



BODY WORN VIDEO CAMERAS POLICY

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Policy Owner: Siôn Hughes, Assistant Director Customers & Communities

Policy Contact: Geraint Jones, Neighbourhood Services Manager



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1.0 SCOPE

- 1.1 This policy explains how Adra (Tai) Cyfyngedig will approach and use of Body Worn Video Cameras (BWVC), to ensure that Adra are compliant with relevant legislation and codes of practice.
- 1.2 A Code of Practice (Surveillance Camera Code of Practice) (the “Code of Conduct”) has been issued in 2013 by the Secretary of State to provide guidance on the appropriate and effective use of surveillance camera systems (which includes body-worn cameras) to relevant authorities. Whilst a ‘landlord’ or ‘social landlord does not fall within the definition of ‘relevant authorities’, the Code of Practice encourages other operators and users of surveillance camera systems to adopt the code voluntarily. The Code of Practice denotes 12 principles that system operators should adopt when using surveillance systems. This policy addresses the 12 principles included in the Code of Practice.
- 1.3 The intention is for the use of BWVC to:
- Protect Staff at work for Health & Safety purposes
 - Deter acts of aggression or verbal and physical abuse against staff
 - Protect Staff from false allegations of inappropriate conduct
 - Maintain public trust and confidence
 - Provide evidential material where appropriate
- 1.4 The policy applies to all members of Adra Staff. Staff will be required to use the equipment in line with the policy

2.0 PURPOSE

- 2.1 As part of discharging their housing management duties, Adra staff are often vulnerable to verbal and physical abuse, and Adra sometimes receives complaints about the behaviour of staff. BWVC’s can act as a deterrent to abusive and aggressive behaviour and prevent a situation escalating, and the recording can also be used in a case where a staff member is assaulted or abused. It could also be used to investigate complaints about members of staff. The camera which has both video and audio capability is used to record this evidence.
- 2.2 The BWVC will not be used as a tool to assist in the monitoring of Adra staff.
- 2.3 The BWVC shall not be used as a tool for directed or covert surveillance unless prior authorisation has been granted by a Magistrate under the provisions of the Regulation of Investigatory Powers Act 2000.

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- 2.4 The use of BWVC must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need, but must take into account its effect on individuals and their privacy, with regular reviews of this policy to ensure its use remains justified.
- 2.5 As per the Code of Conduct, to ensure transparency in the use of a BWVC, there must be a published contact point for access to information and complaints. The contact point within Adra shall be the Contact Centre (0300 123 8084)
- 2.6 When the use of BWVC is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of deterring aggressive behaviour and processing images of evidential value.

3.0 LEGISLATION AND STATUTORY GUIDANCE

- 3.1 The following legislation and guidance is applicable to the use of BWVC's:
- General Data Protection Regulation 2016/679
 - Data Protection Act 2018
 - Freedom of Information Act 2000
 - Human Rights Act 2000
 - Protection of Freedoms Act 2012
 - Home Office Surveillance Camera Code of Practice
 - Information Commissioner's Office in the Picture: A data protection code of practice for surveillance cameras
- 3.2 General Data Protection Regulation: The Information Commissioner's Office regulates this Act and has issued guidance regarding BWVC and their capture of 'personal data' and 'sensitive personal data'. Recorded images that are aimed at or may identify a particular individual is 'personal data' and this includes images and audio captured on such recording devices. The guidance makes reference to 'overt use' meaning that the equipment is not to be worn or used in a hidden or covert manner.
- 3.3 Data Protection Act 2018: This act makes provision about the processing of personal data. Adra collects and uses personal information to provide services. Individuals may make an application to access footage captured on BWVC's in accordance with their rights under DPA 2018.
- 3.4 Freedom of Information Act 2000: this act grants a general right of access to information held by public bodies which is not personal data.



- 3.5 Human Rights Act 1998: Article 6 provides the right to a fair trial. All images captured through the use of a BWVC have the potential to be used in Court proceedings and must be safeguarded by an audit trail in the same way as any other article of evidence. Article 8 of the Act concerns the right for private and family life, home and correspondence.
- 3.6 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 closed-circuit television and other surveillance camera technology which relates to a code of practice and interpretations.
- 3.7 Home Office Surveillance Camera Code of practice: the integrity of any video data captured will be considered in accordance with this statutory guidance.
- 3.8 Information Commissioners Office In the Picture: A data protection code of practice for surveillance cameras and personal information: this statutory guidance complements the Home Office Surveillance Camera Code of Practice with respect to body worn closed circuit television equipment.

4.0 USING BODY WORN CAMERAS

- 4.1 It is a requirement that all staff sign a User Agreement Document to confirm they have read this policy and they agree to operate in agreement with the policy.
- 4.2 The BWVC's must not be activated for recording constantly. The BWVC's must only be activated at any time the member of staff deems the behaviour of a third party as being threatening or abusive or the collection of evidence is necessary. When activating the BWVC, the member of staff is required, and whenever possible to inform third parties that the recording device has been activated. Any recorded conversation between individuals should always be regarded as private and users of body worn cameras should ensure that they refrain from recording anything which is beyond necessary with respect to a confrontational situation.
- 4.3 Members of staff will attempt to minimise the recording of persons present but not involved in any incident by keeping the camera focussed on the incident and not bystanders. (Collateral Intrusion)



5.0 DATA PROTECTION CONSIDERATIONS

- 5.1 No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system and such images should be deleted once their purposes have been discharged.
- 5.2 All images remain the property of Adra but may be released to third parties in the following circumstances:
- Requests from the Police for evidence relating to criminal incidents that may have been inadvertently captured on the unit.
 - Requests from the police for evidence relating to an assault that has been reported to them by a member of Adra staff.
 - Requests for footage from members of the public
- 5.3 In certain circumstances, a Data Protection Impact Statement will need to be carried out.

6.0 DATA STORAGE

- 6.1 All data recorded will be deleted at the end of the Officer's working day, unless an incident as defined in Section 2 has occurred, as a result the recording will be downloaded and retained for a period of 30 days. Unless 6.2 applies, all recordings will be permanently deleted after a period of 30 days.
- 6.2 BWVC recordings will only be retained for longer than 30 days in instances where the data is evidential and the case has not been concluded. Recordings may only be accessed by the appropriate Data Controller.
- 6.3 Retained recordings shall only be available for review by the Neighbourhood Services Team and shall only be accessed to address a legitimate aim, such as for the purposes of addressing anti-social behaviour issues.

7.0 REPORTING OF INCIDENTS

- 7.1 All incidents where staff have been subjected to physical or verbal abuse must be reported to the Contact Centre as soon as possible on 0300 123 8084



8.0 MONITORING

8.1 Line Managers must carry out monitoring checks to ensure their staff are complying with this policy. Compliance with this policy shall be included as a standing item in each 1 to 1 session. The line manager will also immediately raise any incidents of non-conformance with the staff concerned and agree any corrective actions

RECORD OF REVISIONS TO THIS PROCESS

[Provide information of any revisions made to the policy including detail of what has been changed since the previous version and who made the revision.]

| Issue | Date | Comments (What has been revised?) | Written By | Approved for content |
|-------|------------|-----------------------------------|---------------|----------------------|
| 1 | 01.09.2019 | New Policy | Geraint Jones | Siôn Hughes |
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8.0 EQUALITY AND DIVERSITY

8.1 The policy has been reviewed against the Equality and Diversity screening document and it was confirmed that there are no implications with regard to the Equality Act 2010 that require further assessment or mitigations

9.0 GENERAL DATA PROTECTION REGULATIONS (GDPR)

9.1 The policy has been reviewed against the Data Protection Impact Assessment screening document and further reviewed as part of a full DPIA assessment due to the processing of sensitive personal data. All identified security measures shall be put in place with management oversight to ensure full compliance.



10.0 Appendix A

PROCESS

Community Housing Officer to use body cam when visiting properties that are included on the staff safety warning register or if they feel at risk of verbal or physical abuse.



Community Housing Officer to switch the video function on and inform tenant that they are recording all visual and audio

Request received by Tenant for footage. Footage to be shared through secure e-mail /disc format.



The Community Housing Officer should then also activate the red alert on their Lone Working device if the use of the camera does not placate the situation. NSO to return to their vehicle and report the incident by calling Adra Call Centre and Police if required.



CHO to upload Body Cam footage on to the R: Drive and send their Line Manger and HSQE a link to the footage. Any footage shot in error to or does not fall within Section 2 of this Policy shall be deleted at the end of the same working day.

Request received by Emergency Services for footage. Footage To be shared through secure mail.



Warning note to be included on the property in question. Footage to be discussed in next Staff Safety Panel meeting remedial actions to take place.



All footage should be deleted from the R: Drive 30 days after it is shot unless it is required for evidential purposes.



APPENDIX B

BODY WORN VIDEO CAMERAS

USER AGREEMENT

Between Adra (Tai) Cyfyngedig (Employer)
And

..... (Employee)

As a condition of wearing and using a Body Worn Video Camera (BWVC), I understand that I am subject to restrictions and guidelines with regards to it's use. This document serves as acknowledgement of my acceptance and agreement with the guidelines.

- By signing below, I agree to the guidelines set out in Adra's BWVC Policy in relation to using the equipment and confirm my understanding of the Policy Content.
- I understand that any damage to the equipment due to misuse or negligence may result in me (the employee) being liable for the costs of repair / replacement.

Signed.....

Print Name.....

Position.....

Dated.....