



North Essex Parking Partnership

**Policy and Operational Procedural
Guidelines**

For the use of

DASHCAM CCTV CAMERAS

1. Introduction

- 1.1 This document sets out North Essex Parking Partnership's (NEPP) Policy and Procedural Guidelines for the use of dashcam CCTV cameras by Officers within NEPP.

It will enable employees to comply with relevant legislation relating to video recording.

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 dashcam CCTV cameras can provide a number of benefits which include a deterrent to acts of aggression and physical abuse toward NEPP Officers driving marked vehicles, in addition to providing evidence to support internal, insurance or Police investigations.
- 1.3 Dashcams will be used in an overt manner placed in the front windscreen of each marked vehicle as is standard practice by users of these devices.
- 1.4 Dashcam CCTV footage will not be used to gather evidence for Parking Enforcement purposes nor will it be used as a tool to assist in the ad-hoc monitoring of staff.

2. Legislation & Statutory Guidance

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

Data Protection Act 1998

Freedom of Information Act 2000

Human Rights Act 1998

Protection of Freedoms Act 2012

Home Office Surveillance Camera Code of Practice

Information Commissioners Code of Practice

2.2 Data Protection Act 1998

The Information Commissioner's Office is the regulator for the Act and has given guidance with regard to CEO use of body worn CCTV equipment. This guidance is what is considered when using Dash Cam CCTV Cameras. 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 captured using Dashcams. The use of dash cam CCTV footage in this guidance is 'overt use' meaning that equipment is not to be 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.

2.3 Freedom of Information Act 2000

This Act grants a general right of access to information held by public bodies, which is not personal data. Information released under FOI can include statistical and other non-personal information.

2.4 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 for use 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. 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 this equipment should be aware of this.

2.5 Protection of Freedoms Act 2012

Part 2 creates new regulation for, and instructs the Secretary of State to prepare a code of practice towards, closed-circuit television and automatic number plate recognition.

Chapter 1 gives the full regulatory legislation of CCTV and other surveillance camera technology which relates to a Code of Practice and interpretations.

2.5 Home Office Surveillance Camera Code of Practice

The integrity of any video data recorded will be considered in accordance with this Statutory Guidance.

3. On Street Operational Guidance and Best Practice

3.1 Training

All users will receive training in the use of dashcam CCTV footage. This training will include practical use of equipment, and best practice, when to commence and cease recording and the legal implications of using such equipment.

3.2 Daily Use

Dashcam CCTV cameras will be used whenever a dashcam is available in a NEPP vehicle which is in use. The cameras will be used in the vehicles and turn on automatically when the engine is switched on and cease to record seconds after the engine has been turned off.

Recordings will not be made for the gathering of any evidence related to a parking contravention.

All recordings will be held on a secure laptop. General access to recordings will be restricted to authorized personnel in the Parking Team and Senior Managers responsible for Parking Services.

3.3 Start of Shift Procedure

Vehicles will be issued with their own dashcam CCTV device. At the commencement of each shift the officer will ensure that the unit is fully functioning.

3.4 Recording

Recording will take place from when the engine is switched on until the engine is switched off unless a non-threatening conversation is taking place when the vehicle is parked, then the Officer should either switch off the engine or turn off the recording capability of the device.

3.5 Playback

CEOs will need to be fully aware of the legal implications once digital images and audio have been recorded. To this end playback should only be at the request of a Police Officer attending the incident.

Any request to view captured video by a member of the public will need to be made in writing to Colchester City Council in line with the 'subject access procedure'. Evidence of identity prior to viewing must also be provided.

3.6 End of Shift

Officers should place the camera and its sd card in the designated safe place ready for the downloading process to take place if any footage recorded is to be marked as evidential and downloaded due to an incident.

3.7 Storage of Data

All recorded footage will be uploaded to a secure laptop by persons authorized by NEPP management.

Footage detailing an incident will be provided for insurance purposes or to the police for criminal investigations if necessary, then will be kept until all investigations have been completed or prosecution has taken place before deletion. All data not required for evidential purposes will be overwritten automatically by the dashcam.

3.8 Transfer of data

Any footage requested by the police as part of their investigation will be sent via the police's secure operating systems. Once in their possession the footage will fall under the police policy and guidelines for Data Protection.

Details of this process and any relevant information i.e. PC name or collar number, date, time etc will be logged so there is a full audit trail.

Any footage requested by the insurance company as part of their investigation will be burnt to disc, labeled as an official exhibit and handed to them. Once in their possession the disc will fall under their policy and guidelines for Data Protection.

Details of this process and any relevant information will be logged so there is a full audit trail.