



Epsom & Ewell Borough Council
Code of Practice
for the use of
Body Worn Cameras
By
Civil Enforcement Officers
and Car Park Staff

1. Introduction

The aim of this Code of Practice along with the Council's Bodyworn CCTV Camera Operational Procedure is to ensure that Civil Enforcement Officers (CEO's) and car park staff involved in running independent CCTV systems on behalf of Epsom & Ewell Borough Council understand the principals which govern the operation of CCTV cameras in public spaces. This document should be read in conjunction with the Council's Body Worn CCTV Camera Operational Procedure.

*For the purposes of this document CEO will refer to both civil enforcement officers and car park staff.

The Code of Practice sets out the framework for the Council's Body Worn Camera systems and how they will be used.

The Body Worn Camera systems will not be used for any other purpose than those set out in this document without prior approval of the Head of Customer Services and Business Support, Chief Operating Officer or Chief Executive.

The system acts largely as a deterrent and the device does not record unless the Officer switches it to the on position. The device records both audio and visual footage.

The day-to-day management of the Body Worn Camera system will be the responsibility of the Parking Manager.

2. Legislation

Body Worn Camera operations are subject to legislation under:

- **Protections of Freedoms Act and Surveillance Camera Code of Practice 2012**
- **The Data Protection Act 1998 (DPA).**
- **The Human Rights Act 1998 (HRA).**
- **The Freedom of Information Act 2000 (FOIA).**
- **The Regulation of Investigatory Powers Act 2000 (RIPA).**

2.1 Policies, procedures and guidelines

It is important that the operation of all Council run CCTV systems comply with these Acts and Council policies, procedures and guidelines and this Code of Practice. This is to ensure that the Council, staff running the system and the public are protected from abuses of the CCTV systems.

If clarification is required then advice or guidance should be sought from representatives of the legal department.

3. Purpose Statement

3.1 Purpose

It is important that staff and those charged with operating the Body Worn Camera system understand exactly why the system has been introduced and what it will and will not be used for.

The key objectives of the Body Worn Cameras are:

- To protect members of staff and the public
- To discourage physical assaults or aggressive and abusive behaviour against staff
- To assist in the identification of offenders leading to their arrest and successful prosecution
- To reduce staff's fear of aggressive or abusive behaviour
- To assist in the training and development of officers

Body Worn Cameras will not be used for:

- Monitoring staff or the public going about their normal daily business
- As a management tool to observe staff in their normal working environment
- Recording general enquiries made by members of the public

In all instances where Body Worn Cameras are to be used and where practical CEO's will inform the member(s) of public that the camera is switched on and recording. There may be occasions when to do so would escalate the incident or put the CEO in danger but this would be rare and the CEO may be required to justify such an action.

In some occasions, as a by-product of viewing a recording for one of the key objectives, the footage may be used as a coaching and development tool for a CEO's own behaviour. In circumstances such as this the footage may be viewed by the CEO but must be operated by a member of authorised personnel.

When training new officers in the use of body worn cameras it may be necessary to show approved footage recorded by other CEO's. In such circumstances the footage must be operated by a member of authorised personnel and the footage must be identified in advance and approved by the Parking Manager.

3.2 Privacy

We respect and support the individual's entitlement to go about their lawful business and this is a primary consideration in the operation of a Body Worn Camera system.

Although there is inevitably some loss of privacy when Body Worn Cameras are operational, cameras will not be used to monitor the progress of individuals in the

ordinary course of lawful business in the area under surveillance. Individuals will only be monitored whilst the situation requiring the use of the camera is ongoing.

Breaches of this section of the Code of Practice by staff may be regarded as misconduct and could lead to disciplinary action.

3.3 Cameras Awareness

Body Worn Cameras are worn so that they are clearly visible and normally a clear verbal warning that the camera is in use will be given. This will ensure that both the maximum deterrent value is achieved and that the public are fully aware that they are being recorded.

This Code of Practice is a public document and should be available to all staff on the Council's Intranet and to the public on the Council's website.

3.4 Viewing Recordings and the Provision of Evidence

Viewing will only be conducted by authorised personnel involved in the investigation of an incident of aggressive or abusive behaviour; to investigate a complaint; or for the purposes of providing training or education.

Recordings may only be viewed for specific, identified incidents. Under no circumstances may anyone browse recordings on the off chance of finding offences. Evidence may be provided to the Police on request.

An audit trail will be kept of every occasion of data sharing.

If a serious matter is reported concerning a member of staff this will be viewed initially by the Parking Manager and if necessary escalated in liaison between the Head of Service and a representative of Human Resources. If this incident leads to a grievance or disciplinary hearing then two copies will be made as one must be provided to the member of staff being complained about.

At the end of the hearing all copies must be collected by HR, held on file and destroyed once the appeals process or actions relating to the case have been completed.

4. Control of Recordings

All recordings will remain the property and copyright of Epsom & Ewell Borough Council.

All recorded footage will be uploaded to a secure Epsom & Ewell Borough Council ICT system.

All retained data will be kept for a maximum of 31 days unless it is required for the purposes of investigating a complaint, providing evidence in a prosecution or required for training purposes.

4.1 Evidential Recordings on Recording Media

A record will be made of the release of any recorded recordings to the Police or to other authorised applicants.

5. Potential Disciplinary Matters and Security

5.1 Tampering with cameras, monitoring or recording equipment, images or recorded data by staff may be regarded as misconduct and could lead to disciplinary action.

5.2 Any breach of this Code of Practice will be regarded as a serious matter. Staff who are in breach of this Code of Practice will be dealt with according to the Council's disciplinary procedures.

5.3 The responsibility for guaranteeing the security of the system will rest with the Parking Manager who will, in the first instance, investigate all breaches or allegations of breaches of security and will report his/her findings to their Head of Service.

6. Complaints

Complaints about the operation of a system should be addressed to the Borough Council and dealt with in accordance with the formal Complaints procedure.

7. Advice and Useful Contacts

Joy Stevens
Head of Customer Services and Business Support
Ext: 2701

Richard Chevalier
Parking Manager
Ext: 2355

Warren Stacey
Parking Operations Supervisor
Ext: 2351

Legal Services
Ext: 2141 / 2142

Kelvin Shooter
Community Safety and Projects Officer
Ext 2133

8. Authorised Personnel

Chief Executive

Chief Operating Officer

Head of Customer Services and Business Support

Parking Manager

Parking Operations Supervisor

HR and Legal if required for a specific investigation