Bath & North East Somerset Council

Policy for Management of CCTV on Waste Operation Vehicles

1.0 POLICY

1.1 CCTV cameras are fitted to refuse vehicles for the purposes of Health and Safety of employees and members of the public, and for the investigation of accidents, incidents and near misses.

1.2 Recorded images are personal data under the Data Protection Act 1998. Bath & North East Somerset Council are the Data Controller for the purpose of the Act. The Technical Officer will act as the System Manager.

1.3 Data Protection Act 1998. The DPA 1998 requires all processing of personal data including video/digital recordings to conform to all principles of the Act and to be registered under the Act.

1.4 Human Rights Act 2000. The Human Rights Act 2000 incorporates into domestic law the rights and liberties enshrined in the European Convention of Human Rights, which guarantees a range of political rights and freedoms of the individual against interference by "public authority". The use of the CCTV system within this Policy incorporates Article 8 of the Convention.

1.5 Regulation of Investigatory Powers Act 2000. Use of the system to monitor nominated persons/property could be granted under the RIPA due to particular circumstances. RIPA authority within the Council is limited to the Chief Executive and the Council's Head of Legal Services.

1.6 The system is operated fairly within the law and only for the purposes described in this policy. The system will not be used for covert directed surveillance.

1.7 This policy aims to comply with the Information Commissioner's CCTV Code of Practice.

2.0 System Usage

2.1 The CCTV Hard disk recording system's primary use is:

- Assistance in accident investigation. This will include near miss reporting that will help prevent the occurrence of future accidents
- Investigation of insurance claims by third parties
- Identification of dangerous activities
- Assessment of problems with access to properties etc

3.0 System Checks

3.1 Checks will be 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 as detailed in Appendix 2.

3.2 The system is not being used for targeted monitoring of the workforce. However, if while carrying out the system checks, poor Health and Safety practice or acts of gross misconduct are observed then under the statutory duty of care prescribed in the Health and Safety at Work Act 1974, the Waste Collections Manager will be informed.

4.0 Employee Enquiry / Health and Safety concerns

4.1 If an employee has any Health and Safety concerns that may be illustrated by the recorded video images then a request to observe these images from hard disk should be made to the System Manager.

5.0 System Specification

5.1 The system comprises of the following components:

- 4 x external mounted cameras
- 1 x Digital Video Recorder (DVR) fitted with 160GB hard drive
- 1 x internal mounted monitor

5.2 The system records over a 28 day cycle (approximate), once the hard disk is full then the oldest records will be overwritten.

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

5.4 The system comprises of a DVR fitted with a 160GB hard drive. The system records from all cameras, from the time the ignition is on and continues to record for 30 minutes from when the ignition is turned off.

5.5 The hard disk is secured in a locked compartment or tamper-proof cabinet in the cab of the vehicle. Keys to the cabinet must be kept secure, and access restricted to authorised personnel only as detailed in Appendix 2.

6.0 Camera Positioning

6.1 The system comprises four high resolution cameras that will be positioned to give the greatest coverage around the vehicle as possible, The positions of the cameras are as follows:

- One camera fixed at the front of the vehicle
- Two cameras, one on either side of the vehicle
- One camera fixed at the rear of the vehicle

7.0 Public Privacy

7.1 The cameras will be positioned to record images of the immediate area surrounding the refuse vehicle, and not show a broad view of the location.

7.2 Cameras will not be intentionally or deliberately intrusive of private premises.

7.3 The cameras are fixed in position during the installation of the system by the installation engineers and must remain in these positions. In the event that

the cameras have become out of alignment this must reported as soon as possible by the Team Leader to their supervisor.

8.0 Public Information

8.1 Each vehicle will have stickers placed on the vehicle windows informing members of the public that CCTV images are being recorded. The stickers will be complete with the Council Connect contact telephone number.

9.0 Image Security

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

9.2 The watermark is embedded in the system and is always on.

9.3 The watermark provides the following data on the recorded images:

- Vehicle registration number
- Date
- Time

10.0 Data Security

10.1 Access to the VT Live software is restricted.

10.2 Access to the DVR on the vehicle is password protected.

10.3 The system is compliant with BS7799-2.

10.4 Video footage exported to WMV or executable files must only be stored on a dedicated secure area of the computer network, access to this secure area is restricted, in accordance with the allocated roles and responsibilities set out in Appendix 2 of this policy.

11.0 Recording of Access to Information

11.1 A log book must be maintained by the System Manager, detailed in Appendix 2, to record all viewings of images whether these are for Systems checks or a result of a request for information. Details must be kept of the date and time the viewing took place, the hard drive viewed, the vehicle that contained the hard drive, the period viewed, the individuals viewing the file, and the action to be taken as a result.

11.2 When a written request is made for the personal image of an individual making the request this is a Subject Access Request governed by the Data Protection Act 1998. A copy of this written request must be sent to the Data Protection Officer who holds the central log of Subject Access Requests.

Appendix 1

Procedure for use

1.0 Accessing images

1.1 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 authorised personnel detailed in Appendix 2 on a regular basis where a number of units will be selected at random. The checks will be recorded in a register and will detail:

- the vehicle registration
- the period viewed
- time and date viewed, time and any
- comments or actions that are required
- name of viewer

1.2 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 Waste Collections Manager or Senior Waste Collections Supervisor, and appropriate action taken.

1.3 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 prescribed in the Health and Safety at Work Act 1974, which will include the viewing of recorded images by the investigating officer who may require the individual who has reported the breach to verify the image.

1.4 Third Party Requests

Requests to view files may be received from the following third parties.

- The Police
- Solicitors
- Claimants in civil proceedings
- Accused persons or defendants in criminal proceedings
- Other agencies.

Reasons for the requests may include:

- Providing evidence in criminal proceedings
- Providing evidence in civil proceedings or tribunals
- The prevention of crime
- The investigation and detection of crime, which may include the identification of offenders
- The identification of witnesses

Images may be viewed if there is an urgent request from the Police. These 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 Data Protection DP2 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.

Where third parties wish to view images for other reasons then data can only be released in accordance with the National Standard for the release of Data to Third Parties. This requires consideration of other legislation such as the Human Rights Act 1998 and the Data Protection Act 1998. Such cases will be managed in conjunction with the Council's Information Governance Team.

1.5 Training Purposes

Relevant extracts of recordings may be used during internal training sessions to demonstrate both good and bad practice.

1.6 Subject Access Requests

Any Subject Access Requests will be dealt in accordance with the guidelines set out by Bath & North East Somerset Council's Data Protection Act Policy.

1.7 Authorised person to download images

Images may be downloaded as a result of any of the instances above.

The images from the hard disk can only be accessed using the appropriate VT Live software. This software will only be loaded onto authorised officers' laptops as detailed in Appendix 2. The software will not be loaded onto the B&NES computer network.

1.8 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; this format will be WMV.

The image will be saved to a secure area of the B&NES network.

Appendix 2

Responsible Officer	**Responsibilities**
Technical Officer	RCV CCTV System Manager System Checks, downloading and copying images Key holder for secure compartments
Waste Collections Manager Senior Waste Collections Supervisor	System checks, investigating breach actual or suspected of Health and Safety practice or acts of gross misconduct under the statutory duty of care prescribed in the Health and Safety at Work Act 1974. Downloading and copying of images. Key holder for secure compartments
Waste Collection Supervisors Waste Strategy & Contracts Manager Waste Services Manager Health and Safety Coordinator Human Resources Consultant 'Investigation Officers' appointed by Waste Services Manager	Viewing of saved files
Waste Collection Team Leaders (Drivers)	Reporting of faulty equipment or misaligned cameras