

CODE OF PRACTICE FOR MANAGEMENT AND OPERATION OF CCTV ON STREET SCENE VEHICLES

1. Introduction and Purpose:

This Code of Practice will underpin oversight and day-to-day practice by all those managing and operating. Everyone connected with Vehicle Surveillance Cameras (VSC) operated by Mid Devon and District Council (MDDC) will ensure that the principles and purposes outlined in this Code of Practice are always upheld. This Code of Practice should be read in conjunction with MDDC's CCTV and Surveillance Policy.

The purpose of this document is to provide guidance on the use of the VSC by officers within MDDC and ensuring compliance with relevant legislative requirements. For example: the deployment of VSC, retention of data and the security of data.

All users of the devices will be provided with the appropriate training for its use. This training will be conducted in-house utilising the knowledge and experience within MDDC. The Information Commissioner's Surveillance Code requires all staff to be trained in their responsibilities for data management.

The use of the VSC must be necessary, proportionate and addressing a need such as those listed in MDDC's CCTV and Surveillance Policy in section 3. The VSC are fitted to waste, recycling and road sweeper (Street Scene) vehicles for the purposes of health and safety of employees (including identifying any potential misconduct) and members of the public and for the investigation of accidents, incidents and near misses.

2. System Specification

The system fitted to each vehicle comprises the following components:

- 4 x external mounted cameras
- 1 x Vision Technologies (VT) Record 5 Hard Disk 4-Channel Recorder C/W 1TB HDD & 16GB SD Back-Up
- 1 x internal mounted monitor

The system records live footage to the Hard Disc Drive (HDD) when the vehicle is switched on; audio recording with this system will not take place.

The rear camera is reverse wired to enable the monitor to be used as a dedicated reversing aid.

The HDD is secured in a tamper-proof cabinet in the cab of the vehicle. Access to the HDD itself is restricted to authorised external personnel for maintenance and replacement purposes only (e.g. VT engineers and/or Specialist Fleet Services (SFS) engineers). Footage captured cannot be viewed from the HDD.

3. System Checks

The Waste and Transport Manager will act as the System Manager.

Checks are carried out on a regular basis to ensure the recording system is operating correctly. This will involve downloading or observing brief video footage of random days and will be carried out by Authorised Personnel only. [Authorised Personnel are Managers and Supervisors/Team Leaders tasked with investigations in relation to accidents and incidents].

4. Camera Positioning

The system comprises four high resolution/definition cameras that will be positioned to give the greatest coverage around each vehicle as possible; the positions of the cameras are as follows: -

1. Front on dashboard in central position (facing out)
2. Nearside Mirror Arm (facing rear)
3. Offside Mirror Arm (facing rear)
4. Rear underneath number plate (indicated in image – facing rear)

The VSC are positioned to record images of the immediate area surrounding the vehicles and do not show a broad view of the location.

The VSC will not be intentionally or deliberately intrusive of private premises.

The cameras are fixed in position during the installation of the system by the commissioning engineers and must remain in these positions. In the event that the cameras have become out of alignment this must be reported as soon as possible by driver to their Supervisor

Each vehicle has A5 stickers placed on the vehicle cab informing members of the public that CCTV images are being recorded. The stickers are complete with the correct MDDC contact telephone number and the purposes for which the system is being used.

5. Procedure for use

Accessing images

Captured footage is recorded to VT's cloud storage and stored securely by them to ensure it is only accessible to Authorised Personnel.

The footage required is then downloaded by Authorised Personnel from the VT cloud storage when there is a legitimate need. The required footage is then saved into a secure location on the MDDC server.

The footage may only be viewed or retrieved for specific purposes, such as:

- Accident / Incident investigation
- Health & Safety monitoring
- Assisting in the investigation of complaints
- Complying with legal or regulatory requirements

System monitoring

The systems are robust but it will be necessary to physically check that the units are operating correctly. This will be carried out by the Waste and Transport Manager on a regular basis where a number of units will be selected at random.

The system checks will be recorded in a register and will detail the:

- Vehicle registration
- Period viewed
- Time and date viewed, time and any
- Comments or actions that are required
- Name and position of viewer

A logbook is maintained by the System Manager to record all viewings of images whether these are for systems checks or as a result of a request for information. Details are kept of the date and time the viewing took place, the HDD viewed, the vehicle that contained the HDD, the period viewed, the name of the individual(s) viewing the file, and the action to be taken as a result.

Health and Safety or Disciplinary Incident arising from system checks

If a health and safety issue or a potential breach of the rules that could lead to a disciplinary investigation arises from the system checks, the incident will be viewed by the Authorised Personnel and appropriate action taken.

Health and Safety Concerns or Misconduct

Any breach (actual or suspected) of health and safety practice or acts of misconduct will be investigated under the statutory duty of care set out in the Health and Safety at Work Etc. Act 1974, which will include the viewing of recorded images by the Authorised Personnel who may require the individual who has reported the breach to verify the image.

Authorised Personnel may be required to extract still images from the footage. Images may also be extracted as a result of any of the instances above.

The images from the HDD can only be accessed using the appropriate VT software. This software is only loaded onto Authorised Personnel laptops. The software is not be loaded onto the MDDC computer network.

Saving & Viewing Images

In order to make specific images available for viewing as needed from time to time, it is necessary for the image to be exported to a readily available format. The image will be saved to a secure area of the MDDC network.

6. Data Security

Access to the live camera images is restricted to Authorised Personnel only.

Access to the HDD on the vehicle is password protected accessible only by a VT or SFS engineer.

Video footage exported to a readily available format is stored on a dedicated secure area of the MDDC computer network, access to this secure area is restricted to the System Manager and the Health & Safety officer only.

Records are kept for 180 days before being deleted. This is due to the way that VT systems are set up to store footage and for accident investigations officers have had to go back further than 90 days.

If footage is downloaded, and or stills taken, these will be deleted by the System Manager as soon as the footage/stills are no longer required for the legitimate purpose identified.

The system automatically watermarks the images. The watermark is embedded in the system and is always on. The watermark is fragile and will be destroyed if any modifications are attempted to be made to the image.

The watermark provides the following data on the recorded images:

- a) Vehicle registration number
- b) Date
- c) Time
- d) Camera ID

7. Data Sharing requests

All requests for footage or images must complete the appropriate request form (available from the Information Management Team) and submit the form to the Waste and Transport Manager and/or the Information Management Team. These requests are logged accordingly on the central register.

All data subject requests will be reviewed by MDDC's Information Management Team and determined according to a process which ensures compliance with legislation. For more details of how MDDC handles data subject requests, please see the Data Protection Policy, and information provided at <https://www.middevon.gov.uk/your-council/access-to-information/> .

Images may be viewed if there is an urgent request from the Police. These requests should be logged in the register. If the Police wish to view the image or obtain a copy of an image, they will need to provide the Information Management Team with an appropriate MDDC DPA form.

Where third parties other than the Police make a request to view the files, then if this is due to a criminal incident this should be reported to the Police.

8. Relevant Legislation

This policy provides guidance on the appropriate and effective use of VSC and in particular how it meets the requirements of:

- The Human Rights Act 1998
- Data Protection Act 2018
- UK General Data Protection Regulation
- Regulation of Investigatory Powers Act 2000
- The Protection of Freedoms Act 2012
- Information Commissioners' CCTV Code of Practice
- Surveillance Commissioner's Surveillance Camera Code of Practice
- Criminal Procedure and Investigations Act 1996
- Criminal and Disorder Act 1998

9. MDDC Related Policies/Documents

- CCTV Code of Practice
- Data Protection Policy
- Freedom of Information Policy
- Information Security Incident Policy
- Records Management Policy