

**Manchester City Council
Report for Resolution**

Report to: Executive – 17 November 2021
Subject: Update of CCTV Code of Practice
Report of: Strategic Director (Neighbourhoods)

Summary

The report advises the Executive of changes required to the Council's CCTV Code of Practice (COP) since it was last updated in 2019.

Recommendations

The Executive is recommended to approve the updated Manchester City Council CCTV Code of Practice.

Wards Affected - All

Environmental Impact Assessment - the impact of the decisions proposed in this report on achieving the zero-carbon target for the city

This decision does not have any direct impact on achieving the target of a zero-carbon city

Our Manchester Strategy outcomes	Contribution to the strategy
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	Amongst the defined purposes for which the CCTV camera system is used in Manchester as outlined in the COP are: i) to increase public safety for those who live, work, or trade within and visit Manchester; and ii) to assist in developing the economic wellbeing of the Manchester area and to encourage greater use of the City Centre.
A highly skilled city: world class and home-grown talent sustaining the city's economic success	Not directly applicable.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	Not directly applicable.

A liveable and low carbon city: a destination of choice to live, visit, work	The effective use of the CCTV system has a significant role to play in promoting Manchester as a destination of choice through other defined purposes which include the deterrence and detection of crime, disorder and anti-social behaviour, enhancing community safety and assisting in overall management of public places.
A connected city: world class infrastructure and connectivity to drive growth	Not directly applicable

Full details are in the body of the report, along with any implications for

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

None directly.

Financial Consequences – Capital

None directly

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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents

are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

1. Manchester City Council CCTV Code of Practice version 2.0 issued in September 2019.

1.0 Introduction

- 1.1 The Council operates a public area closed circuit television (CCTV) system in Manchester through its appointed contractor Mitie Ltd. The System comprises a number of cameras installed at strategic locations including the City Centre, the A6 corridor, the Wilmslow Road area and areas of east and north Manchester. The public area system is operated from the CCTV Control Room in the City Centre where the images are monitored and recorded.
- 1.2 The Council also operates CCTV at its premises. These are usually standalone systems operated from discrete locations.
- 1.3 Most CCTV footage is sufficiently detailed to enable the identification of individuals. Images of individuals constitute their own personal data and are subject to the provisions of the UK General Data Protection Regulation ('UK GDPR') and the Data Protection Act 2018 ('the DPA').
- 1.4 The operation of CCTV systems can therefore create tensions between the privacy rights of individuals and the interests of protecting the public. This is reflected in the body of legislation that covers their use: not only the UK GDPR and the DPA but also the Human Rights Act 1998, the Regulation of Investigatory Powers Act 2000, the Freedom of Information Act 2000 and the Protection of Freedoms Act 2012. The Council's COP is intended to provide comfort to the public that the Council's CCTV systems are operated properly within the legislative framework and that the public's rights to privacy are balanced with public protection.

2.0 Background

- 2.1 The Manchester City Council CCTV Code of Practice was last updated in September 2019 to reflect the advice and guidance in the Home Office Surveillance Camera Code of Practice, the Information Commissioner's Office ('ICO') CCTV Code of Practice and the National Surveillance Camera Strategy for England and Wales.
- 2.2 Paragraph 10.2.1 of the current COP requires that it will be reviewed every two years unless there is a change in legislation or policy which warrants a review within that period. The COP has been reviewed and revised in line with the two-year period in paragraph 10.2.1.

3.0 The updated Manchester City Council CCTV Code of Practice

- 3.1 The only significant change to the COP is the insertion of paragraph 5.4.3.4 relating to the operation of the CCTV system by the Greater Manchester Police ('GMP') as detailed further below. The other amendments are minor only to take account of changes to the title of legislation, changes to procedure and a small number of typographical errors. The revised COP is attached as an Appendix to this report and all changes are highlighted in bold text.

- 3.2 In terms of new paragraph 5.4.3.4 historically GMP have been able to view footage from the City Council's CCTV system through a number of dedicated feeds provided by the CCTV Control Room. To get a particular view of a camera GMP had to make contact with the CCTV Control Room on each occasion to request a particular camera and a particular view be provided on one of the dedicated feeds. This was the same if GMP wanted to, for example, look at retrospective footage. The existing solution was old, unreliable and cumbersome.
- 3.3 Earlier this year GMP updated its own CCTV infrastructure which increased the functionality of the GMP system for access to more of the Council's CCTV cameras. In line with this increased functionality a number of designated GMP officers in the Silver Command Control room, the City Centre policing team and associated radio operators are now able to view all CCTV cameras in the City Centre independently of a Council CCTV operator. In addition to being able to view a camera those GMP officers also have the ability to use the pan, tilt, and zoom features of all cameras they have access to. GMP cannot however make a copy of any CCTV footage using the increased functionality and will still need to formally request copies they need from the Council. All such viewing and use of the features of the CCTV cameras is controlled through a single generic user account and GMP keep records to show which individual officers are using the CCTV cameras at any time. This gives assurance and accountability around the access GMP has. Representatives of the Council, and other Greater Manchester partners such as the Greater Manchester Fire & Rescue Service and the North West Ambulance Service also have access to view the CCTV feedback when working in the Silver Command Control room.
- 3.4 The new solution means GMP can operate more effectively and efficiently without reliance on the CCTV control room operators. This will assist GMP in policing large scale events and incidents in the City Centre as they are able to access footage more quickly leaving the CCTV Control Room to focus on managing the CCTV cameras to support the management of the city in line with agreed priorities.
- 3.5 The Council facilitated a pilot exercise of the new arrangements during the period 1st to 6th October 2021 just prior to and during the Conservative Party Conference held at Manchester Central. The pilot will be used to evaluate the arrangement being implemented into the live environment and will also feed into the completion of a Data Protection Impact Assessment to assess privacy risks. The Council and GMP will also enter into a Data Sharing Agreement setting out the purposes for which personal data shared as a result of the revised arrangements will be used as well as each party's respective role.

4.0 Contributing to a Zero-Carbon City

- 4.1 This decision does not have any direct impact on achieving the target of a zero-carbon city.

5.0 Contributing to the Our Manchester Strategy

(a) A thriving and sustainable city

5.1 Amongst the defined purposes for which the CCTV camera system is used in Manchester as outlined in the COP are:

- i) to increase public safety for those who live, work, or trade within and visit Manchester; and
- ii) to assist in developing the economic wellbeing of the Manchester area and to encourage greater use of the City Centre.

(b) A highly skilled city

5.2 Not directly applicable.

(c) A progressive and equitable city

5.3 Not directly applicable.

(d) A liveable and low carbon city

5.4 The effective use of the CCTV system has a significant role to play in promoting Manchester as a destination of choice through other defined purposes which include the deterrence and detection of crime, disorder and anti-social behaviour, enhancing community safety and assisting in overall management of public places.

(e) A connected city

5.5 Not directly applicable.

6.0 Key Policies and Considerations

(a) Equal Opportunities

6.1 None

(b) Risk Management

6.2 The COP addresses the legal and policy issues which should ensure that the CCTV system operates within a lawful framework including accountability, assessment, monitoring and review of the CCTV system.

(c) Legal Considerations

6.3 These have been addressed in the body of this report and in the CCTV COP which is the subject of this report.