

Vehicle Mounted CCTV Usage Policy

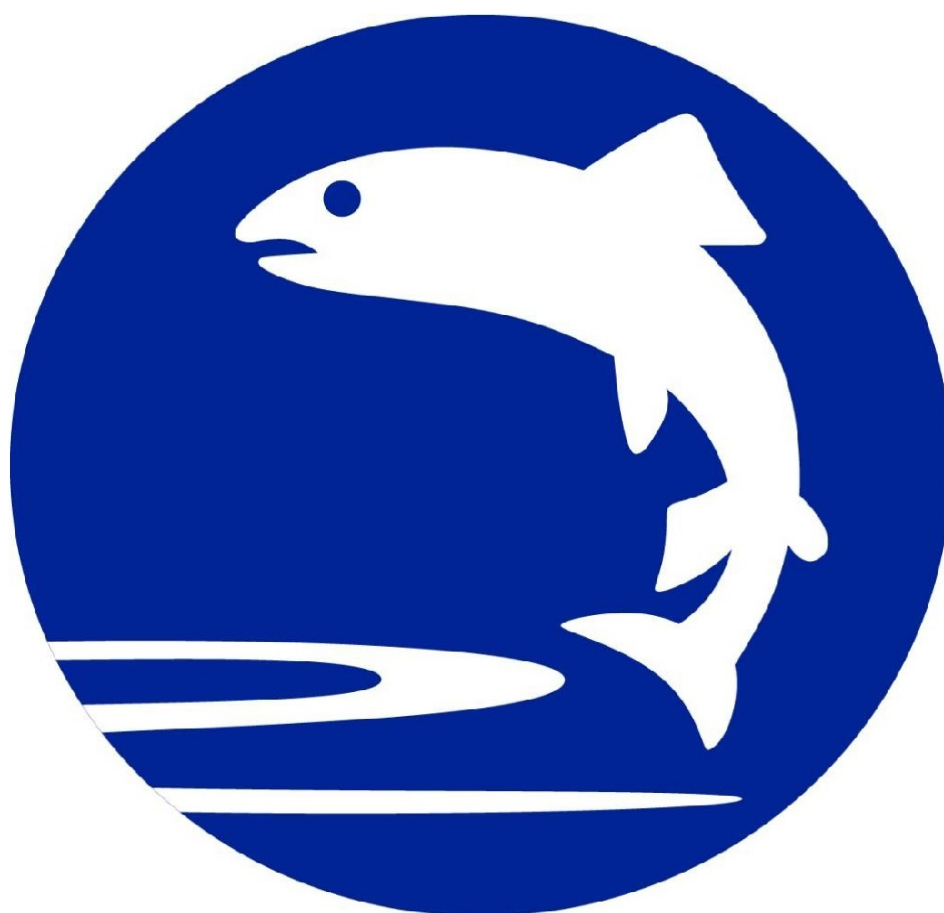


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VEHICLE MOUNTED CCTV USAGE POLICY

1. INTRODUCTION

The Council has in place a vehicle mounted closed circuit television (“CCTV”) system to provide a safe and secure working environment for employees, and to protect Council property.

This document sets out the accepted use and management of the CCTV system and images to ensure that the Council complies with the Data Protection Act 2018 (DPA), Human Rights Act 1998 (HRA), the General Data Protection Regulation and other legislation.

We have produced this policy in accordance with the Amended Surveillance Camera Code of Practice, [Information Commissioner's CCTV Code](#) and the [Council's Corporate Surveillance Policy](#).

2. PURPOSE OF VEHICLE MOUNTED CCTV

A number of advantages for using CCTV have been identified to support safe and best practice working environments, which include:

- Protecting employees where other road users pose a risk.
- Preventing or detecting criminal activity within the vicinity of council vehicles
- The ability to analyse accidents, near miss incidents and dangerous activities to help prevent future occurrences.
- Supporting prompt investigation of insurance claims and possible reduction in insurance premium costs over time.
- Investigating events following complaints or accusations from the public, to ensure decisions are made on all available facts, and supporting employees where complaints are unfounded.
- Supporting employee processes, where there is a reasonable suspicion or a reason to investigate further, including potential conduct investigations

The system will be provided and operated in a way that is consistent with an individual's right to privacy. The system will not be used to record sound or undertake covert surveillance

Where there is a request to share images for communication reasons, including news stories, images will only be shared in exceptional circumstances and subject to the approval of the Head of Environmental Service.

Requests for information under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004 will be dealt with in accordance with those pieces of legislation and Data Subject Access requests will be dealt with in accordance with the Data Protection Act 2018 and the General Data Protection Regulation 2016.

3. RESPONSIBILITY FOR THE CCTV SYSTEM

- The CCTV surveillance system is owned by TVBC.
- The Transport, Compliance & Procurement Manager is responsible for the day-to-day operation of the system and ensuring compliance with this policy.

4. OVERVIEW OF THE SYSTEM

- 360° cameras, normally four, will be positioned to record images of the immediate area surrounding the vehicle, these are fitted to our larger vehicles eg 15t and larger. We do not currently have any fleet between 7.5t and 15t.
- Forward facing cameras are fitted to light commercial vans and up to and including 7.5t. They will give a wide-angle view forward from the centre of the windscreen.
- The footage does not cover the inside of any Council vehicles.
- Footage will be automatically overwritten on a time basis (approx.194 hours of footage for 360 degree cameras and approx. 776 hours of footage for forward facing cameras) .
- Sound will not be recorded by any system.
- Footage will be embedded with information including the registration number of the vehicle to which it is fitted, date and time.
- Notices will be placed on the vehicles informing the public that CCTV is being recorded for the purposes of health and safety.

5. RECORDED DATA

- If an incident is identified, the footage will be viewed by an authorised manager or supervisor in accordance with this policy.
- Files not required for evidence will be deleted by being automatically overwritten on a time basis (194 hours of footage for 360-degree cameras and 776 hours of footage for forward facing cameras).
- Files used for evidence may be kept in line with retention Policy

6. DATA PROTECTION ACT 2018

- For the purpose of the Data Protection Act 2018, TVBC is the Data Controller.
- If CCTV digital images show a recognisable person, they are personal data and are covered by the Data Protection Act 2018.
- This policy should be reviewed in association with the Council's Data Protection Policy, the provisions of which will be adhered to at all times.
- The Council is required to register its processing of personal data (including CCTV) with the Information Commissioner's Office (ICO). TVBC's ICO notification registration number is Z5449999.

- The appropriateness of and reasons for using CCTV will be assessed and documented using the Viewing Log [Appendix A].
- A Data Privacy Impact Assessment has been carried out in respect of these cameras

7. ACCESS TO IMAGES/OPERATIONAL GUIDANCE

Access to images and data images will be restricted to those that need to have access in accordance with the purposes of the system, which may include the Environmental Service Managers, the Building Maintenance Manager, and the Transport, Compliance & Procurement Manager or those who have a legitimate request under the Freedom of Information Act or Environmental Information Regulations. A log is kept of all those viewing. Data is stored in the locked black box of each vehicle (a key is needed to remove the black box from each vehicle, and this is undertaken by a vehicle technician). Viewing takes place in a private office using a USB cable which is again stored securely by the Transport, Compliance & Procurement Manager. No unauthorised persons are to be present. If an employee does interrupt, viewing must cease immediately.

The viewing log (insert link) must be completed after viewing, with the signatures of all officers present, and kept in the CCTV usage file. If the data needs to be viewed at a later date, then a viewing log must be completed again.

Files that are downloaded from the system must be kept in a password protected folder within the Environmental Service electronic filing system.

Files that are not required should be deleted as per the retention schedule (if removed from the system, the files must be kept for the duration of the investigation. For a conviction, the files must be kept for 6 years in line with the retention schedule)

8. DISCLOSURE / INFORMATION RIGHTS

Disclosure of recorded material can be made to third parties but not limited to the following: -

- Police and other law enforcement agencies where the images recorded could assist in a specific criminal enquiry and/or the prevention of terrorism and disorder.
- Prosecution agencies.
- TVBC managers and HR (in the course of an employee relations matter, for example a disciplinary matter) to ensure compliance with TVBC policies and procedures.
- People whose images have been recorded and retained if they request access (unless disclosure to the individual would prejudice criminal enquiries).
- Third parties who make a request for access under the Freedom of Information Act or the Environmental Information Regulations, where an exemption or exception from disclosure does not apply.

9. INDIVIDUAL (EMPLOYEE) ACCESS RIGHTS

The Data Protection Act 2018 gives individuals the right to access personal information about themselves, including CCTV images.

All requests for access to a copy of CCTV footage by individuals should be made in writing via a subject access email address freedomofinformation@testvalley.gov.uk

Requests for access to CCTV images must include: -

- a) The date and time the images were recorded
- b) Information to identify the individual, if necessary
- c) Proof of identity

10. ACCESS TO IMAGES BY THIRD PARTIES

Third parties have a right to make a request for information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. 'Information' in this context includes images or footage. Any request for information will be dealt with in accordance with the processes set out in the Act and Regulations. There are a number of exemptions and exceptions which may apply, meaning that request may or may not be granted, but each case must be assessed on its own merits.

All third-party requests for access to a copy of CCTV footage should be made in writing to the Transport, Compliance & Procurement Manager. If a law enforcement or prosecution agency is requesting access, they should make a request under Schedule 2, Part 1, Section 2(1)(a) the prevention and detection of crime or 2(1)(b) the apprehension or prosecution of offenders of the Data Protection Act 2018. Any other third-party requesting access to CCTV footage should use the Subject Access Request form.

11. REQUEST TO PREVENT PROCESSING

In addition to rights of access, Data Subjects also have rights under the Data Protection Act 2018 to request restriction of use of their personal data (i.e. monitoring and recording CCTV images).

Should any person have any concerns regarding the operation of the CCTV systems, they can make contact with the Transport, Compliance & Procurement Manager

12. RETENTION AND DISPOSAL

Unless required for evidence purposes or the investigation of criminal activity or otherwise required by law, recorded images will be retained for no longer than 194 hours for 360-degree cameras and 776 hours for forward facing cameras from the date of recording, at which point images are deleted by being recorded over.

At the end of their useful life all images on discs will be erased and securely disposed of as confidential waste. All still photographs and hard copy prints will also be securely disposed of as confidential waste

13. MAINTENANCE AND REVIEW

This policy will be reviewed 12 months after it is approved, and thereafter not less than every two years or when the law changes.

14. RESPONSIBILITIES

The Transport, Compliance & Procurement Manager is responsible for ensuring it remains up to date and compliant with relevant legislation and processes.

15. COMPLAINTS

Complaints regarding the CCTV system and its operation must be made in writing to the Transport, Compliance & Procurement Manager, and will be dealt with in accordance with the Council's complaints procedure.

Revision History

Version	Effective Date	Principal Changes	Author
1.0	May 2024	First version of policy	Emma Logan/Alison Cottrell

Appendix A Viewing Log Sheet

Viewing Log Sheet – CCTV	
Date data viewed:	
Time data viewed:	
Reason for Viewing:	
Officer(s) viewing:	
Signature(s):	Date:
Authorised viewing by:	
Signature:	Date: