



# CCTV (Surveillance Camera Code of Practice) City of York Council Internal Audit Report

Business Unit: Corporate Services,  
Responsible Officer: Director of Governance  
Service Manager: Information Governance and Feedback Manager  
Date Issued: 7 August 2023  
Status: Final  
Reference: A1420/003

	P1	P2	P3
Actions	0	3	0
Overall Audit Opinion	Reasonable Assurance		



# Summary and Overall Conclusions

## Introduction

The Biometrics and Surveillance Camera Commissioner (BSCC) has a statutory requirement, under section 29(2) of the Protection of Freedoms Act 2012 (PoFA), to encourage compliance with the Surveillance Camera Code of Practice (Code) issued by the Secretary of State. The council is a 'relevant authority' under the provisions of PoFA and, as such, is bound by responsibilities arising from section 33(1) to have regard to the Surveillance Camera Code (Code) when exercising any functions to which the Code relates.

In practice, this means that the council is expected to operate a system of overt surveillance using legitimate technology in a way that the public would rightly expect and to a standard that maintains public trust and confidence.

The Office of the BSCC issued a survey to all local authorities in July 2022 with the purpose of further assessing compliance with PoFA and the Code. This survey was completed by the council and returned to the BSCC in September 2022.

## Objectives and Scope of the Audit

The purpose of this audit was to provide assurance to management that procedures and controls within the system ensure that:

- Roles and responsibilities with respect to the monitoring and maintenance of overt surveillance systems are understood and carried out effectively
- Key data and sources of information necessary to demonstrate compliance with the SC Code are maintained and can be verified

This audit was undertaken in response to the new Commissioner's survey and heightened focus on Code compliance. It is important that the council has arrangements in place for effectively managing its overt surveillance system and that allow it to put forward confident, evidence-based assertions to the Commissioner. The audit did not involve an in-depth review of the council's compliance with the Code. This will be a topic for a future audit. Instead, it sought to provide assurance that a framework is in place to provide satisfactory oversight, awareness and monitoring of surveillance systems such that the council could demonstrate compliance if requested. The audit did not include a detailed review of how the surveillance systems contract with Gough and Kelly (G&K) is managed.

## Key Findings

The Code requires that the council has in place a Senior Responsible Officer (SRO) and a Single Point of Contact (SPOC). These are both in place. In practice, the role of SRO is delegated from the Director of Governance to the Information Governance and Feedback Manager (the council's DPO). The SRO is responsible for overseeing compliance, determining the size and scale of systems, maintaining data integrity, and holding supporting compliance information on all surveillance schemes. The council has a nominated Single Point of Contact (SPOC) for the contracted service with G&K and for the surveillance systems it directly operates and manages. Regular meetings take

place between G&K and the DPO to ensure compliance with the Code within the contracted service. The council, through G&K, undertakes due diligence and data protection impact assessments (DPIAs) when contracting third party CCTV systems. However, the process of installing new surveillance schemes or updating existing schemes (either managed by a third party or by the council) in accordance with the surveillance systems governance framework was not reviewed in detail as part of this audit.

The duty to have regard to the Code applies when a relevant authority uses a third party to discharge relevant functions covered by the Code and where it enters into partnership arrangements. The council has such an arrangement with G&K who administer and manage most of the council's CCTV installations (totalling approximately 500 cameras) on its behalf. The DPO meets regularly with the G&K CCTV manager, and G&K also undertake due diligence and DPIAs prior to the installation of new CCTV systems it operates on behalf of the council. G&K use the BSCC self-assessment tool (SAT) template to assess and monitor compliance with the Code.

We found that there are a limited number of services within the council that administer and manage their own surveillance systems. These include camera systems for monitoring fly tipping, supported housing facilities, fleet vehicles and bus lanes. We found that there is no single, central register of all CCTV systems and cameras. This information is only collected as part of the survey return.

We reviewed the completed BSCC survey and responses to the audit survey and found that officers of appropriate senior position had been contacted for information to be included in the response where the systems are not managed by the contracted service with G&K. The information submitted to the Commissioner by the DPO and is based on data from G&K and the knowledge of existing systems operated by the council, provided by service areas. As part of the audit, we issued a survey to officers to confirm their understanding of key Code requirements and to verify responses in the return to the BSCC. Source data can be recreated from all systems to evidence the information submitted in the survey. Inconsistencies with the information in the survey returned to the Commissioner and the data received from service areas during the audit could mainly be explained by changes to existing schemes and implementation of new schemes since the BSCC survey was completed. However, there was no information included in the BSCC survey for traffic enforcement cameras and there were 4 buildings with CCTV identified by the Housing service, not managed by G&K, which were not included in the survey.

Under the current arrangements, there is no process for verifying or obtaining satisfactory assurance that information provided by officers is complete and accurate prior to the submission of the BSCC survey. We found that assurance can be placed on the information provided by G&K due to the regular contact maintained with the DPO and G&K's own procedures for self-assessing compliance with the Code under the contract. The surveillance systems governance framework should provide a means of verifying service information for any new or changed systems but, as stated previously, the council does not have a central record of all CCTV systems and cameras which has been verified as complete.

The Office of the BSCC has developed tools that make it easier for organisations to assess and demonstrate how they continue to comply with the Code in the operation of CCTV systems, including a self-assessment tool (SAT). Completion and publication of the SAT and publishing the results are not mandatory. The council last completed a SAT in 2020 for all known installations. There are different impact and risk assessment templates available from regulators. The council has a Data Protection Impact Assessment template based on these

which is completed by the DPO for the contracted service. The responses to the audit survey provided no assurance that non-G&K managed services are using the council's DPIA template document to self-assess compliance where they manage schemes outside of the contracted service.

The council intranet includes the Surveillance Systems Governance Framework which contains a business case template and links to the regulator's website. It also has a section on CCTV which provides details of the contracted service and links to key legislation but does not name the current SPOC and contains an outdated list of buildings/services with CCTV.

### **Overall Conclusions**

There is a generally sound system of governance, risk management and control in place. Some issues, non-compliance or scope for improvement were identified which may put at risk the achievement of objectives in the area audited. Our overall opinion of the controls within the system at the time of the audit was that they provided Reasonable Assurance.

# 1 Register of schemes and cameras

## Issue/Control Weakness

There is no single, central register of all CCTV systems and cameras.

## Risk

Systems in place are not known to the SRO and no information is available on compliance with the Code.

## Findings

The BSCC survey requires local authorities operating public space surveillance camera systems to specify how many systems are operating by type, and how many cameras are in operation. The responsibility for maintaining data integrity and holding supporting compliance information on all surveillance schemes lies with the SRO.

Schemes and cameras managed by G&K can be provided in detail from the CCTV system it maintains. However, the council is reliant on responses to an internal survey to complete information for schemes and cameras managed by its service areas. The internal survey was issued to officers in service areas where it was known that cameras were in operation. There may be other systems in place that are not known to the SRO, historic or new, and, as a result, were not contacted to complete the survey form. The lack of a single, centralised record of the council's internally managed CCTV systems also means it is not possible for the SRO to obtain assurance that the returns provided by service areas are complete and accurate or to provide meaningful challenge to the BSCC data returned from them.

We undertook a reconciliation between information provided by services during the audit to an up-to-date record of CCTV systems managed by G&K and to the information submitted to the BSCC in the council's survey. We found inconsistencies in the number of systems managed by the Housing service. Additional buildings identified as having CCTV systems installed were not included in the BSCC survey return. The survey also did not contain any information on CCTV systems in place for traffic enforcement purposes.

## Agreed Action 1.1

The council will undertake a complete survey of CCTV systems (undertaken via the Survey Monkey platform and issued to both G&K and council service areas), following which a central log of CCTV systems and locations will be compiled and maintained by the SRO.

**Priority**

2

**Responsible Officer**

Monitoring Officer (SRO) (with support from CMT)

**Timescale**

31 October 2023

## 2 Ensuring compliance of internally managed CCTV systems

### Issue/Control Weakness

Compliance information, in the form of a completed SAT and DPIA, is not available for all service-operated CCTV systems.

### Risk

CCTV systems managed directly by council services do not comply with the requirements of the Code.

### Findings

The council last completed a self assessment in 2020. Since then there has been no system-wide review of the CCTV schemes maintained by services.

Knowledge of the compliance of service-operated systems is limited to those where the SRO, and DPO through delegation, are consulted during the procurement and management of new systems, and where updates to existing systems and requests for assistance are received (i.e. as part of the surveillance systems governance framework). Outside of the contracted service with G&K there is no assessment of whether the services known to operate their own surveillance systems comply with the requirements of the Code, how the systems are managed and how requests for information are processed. There is no confirmation of any expertise in the services operating systems in being able to respond appropriately to requests for information.

The council has its own Data Protection Impact Assessment template which supports the use of systems for public safety and law enforcement. A copy of the DPIA, based on ICO/BSCC templates, covering the installations G&K manages was provided during the audit. Where services manage their own CCTV only one service area could provide a completed DPIA for their system, and this had not been completed using the council's template.

### Agreed Action 2.1

A full DPIA will be completed by all CCTV systems owners, utilising the BSCC template, for all systems not maintained by G&K

**Priority**

2

**Responsible Officer**

Monitoring Officer (SRO)

**Timescale**

29 February 2024

## Agreed Action 2.2

Compliance with the Surveillance Camera Code of Practice will be formally assessed via:

- completion of a self-assessment by G&K for the systems that it manages on behalf of the council
- completion of a self-assessment by the council for the systems it directly manages

**Priority**

2

**Responsible Officer**

Monitoring Officer (SRO)

**Timescale**

30 April 2024

## Audit Opinions and Priorities for Actions

### Audit Opinions

Our work is based on using a variety of audit techniques to test the operation of systems. This may include sampling and data analysis of wider populations. It cannot guarantee the elimination of fraud or error. Our opinion relates only to the objectives set out in the audit scope and is based on risks related to those objectives that we identify at the time of the audit.

Our overall audit opinion is based on 4 grades of opinion, as set out below.

### Opinion Assessment of internal control

Substantial Assurance	A sound system of governance, risk management and control exists, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited.
Reasonable Assurance	There is a generally sound system of governance, risk management and control in place. Some issues, non-compliance or scope for improvement were identified which may put at risk the achievement of objectives in the area audited.
Limited Assurance	Significant gaps, weaknesses or non-compliance were identified. Improvement is required to the system of governance, risk management and control to effectively manage risks to the achievement of objectives in the area audited.
No Assurance	Immediate action is required to address fundamental gaps, weaknesses or non-compliance identified. The system of governance, risk management and control is inadequate to effectively manage risks to the achievement of objectives in the area audited.

### Priorities for Actions

Priority 1	A fundamental system weakness, which presents unacceptable risk to the system objectives and requires urgent attention by management.
Priority 2	A significant system weakness, whose impact or frequency presents risks to the system objectives, which needs to be addressed by management.
Priority 3	The system objectives are not exposed to significant risk, but the issue merits attention by management.



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