

Closed Circuit Television (CCTV) Management and Operation Code of Practice 2019

Managers Guidance for Release of Footage

Most CCTV footage/data releases will be managed and delivered via the shared CCTV control room at Tunbridge Wells Town Hall. This data will be released under the supervision of the Control Room Manager or appointed staff, and it will comply with the CCTV Management and Operation Code of Practice.

Tonbridge and Malling Borough Council can also be contacted directly regarding CCTV footage/data release. This can happen for the Councils stand-alone CCTV systems or directly for areas covered by the shared CCTV control room. If this happens, and in accordance with the CCTV Management and Operation Code of Practice, footage/data can only be released with approval of the CCTV Manager and or the Senior Management Team.

Tonbridge and Malling Borough Council have always controlled the release of CCTV footage/data with the due diligence it requires, and Managers should observe the following key points when a request is being considered.

- (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, or Military Police. (It may be appropriate to put in place special arrangements in response to local requirements).
- (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 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.
- (5) The data controller can refuse an individual request to view if insufficient or inaccurate information is provided. A search request should be reasonably specific, for example, specified to the nearest half-hour.