any changes to the retention period will be authorised by the Portfolio Holder.

9.3.3 Footage in relation to an incident must therefore be requested within 15 days (or the standard retention period of the time). Such footage will then be retained for collection by the appropriate authority.

9.3.4 CCTV Operators may themselves choose to save footage, in the absence of a request, if they have reason to believe the footage is or could become significant, and in such circumstances should advise the Team Leader at the earliest opportunity.

9.3.5 Footage requested by, or offered to, an authority, and not collected will be disposed of after a reasonable amount of time (currently 30 days). In the case of significant incidents, a check will be made with the requesting authority prior to deletion.

9.3.6 Once evidence has been collected by the requesting authority, it will be deleted from the CoLC records seven days later, allowing a seven-day period for the receiving organisation to check the footage has transferred successfully to their own system.

9.3.7 With reference to 9.2.6 above, footage may be retained, at the decision of the Team Leader, for training purposes.



Appendices



Appendix A Key Personnel and Responsibilities

1. System Owners

City of Lincoln Council

Responsibilities:

CoLC is the 'owner' of the system. The Director of Communities and Environment will be the single point of reference on behalf of the system owners with responsibility to:

- i) Ensure the provision and maintenance of all equipment forming part of the system is in accordance with contractual arrangements which the owners may from time to time enter into.
- ii) Maintain close liaison with the CCTV Team Leader.
- iii) Ensure the interests of the owners and other organisations are upheld in accordance with the terms of the Code.
- iv) Agree to any proposed alterations and additions to the system, the Code and/or the Operations Procedures Manual.

2. System Management

The CCTV Team Leader is responsible for the day-to-day operational management of the system.

The management structure in the event of absence or for escalating issues is:

Community Services Manager
Assistant Director
Strategic Director

Responsibilities:

The CCTV Team Leader has delegated authority for data control on behalf of the 'data controller'. Their role includes responsibility to:

- i) Maintain day to day management of the system and staff.
- ii) Accept overall responsibility for the system and for ensuring that the Code is complied with.
- iii) Maintain direct liaison with the owners of the system.
- iv) Maintain direct liaison with operating partners.

The Community Services Manager is the Information Asset Owner and fulfils the duties required by IAOs within the CoLC policy and procedures.

The CCTV Service falls within the portfolio of Reducing Inequality.



Appendix B Extracts and Principles of the Data Protection Legislation

Principles:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability

Article 5 of the UK GDPR sets out seven key principles which lie at the heart of the Data Protection Legislation.

For more detail on each principle, please read paragraph 3.2.4 of this Code.

Why are the principles important?

The principles lie at the heart of the Data Protection Legislation. They are set out in both the Data Protection Act 2018 and the UK GDPR. They do not give hard and fast rules, but rather embody the spirit of the data protection regime - and as such there are very limited exceptions.

Compliance with the spirit of these key principles is therefore a fundamental building block for good data protection practice. It is also key to compliance with the Data Protection Legislation.

Failure to comply with the principles may lead substantial fines. Article 83(5)(a) of UK GDPR states that infringements of the basic principles for processing personal data are subject to the highest tier of administrative fines. This could mean a fine of up to €20 million, or 4% of your total worldwide annual turnover, whichever is higher.

Note: These extracts are for initial direction and guidance only. To ensure compliance with the legislation the relevant Data Protection legislation should be referred to in its entirety.



Appendix C National Standard for the release of data to third parties

1. Introduction

If users, owners and managers of such systems are to command the respect and support of the general public, the systems must not only be used with the utmost honesty and decency at all times, but they must be used in a manner which stands up to scrutiny and is accountable to the very people they are aiming to protect.

CoLC is committed to the belief that everyone has the right to respect for his or her private and family life and their home.

Any requests for the release of data to third parties will be dealt with in accordance with and in line with all relevant legislation.

2. General Policy

All requests for the release of data shall be processed in accordance with the Code. All such requests shall be channelled through the Data Controller although day to day responsibility may be devolved to the System Manager (CCTV Team Leader).

3. Primary Request to View Data

- a) Primary requests to view data generated by a CCTV system are likely to be made by third parties for any one or more of the following purposes:
 - i) Providing evidence in criminal investigations or proceedings
 - ii) Providing evidence in civil proceedings or tribunals but only where directly affecting the Council.
 - iii) The prevention of crime
 - iv) The investigation and detection of crime (may include identification of offenders)
 - v) Identification of witnesses
- b) Third parties, which are required to show adequate grounds for disclosure of data within the above criteria, may include, but are not limited to:
 - i) Police
 - ii) Statutory authorities with powers to investigate and prosecute, (e.g. Customs and Excise, Trading Standards, etc.)
 - iii) Solicitors
 - iv) Plaintiffs in civil proceedings
 - v) Accused persons or defendants in criminal proceedings
 - vi) other agencies such as Insurance Companies,
- c) Upon receipt from a third party of a bona fide request for the release of data, the data controller shall:



- i) Not unduly obstruct a third-party investigation to verify the existence of relevant data.
 - ii) Ensure the retention of data which may be relevant to a request, but which may be pending application for, or the issue of, a court order or subpoena. A time limit shall be imposed on such retention, which will be notified at the time of the request.
- d) In circumstances outlined at note (3) below, (requests by plaintiffs, accused persons or defendants) the data controller, or nominated representative, shall:
- i) Be satisfied that there is no inconsistency with any data held by the Police in connection with the same investigation.
 - ii) All such enquiries are to be processed by all parties in accordance with the Data Protection Legislation.

Notes

- (1) The release of data to the Police is not to be restricted to the civil Police but could include, (for example) British Transport Police, Ministry of Defence Police, Military Police, etc.
- (2) Aside from criminal investigations, data may be of evidential value in respect of civil proceedings or tribunals. In such cases a solicitor, or authorised representative of the tribunal, is required to give relevant information in writing prior to a search being granted. In the event of a search resulting in a requirement being made for the release of data, such release will only be facilitated on the instructions of a court order or subpoena. A charge may be made for this service to cover costs incurred. In all circumstances data will only be released for lawful and proper purposes.
- (3) There may be occasions when an enquiry by a plaintiff, an accused person, a defendant or a defence solicitor falls outside the terms of disclosure or subject access request legislation. An example could be the investigation of an alibi. Such an enquiry may not form part of a prosecution investigation. Defence enquiries could also arise in a case where there appeared to be no recorded evidence in a prosecution investigation.
- (4) The data controller shall decide which (if any) "other agencies" might be permitted access to data. Having identified those 'other agencies', such access to data will only be permitted in compliance with this Standard and the Data Protection Legislation.
- (5) The data controller can refuse an individual request to view if insufficient or inaccurate information is provided. A search request should specify location and times with reasonable accuracy (could be specified to the nearest ½ hour).

4. Secondary Request to View Data

- a) A 'secondary' request for access to data may be defined as any request being made which does not fall into the category of a primary request.



Before complying with a secondary request, the data controller shall ensure that:

- i) The request does not contravene, and that compliance with the request would not breach, current relevant legislation, (e.g., Data Protection Legislation, Human Rights Act 1998, section 163 Criminal Justice and Public Order Act 1994, etc.).
 - ii) Any legislative requirements have been complied with, (e.g., the requirements of the Data Protection Legislation).
 - iii) Due regard has been taken of any known case law (current or past) which may be relevant, (e.g., R v Brentwood BC ex p. Peck) and
 - iv) The request would pass a test of 'disclosure in the public interest'.
- b) If, in compliance with a secondary request to view data, a decision is taken to release material to a third party, the following safeguards shall be put in place before surrendering the material:
- i) In respect of material to be released under the auspices of 'crime prevention', written agreement to the release of the material should be obtained from a Police Officer, not below the rank of Sergeant. The officer should have personal knowledge of the circumstances of the crime/s to be prevented and an understanding of the CCTV system Code of Practice.
 - ii) If the material is to be released under the auspices of 'public wellbeing, health or safety', written agreement to the release of material should be obtained from a senior officer within the Local Authority. The officer should have personal knowledge of the potential benefit to be derived from releasing the material and an understanding of the CCTV system Code of Practice.
- c) Recorded material may be used for bona fide training purposes such as Police or staff training. Under no circumstances will recorded material be released for commercial sale of material for training or entertainment purposes.

5. Individual Subject Access under Data Protection Legislation

- a) Under the terms of Data Protection Legislation, individual access to personal data, of which that individual is the data subject, must be permitted. Providing:
- i) The request is made in writing or by any other means.
 - ii) The data controller is supplied with sufficient information to satisfy him or herself as to the identity of the person making the request.
 - iii) The person making the request provides sufficient and accurate information about the time, date and place to enable the data controller to locate the information which that person seeks, (it is recognised that a person making a request is unlikely to know the precise time. Under those circumstances it is suggested that within one hour of accuracy would be a reasonable requirement).



- iv) The person making the request is only shown information relevant to that particular search and which contains personal data of her or himself only, unless all other individuals who may be identified from the same information have consented to the disclosure.
- b) In the event of the data controller complying with a request to supply a copy of the data to the subject, only data pertaining to the individual should be copied, (all other personal data which may facilitate the identification of any other person should be concealed or erased).
- c) The data controller is entitled to refuse an individual request to view data under these provisions if insufficient or inaccurate information is provided, however the subject access procedures must be complied with and each request should be treated on its own merit.
- d) In addition to the principles contained within the Data Protection Legislation, the data controller should be satisfied that the data is:
 - i) Not currently and, as far as can be reasonably ascertained, not likely to become, part of a 'live' criminal investigation.
 - ii) Not currently and, as far as can be reasonably ascertained, not likely to become, relevant to civil proceedings.
 - iii) Not the subject of a complaint or dispute which has not been actioned.
 - iv) The original data and that the audit trail has been maintained.
 - v) Not removed or copied without proper authority.
 - vii) For individual disclosure only (i.e., to be disclosed to a named subject)

6. Process of Disclosure:

- a) Verify the accuracy of the request.
- b) Replay the data to the requester only, (or responsible person acting on behalf of the person making the request).
- c) The viewing should take place in a separate room and not in the control or monitoring area. Only data which is specific to the search request shall be shown.
- d) It must not be possible to identify any other individual from the information being shown, (any such information will be blanked out, either by means of electronic screening or manual editing on the monitor screen).
- e) If a copy of the material is requested and there is no on-site means of editing out other personal data, then the material should be sent to an editing house for processing prior to being sent to the requester.

7. Media disclosure



In the event of a request from the media for access to recorded material, the procedures outlined under 'secondary request to view data' shall be followed. If material is to be released the following procedures shall be adopted:

- i) The release of the material must be accompanied by a signed release document that clearly states what the data will be used for and sets out the limits on its use.
- ii) The release form shall state that the receiver must process the data in a manner prescribed by the data controller, e.g., specific identities/data that must not be revealed.
- iii) It shall require that proof of any editing must be passed back to the data controller, either for approval or final consent, prior to its intended use by the media (protecting the position of the data controller who would be responsible for any infringement of Data Protection Legislation and the system's Code of Practice).
- iv) The release form shall be considered a contract and signed by both parties.

8. Principles

In adopting this national standard for the release of data to third parties, it is intended, as far as reasonably practicable, to safeguard the individual's rights to privacy and to give effect to the following principles:

- a) Recorded material shall be processed lawfully, fairly and in a transparent manner and used only for the purposes defined in the Code of Practice for the CCTV scheme.
- b) Access to recorded material shall only take place in accordance with this Standard and the Code of Practice.
- c) The release or disclosure of data for commercial or entertainment purposes is specifically prohibited.



Appendix D – Not used



RESTRICTED ACCESS

**All visitors entering this area are required to
complete an entry in the Access Control Log**

Visitors are advised to note the following confidentiality clause and entry is conditional on acceptance of that clause:

Confidentiality Clause:

**In being permitted entry to this area you agree
not to divulge any information obtained,
overheard or overseen during your visit.
An entry accompanied by your signature in the
Access Control Log is your acceptance of
these terms**

**Please note it is a criminal offence for a person
to knowingly or recklessly obtain or disclosure
personal data without consent of the controller
City of Lincoln Council
(s170 Data Protection Act 2018)**



Appendix F The 12 Guiding Principles Protection of Freedoms Act

(Note that the Act is expected to be amended in 2022, and this may include a change to the Guiding Principles).

Principle 1 - Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.

Principle 2 - The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.

Principle 3 - There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.

Principle 4 - There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.

Principle 5 - Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.

Principle 6 - No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.

Principle 7 - Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.

Principle 8 - Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.

Principle 9 Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.

Principle 10 - There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.

Principle 11 - When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.

Principle 12 - Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.



Appendix G Regulation of Investigatory Powers Act Guiding Principles

Advice and Guidance for Control Room Staff and Police Inspectors in respect of CCTV and the Regulation of Investigatory Powers Act 2000

The Regulation of Investigatory Powers Act 2018 amongst other subjects, relates to surveillance by the Police and other agencies (including Local Authorities) and deals in part with the use of directed covert surveillance. Section 26 of this Act sets out what is Directed Surveillance. It defines this type of surveillance as:

Subject to subsection (6), surveillance is directed for the purposes of this Part if it is **covert** but **not intrusive** and is undertaken-

- (a) For the purposes of a specific investigation or a specific operation.
- (b) In such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation); and
- (c) Otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under this Part to be sought for the carrying out of the surveillance.

Although the systems cameras are overt if they are used in such a way that falls within the definition of Directed Surveillance they will only be used if the authorities have been given.

THE COLC SYSTEM CAMERAS WILL NOT BE USED FOR PURPOSES THAT MEET THE DEFINITION OF "INTRUSIVE SURVEILLANCE" UNLESS CORRECTLY AUTHORISED.

The impact for staff in the Police control rooms and CCTV monitoring centres, is such that there might be cause to monitor for some time, a person or premises using the cameras. In most cases, this will fall into sub section c above, i.e. it will be an immediate response to events or circumstances. In this case, it would not require authorisation unless it were to continue for some time. The code says some hours rather than minutes. In cases where a pre-planned incident or operation wishes to make use of CCTV for such monitoring, an authority will almost certainly be required.

In the case of authorities given by the Police these are usually authorised by a Superintendent or above. However, if an authority is required immediately, an Inspector may authorise the surveillance. The forms in both cases must indicate the reason and should fall within one of the following categories:-

An authorisation is necessary on grounds falling within this subsection if it is necessary-

- (a) *In the interests of national security;*



- (b) For the purpose of preventing or detecting crime or of preventing disorder;*
- (c) In the interests of the economic well-being of the United Kingdom;*
- (d) In the interests of public safety;*
- (e) For the purpose of protecting public health;*
- (f) For the purpose of assessing or collecting any tax, duty, levy or other imposition, contribution or charge payable to a government department;*
or
- (g) For any purpose (not falling within paragraphs (a) to (f)) which is specified for the purposes of this subsection by an order made by the Secretary of State.*

RIPA also makes provision for directed surveillance to be conducted by a Local Authority. In such cases, the written authority to carry out directed surveillance using the CoLC CCTV system will only be given at Director level providing the permission for such authority has been granted by a magistrate in accordance with the provision of the Protection of Freedoms Act 2012



APPENDIX H - GLOSSARY OF TERMS

Basic CCTV Terminology

- CCTV:** A closed circuit television system, not for general public broadcasting
- Digital Video Recorder:** A method of recording information digitally initially onto a hard disk which can be retrieved or downloaded to another recording media such as tape, DVD or CD. It retains quality better than analogue recorders.
- Data Protection Legislation:** The Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR) and any other applicable implemented Legislation as amended from time to time.
- DPIA:** Data Protection Impact Assessment is a process to help identify and minimise data protection risks, in this case in relation to the presence of CCTV cameras.
- Dummy Camera:** Looks like a working camera but not capable of recording (or deliberately not recording).
- DVD:** Digital Versatile Disc. A data encoding standard for CD-ROM-like discs, capable of storing data at the higher densities needed for recording movies. A typical DVD contains 4.7 Gigabytes of data, and can record approximately 90 minutes of video footage
- Fibre Optic:** An efficient method of transmitting video etc. over distances using fibre optic cable. Constructed using thin fibres of glass and laser light technology and encased in armour cabling to protect the delicate fibres



Hard Disk Drive:	Electromechanical device used to store large amounts of digital data. They are the most common storage medium used in digital video recorders.
Hard wired:	A single or multi-core cable used to pass video and telemetry signals usually on short runs. E.g. coaxial or fibre optic cables.
HRA 1998:	An act of law introduced to uphold certain rights of the public such as article 6 a right to a fair trial and article 8 a right to a private and family life, full endorsed and adhered to by CoLC.
Infra-Red:	A range of frequencies just below the human visible spectrum. It is used for transmitting information or providing additional illumination for cameras. Used to enhance CCTV images where there is little or no artificial light e.g. Works depots or public parks
IP camera:	A type of CCTV camera that outputs video as digital information usually according to the TCP/IP protocol.
Operator:	The person designated to operate the surveillance system
Privacy Zone:	Usually electronically programmed into the CCTV system to stop accidental intrusion with the cameras into private residential widows and other areas regarded as private
Pre-set:	A function programmed into the control to allow a camera to move to a pre-set position following an alarm or physical activation (its default position)
RIPA 2000:	Regulation of Investigatory Powers Act 2000, a law allowing the surveillance of people in private and public places.



SIA: The Security Industry Authority. A government department set up as a result of the Private Security Act 2001 with responsibility for the licensing of individuals working in the security industry including CCTV operators

Surveillance Camera Commissioner (SCC) / SCC Code of Practice: The office of the commissioner was created under the Protection of Freedoms Act 2012 to further regulate CCTV. The act required a code of practice to be produced about surveillance camera systems. The role of the Surveillance Camera Commissioner is to encourage compliance with the Surveillance Camera Code of Practice.

Wireless: A means of transmission of CCTV data without use of wires or cables, e.g. by using radio waves or microwaves.



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Appendix B – Significant Changes to the Code of Practice

Section	Subject	Change
Throughout	Legislation	All references to legislation have been updated.
Throughout	Surveillance Camera Commissioner (SCC)	References to the SCC / Information Commissioner have been updated.
1.1.2 2.2.3	Body worn cameras (BWC)	The Code now includes references to BWC and how BWC data is managed as part of the overall system. Related to this, a specific section relating to PPASB has been removed, as their work, including use of BWC, is covered by the Code more generally.
1.3 (previously 1.4)	Aims of the CCTV System	<p>The aims of the service have been refined:</p> <ul style="list-style-type: none"> a) To enhance community safety b) To help secure a safer environment for those people who live in, work in and visit the areas c) The detection, deterrence and prevention of crime such as: <ul style="list-style-type: none"> Providing assistance in the prevention of crime. Deterring and detecting crime. Helping to identify, apprehend and prosecute offenders. Providing the Police with evidence to take criminal action in the courts. d) To assist in aspects of traffic management e) To assist in the delivery of City Council services f) To reduce the fear of crime and to provide reassurance to the public

		<p>g) To assist in the improvement of the environment and the security of the areas, to make the city a more attractive area to live, shop, work or socialise in.</p> <p>h) To help with the communication and operational response of Police patrols in and around the city</p> <p>i) To assist in the finding of missing people and assist when searching for vulnerable people and high-risk individuals threatening suicide.</p> <p>This is not a material change to the previous version but is more clearly stated. Although not representing a significant change it is included here as the Aims of the Service are such an important part of the Code of Practice.</p>
2.2.1 (previously 2.3)	Area Coverage	<p>The area covered has been updated to</p> <p>Lincoln City Centre - Uphill and Downhill, Transport Hub, St Marks Shopping Centre, some public parks, residential areas on the edge of the city centre (Park ward, Abbey ward, Carholme ward and Castle ward), some city centre car parks, some council offices (public areas) and Housing properties, Yarborough Leisure Centre, Birchwood Leisure Centre, Bracebridge Heath recreation field and Forum Centre North Hykeham.</p> <p>This reflects new sites at: 'Safer Streets' residential areas Birchwood Leisure Centre Bracebridge Heath recreation field</p> <p>Better describes provision at: Forum Centre, North Hykeham</p>

		<p>Transport Hub</p> <p>Summarises a number of sites as ‘car parks’, ‘public parks’, ‘council offices’ and ‘housing properties’ instead of listing individual sites, and lists ‘Lincoln City Centre – uphill and downhill’ rather than list separate parts of the city centre. The removal of specific site names makes future expansion (or removal of cameras) possible without having to update the Code each time.</p>
2.2.5 3.2.3 5.1.3	Data Protection Impact Assessments (DPIA)	These sections refer to the need for DPIAs to be carried out, in accordance with the GDPR which came in to force in 2018.
2.2.6	Internal and external customers	This section acknowledges that there are internal and external customers who pay for the provision of cameras, maintenance, monitoring and management of data.
(old version 2.4.6)	Volunteers	This has been removed. The presence of volunteers in the Control Room was not operationally practical, and very complex to arrange given the very limited opportunities for it to be of practical benefit.
2.5.2 (previously 2.7.2)	Minor changes to the Code	Previously minor changes to the Code could be authorised by the Chief Executive. This changes the authority to the Portfolio Holder.
2.5.3 (previously 2.7)	Major changes to the Code	This makes clear that major changes are authorised through Executive committee. The previous version wasn’t clear.
2.5.4 (previously 2.7.3)	Routine formal reviews	This makes clear that if the routine three-yearly formal reviews result in a minor change this can be authorised by the Portfolio Holder. Significant changes resulting from the review will be authorised by the Executive committee.
3.5	Use of Artificial Intelligence (AI) and Facial Recognition (FR)	<p>This acknowledges that our cameras are capable of using FR but are not currently configured to do so, and any future use would only be in accordance with the SCC Code and any other prevailing legal considerations.</p> <p>Other forms of AI can be used, for example using the colour of a missing person’s coat to help narrow down, and speed up, a search, using ‘virtual tripwires’ to raise the</p>

		alarm if someone is in a place they shouldn't be within certain hours, or counting footfall in a certain area. None of these types of AI capture personal data over and above that which the CCTV service already captures.
5.2	Routine audit checks by the Team Leader	The list has been expanded to include checks of RIPA surveillance (to ensure that all RIPA work is still relevant and in date) and staff welfare checks (following up on potentially distressing incidents). These were included in the checks previously but are felt to be of sufficient importance to be mentioned specifically.
6.1.2	Security Industry Authority (SIA) checks of members and management	This is a new section which reflects the SIA requirement for elected members and management to be SIA licensed, as well as CCTV operators, which has been introduced since the last Code was adopted. This paragraph acknowledges that the requirement requires further clarity at this time.
6.1.8 6.1.9	Equality & Diversity	These sections stress the importance of E&D which, whilst always an important part of the CCTV service, were not explicit in the previous version.
6.1.13	Monitoring of City Council employees	The paragraph below has been expanded to include the words in italics, in response to a small number of specific incidents. There will be no deliberate monitoring of CoLC employees going about their legitimate CoLC business; except in exceptional circumstances where there is a fear for their health/safety, <i>in respect of an immediate reaction to an offence, or otherwise with the consent of the employee.</i>
6.1.15	Prioritisation by CCTV Operators	This is a new section which acknowledges the busy and often pressured working environment of the CCTV Control Room, and that CCTV Operators ... cannot always deal with every incident that comes to their attention, nor can they proactively pick up every incident that takes place within view of the cameras. Operators are expected to prioritise based on their own experience and training. Operators will not be criticised for missing or refusing to follow incidents based on decisions reasonably made based on the information available to them and the circumstances at the time.

6.2	Staff welfare	This is a new section which reflects the importance of staff welfare, in a busy working environment often dealing with potential disturbing incidents.
7.1.1	Police assuming direction of the CCTV system	This section allows Police to assume direction of the CCTV system in the event of extreme circumstances, such as national security, explosions or other localised serious emergencies. Previously this required the agreement of the Chief Executive, in consultation with the Leader. This has been amended to remove the Leader's agreement in the interests of streamlining this process.
7.2.1c	Police Data Sharing Agreement	This section now refers to the Council's Data Sharing Agreement with Lincolnshire Police, which was not referenced in the previous version.
9.2.7	Charging for release of footage	This new insertion acknowledges that the Council does not currently charge for the production and release of footage but that this may be subject to review.
9.3 (previously Section 9, and reference to retention of footage in 3.2.2(f))	Recording and Retention policy	This section has been updated to reflect changes made since the 2014 Code, some quite recently. This includes, importantly, that all footage is automatically deleted after 15 days unless it has been requested and saved in relation to an incident (this was previously 31 days); that requested footage will be disposed of after 30 days if it hasn't been collected (checks will first be made for significant incidents) and that seven days after passing footage to Lincolnshire Police it will be deleted from the Council's system (sufficient time for Lincs Police to check it was transferred successfully on to their system). These measures are all intended to reduce the amount of time that data is kept, in accordance with Data Protection requirements.

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POLICY SCRUTINY COMMITTEE

16 AUGUST 2022

SUBJECT:	POLICY SCRUTINY WORK PROGRAMME 2022/23 AND EXECUTIVE WORK PROGRAMME UPDATE
REPORT BY:	CHIEF EXECUTIVE & TOWN CLERK
LEAD OFFICER:	CLAIRE TURNER, DEMOCRATIC SERVICES OFFICER

1. Purpose of Report

1.1 To present the Policy Scrutiny Committee Work Programme for 2022/23 and receive comments and considerations from members with items for the municipal year 2022/2023 and to advise Members of the items that are on the current edition of the Executive Work Programme.

2. Background

2.1 The work programme is attached at **Appendix A**.

2.2 The Constitution provides for the publication of the Executive Work Programme on a monthly basis detailing key decisions/ exempt para (Section B) items to be taken by the Executive, a committee of the Executive or a Member of the Executive during the period covered by the programme. This is attached at **Appendix B** and has been provided to assist members in identifying items for inclusion within the work programme.

3. Recommendation

3.1 That Members give consideration to the Policy Scrutiny Work Programme for 2022/23 and update where appropriate to include items which they wish to consider from the Executive Work Programme as required.

List of Background Papers: None

Lead Officer: Claire Turner, Democratic Services Officer
Telephone (01522) 873619

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Policy Scrutiny Committee Work Programme – Timetable for 2022/23

7 June 2022

Item(s)	Responsible Person(s)	Comments
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report
Policy Scrutiny Work Programme 2022 -2023	Democratic Services	Regular Report
Animal Policy	Francesca Bell	
Noise Policy	Francesca Bell	
Internal Domestic Abuse Policy	Francesca Bell	

16 August 2022

Item(s)	Responsible Person(s)	Comments
Policy Scrutiny Work Programme 2022-2023 Update	Democratic Services	Regular Report
CCTV Revised Code of Practice	Caroline Bird	
Bulky Items Collections	Steve Bird	
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

4 October 2022

Item(s)	Responsible Person(s)	Comments
Policy Scrutiny Work Programme 2022 -2023	Democratic Services	Regular Report
Neighbourhood Working Update	Paul Carrick/ Andrew McNeil	Requested at meeting on 15 th March 2022
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report
Review of Facilities Strategy	Steve Lockwood	Annual Review
Recycling- paper and card collections proposal	Steve Bird	

22 November 2022

Item(s)	Responsible Person(s)	Comments
Post Implementation Review – Public Conveniences	Steve Bird	Requested by committee at meeting held on 24 August 2021
Protecting Vulnerable People Update	Paula Burton	
Policy Scrutiny Work Programme 2022-2023 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

10 January 2023

Item(s)	Responsible Person(s)	Comments
Policy Scrutiny Work Programme 2022-2023 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

14 March 2023

Item(s)	Responsible Person(s)	Comments
Policy Scrutiny Work Programme 2023-2024 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

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EXECUTIVE WORK PROGRAMME

August 2022 – July 2023

NOTES

1. The Leader in consultation with the Chief Executive and Town Clerk prepares an Executive Work Programme to cover a period of twelve months.
2. The Executive Work Programme contains matters which the Leader has reason to believe will be the subject of a key decision during the period covered by the Plan or Executive decisions which are likely to be taken in private.
3. A Key Decision is one which is likely:
 - a) to result in the Local Authority incurring expenditure which is , or the making of savings which are, significant having regard to the Local Authority's budget for the service or function to which it relates; or
 - b) to be significant in terms of its effect on communities living or working in an area comprising 2 or more wards in the area of the local authority.
4. Whilst the majority of the Executive's business at the meetings listed in the Executive Work Programme will be open to the public and media organisations to attend, there will be some business to be considered that contains, for example, confidential, commercially sensitive or person information.

This document serves as formal notice under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that certain items in the Executive Work Programme will be considered in private because the item contains exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. If an item is to be considered in private this will indicated on the individual decision notice.

If you have any queries, please telephone 01522 873387 or email democratic.services@lincoln.gov.uk.

EXECUTIVE WORK PROGRAMME SUMMARY

Date of Decision	Decision	Decision: Summary	Decision Taken By	Key Decision	Exempt Information
22 August 2022	Social Media Policy	To approve Social Media Policy	Executive	No	Public
22 August 2022	Building Safety Engagement Strategy	To approve the Resident Engagement Strategy for Building Safety 2021	Executive	No	Public
22 August 2022	Financial Performance Quarterly Monitoring	To present to Executive the first quarter's financial performance 2022/23	Executive	No	Public
22 August 2022	Operational Performance Quarterly Monitoring Report	To present to Members a summary of the operational performance position for the first quarter of the financial year 2022/23	Executive	No	Public
22 August 2022	Strategic Risk Register Quarterly Review	To provide the Executive with a status report of the revised Strategic Risk Register as at the end of the first quarter 2022/23.	Executive	No	Partly Private
22 August 2022	Hope Wood Tree Planting Initiative	Transfer of responsibilities of land between Council departments to permit tree planting.	Executive	No	Public
22 August 2022	Potential Housing Development Acquisition	To seek Executive approval	Executive	Yes	Private
19 September 2022	Disposal of Property	To seek Executive approval.	Executive	No	Private

19 September 2022	To Dispose of Unused Land for the Provision of Supported Accommodation	To seek Executive approval.	Executive	Yes	Private
19 September 2022	Greetwell Place Managed Workspace - Future Arrangements	Nature of the City Council's involvement in the operation of Greetwell Place	Executive	Yes	Private
19 September 2022	CCTV Revised Code of Practice	Adopting the revised CoP	Executive	No	Private
19 September 2022	Housing Pipeline Approach	Decision on the approach to developing a housing pipeline on City Council owned land	Executive	Yes	Public
19 September 2022	Disposal of a Council Property	To seek approval to dispose of 53 Belmont Street to Investors of Lincoln for community use	Executive	Yes	Private
19 September 2022	BULKY COLLECTIONS	To review options.	Executive	No	Private
17 October 2022	Western Growth Corridor-Next Steps	Decision on the next steps for landowner delivery of the development	Executive	Yes	Private
17 October 2022	Health & Wellbeing Strategy	Adoption and next steps on the Health & Wellbeing Strategy	Executive	Yes	Public
17 October 2022	Western Growth Corridor - Next Steps	Decision on the next steps for landowner delivery of the development	Executive	Yes	Public
17 October 2022	Financial Procedure Rules	To recommend to Full Council the adoption of the revised Financial Procedure Rules	Executive	No	Public

21 November 2022	Strategic Risk Register Quarterly Review	To provide the Executive with a status report of the revised Strategic Risk Register as at the end of the second quarter 2022/23.	Executive	No	Partly Private
21 November 2022	Financial Performance Quarterly Monitoring	To present to Executive the second quarter's financial performance 2022/23	Executive	No	Public
21 November 2022	Operational Performance Quarterly Monitoring Report	To present to Members a summary of the operational performance position for the second quarter of the financial year 2022/23	Executive	No	Public
20 February 2023	Operational Performance Quarterly Monitoring Report	To present to Members a summary of the operational performance position for the third quarter of the financial year 2022/23	Executive	No	Public
20 February 2023	Financial Performance Quarterly Monitoring	To present to Executive the third quarter's financial performance 2022/23	Executive	No	Public
20 February 2023	Strategic Risk Register Quarterly Review	To provide the Executive with a status report of the revised Strategic Risk Register as at the end of the third quarter 2022/23.	Executive	No	Partly Private
30 May 2023	Operational Performance Quarterly Monitoring Report	To present to Members a summary of the operational performance position for the fourth quarter of the financial year 2022/23	Executive	No	Public
30 May 2023	Financial Performance Quarterly Monitoring	To present to Executive the fourth quarter's financial performance 2022/23	Executive	No	Public
30 May 2023	Strategic Risk Register Quarterly Review	To provide the Executive with a status report of the revised Strategic Risk Register as at the end of the fourth quarter 2022/23.	Executive	No	Partly Private

19 June 2023	Treasury Management Stewardship and Actual Prudential Indicators Report 2022/23 (Outturn)	To review the treasury management out-turn of the City of Lincoln Council 2022/23	Executive	No	Public
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SUBJECT:	EXCLUSION OF THE PRESS & PUBLIC
DIRECTORATE:	CHIEF EXECUTIVE & TOWN CLERK
REPORT AUTHOR:	CAROLYN WHEATER, MONITORING OFFICER

1. Purpose of Report

1.1 To advise members that any agenda items following this report are considered to contain exempt or confidential information for the reasons specified on the front page of the agenda for this meeting.

2. Recommendation

2.1 It is recommended that the press and public be excluded from the meeting at this point as it is likely that if members of the press or public were present there would be disclosure to them of exempt or confidential information.

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