

Body Worn CCTV Camera Policy



1. Introduction

1.1 This document sets out the company's Policy and Procedural Guidelines for the use of Body Worn CCTV Cameras by its staff.

It will enable employees to comply with the relevant legislation relating to video recording and outline the associated benefits to staff and the general public. It also documents best practice procedures with regard to integrity of data, images and video as well as its security and use.

1.2 The use of Body worn CCTV can provide a number of benefits which include a deterrent to acts of aggression or verbal and physical abuse towards staff, and providing evidence to support police investigations.

1.3 Body Worn CCTV forms part of staff Personal Protective Equipment and is provided solely for Health and Safety purposes.

It will be used in an overt manner and emphasised by staff wearing clear identification that it is a CCTV device.

Prior to commencement of any recording, where possible, staff will give a clear verbal instruction that recording is taking place.

2. Legislation

2.1 The integrity of any video data recorded will be considered in accordance with the following legislation:

- Data Protection Act 1998
- Human Rights Act 1998

2.1 Data Protection Act 1998

The Information Commissioner's Office is the regulator for the Act and has given guidance with regard to the use of Body Worn CCTV equipment.

This legislation regulates the processing of 'personal data' or 'sensitive personal data' whether processed on computer, CCTV, still camera or any other media.

Any recorded image that is aimed at or may identify a particular person is described as 'personal data' and covered by this Act and will include images and audio captured using Body worn equipment.

The use of Body Worn CCTV in this guidance is 'overt use' meaning that equipment is not to be worn or used in a hidden or covert manner.

Where an individual asks to view footage, this is called a 'Subject Access Request'. The requester is only allowed to see footage of themselves and anyone who has provided consent for their images to be viewed by them.

2.2 Human Rights Act 1998

Article 6 provides for the right to a fair trial. All images captured through the use of a Body Worn device have the potential to be used in court proceedings and must be safeguarded by an audit trail in the same way as any other evidence.

Article 8 of the Human Rights Act 1998 concerns the right for private and family life, home and correspondence.

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Recordings of persons in a public place are only public for those present at the time and can still be regarded as potentially private.

Any recorded conversation between members of the public should always be considered private and users of Body worn equipment should not record beyond what is necessary when recording a confrontational situation.

The Company will ensure that the use of Body Worn CCTV is emphasised by staff wearing it in a prominent position (normally on their chest) and that, if fitted its forward-facing display is visible to anyone being recorded - Additionally, staff will make a verbal announcement, where practicable, prior to commencement of any recording.

3. Operational Guidance and Best Practice

3.1 Training

All staff will receive training in the use of Body worn CCTV. This training will include practical use of equipment, operational guidance and best practice, when to commence and cease recording and the legal implications of using such equipment.

3.2 Daily Use

Body Worn CCTV will only be used in the event where staff find themselves in a confrontational situation where they are subject to, or feel that they are likely to be subject to, verbal or physical abuse.

Recordings will not commence until staff have issued a verbal warning, where possible, of their intention to turn on the Body worn device. Recordings will not be made whilst performing normal patrolling duties.

All recordings will be held securely. Access to recordings will be restricted to staff authorised by the Senior Management Team and other interested parties.

3.3 Start of Shift Procedure

At the commencement of each shift staff will ensure that the unit is fully functioning and that it has been cleared of all previous recordings.

The check will also include verifying that the unit is fully charged and that the date and time displayed is correct.

3.4 Recording

Recording must be incident specific. Staff must not indiscriminately record entire duties or patrols and must only use recording to capture video and audio of specific incidents. For the purposes of this guidance an 'incident' is defined as:

- a) An engagement with a person on a client property which in the opinion of the member of staff is confrontational, and where staff believe they may be subject to physical or verbal abuse or for the purpose of evidence gathering for a company Incident report.
- b) Staff are approached by a person on client property in a manner perceived as aggressive or threatening.

At the commencement of any recording staff should, where possible, make a verbal announcement to indicate why recording has been activated, and where possible this should include the date, time and location together with confirmation that the incident is being recorded using video and audio.

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The purpose of issuing a verbal warning is to allow the subject a chance to modify any unacceptable confrontational or aggressive and threatening behaviour.

If, at any time during an incident staff considers that the use of Body Worn CCTV or the issuing of a verbal warning, is likely to inflame a confrontational situation, staff may use discretion to disengage from further discussion and withdraw from the incident.

A specific form of words to be used in any warning to a subject has not been prescribed, but staff should use straightforward speech that can be easily understood by those present such as

"I am wearing a Body worn CCTV camera and I am now recording video and sound"

3.5 Playback

Staff will need to be fully aware of the legal implications once digital images and audio have been recorded.

To this end playback (where available) should only be at the request of a Team Leader/Supervisor or Police Officer attending the incident.

Any request to view captured video by the subject, will need to be made in writing using Subject Access Request Form.

3.6 End of Shift

Team Leader/Supervisors must ensure that any CCTV footage required for evidential purposes has been correctly bookmarked and that any Incident Reports have been completed.

3.7 Storage of Data

All recorded footage will be uploaded to relevant folder within the client file by authorised users only.

The Team Leader/Supervisor on duty will ensure that any footage to be retained has been correctly bookmarked and that supporting Incident Reports have been completed.

For Incidents where the Police have not been in attendance the Team Leader/Supervisor will review the recording and a decision will be made on whether referral to the Police is appropriate.

All retained data will be kept until all investigations have been completed or a prosecution has taken place. Any other data not required for evidential purposes will be deleted after 31 days.

Signed:

A handwritten signature in black ink, appearing to read 'James Bancroft', written over a light blue circular stamp.

Name: James Bancroft

Position: Managing Director

Date: 07.12.2017