

Recommended 'Minimum' requirements for CCTV Systems within Westminster Borough

Westminster Police recommend that you read and understand the aide memoire for effective CCTV systems produced by the Association of Chief Police Officers (ACPO). Westminster Police working in partnership with Westminster City Council also recommend that all premises within Westminster adopt the following standards.

- The system must comply with the Data Protection Act 1998 and be registered with the Data Protection Commissioners – Tel No 01625 545745 or www.dataprotection.gov.uk
- All recording equipment must be stored in a secure area with access restricted to authorised staff only. The video recorder and tapes must be stored in lockable cabinets. A written record must be made by the person accessing the equipment showing the time, date, printed name and signature. Tapes must be kept for 31 days on a roll around basis.
- All 'Entry' and 'Exit' points must be monitored (recorded CCTV pictures), by a camera that records EVERY person entering in any light conditions to a minimum standard of 'frontal' identification. In certain circumstances 'full frontal' recognition may be acceptable (see ACPO guidelines to explain identification and recognition)
- Additionally nightclubs/pubs must have dance floors, fire exits and areas where security searches are carried out monitored in all light conditions
- Further monitoring will be at the recommendation of the CPO taking into account any identified risks. This may include places such as cash offices, external areas etc
- Constant recording is recommended for all cameras. A 'real time' recorder giving an update time of less than ONE second between camera pictures of the same scene will be required.
- No split screen or rolling monitors should be on view to the public as this identifies monitored areas
- NOTE – where it is shown that the identified risks are greatly reduced the CPO may agree alternative requirements in consultation with the Sector Inspector and Westminster Crime Reduction Unit.

WLA Commentary

The Westminster Police recommendations go far further than the best practice guidelines issued by the Data Protection Commission. In particular, the following are issues of concern:

- the Data Protection Act requires all CCTV operators to specify the purpose for which they have installed the system and why they require the images. All operators should have a policy statement to this effect which will probably be different for each and will be tailored to the specific requirements of the business. The statement is important because the strict legal requirements on holding tapes, access to them etc are all based on the purpose for which you have installed CCTV in the first place. For example, a CCTV system installed in order to capture evidence of crime or deter crime will clearly need to be more secure, with tapes being kept longer, than a system installed in order to monitor customers or to deter disorder.

The police recommendations ride roughshod over these individual statements of purpose and impose requirements which are clearly designed for systems which are in place to capture evidence of crime.

- operators are required under the Act to hold tapes for no longer than they require for their purpose. It gives the specific example of a licensed premises not needing to hold images for more than 7 days as they will be immediately aware of disorder or a fight on the premises. CCTV systems monitoring streets and town centres have a 31 day suggested retention period. This is the same as the police are proposing for all routine images and will impose a large burden on licensed operators. Also, the DPA states that you must erase the tapes as soon as you have finished using them for the purpose you have installed them. Following the police guidelines may mean you breach this requirement
- the code of practice only requires secure retention of tapes if they are being used for evidential purposes - ie being held by the police. This is an appropriate requirement in these circumstances but not for routine tapes
- Finally, the code of practice places no such stringent requirements on the entry and exit points and areas to be monitored. Again, this will be determined by the purpose for which the system is installed.

Ultimately, operators need only ensure that they are complying with the Data Protection Code of Practice in order to meet their legal requirements. However, as the police guidelines have been drawn up in association with WCC, there is a danger that they will become a standard through a condition on the licence.