



Parking Services'
Operational Procedural Guidelines
for the use of
Body Worn Cameras (BWC)

1. Introduction

This document sets out Parking Services' Procedural Guidelines for the use of Body Worn Cameras (BWC) It will enable Parking Services staff to comply with legislation relating to video recording and outline the associated benefits to Parking Services staff and the public. It also documents best practice procedures regarding integrity of data, images and video as well as their security and use.

The use of BWC can be a deterrent to acts of aggression or verbal and physical abuse toward Parking Services staff and provide evidence to support Police investigations.

BWC forms part of Parking Services' personal protective equipment and is provided solely for Health and Safety purposes. It will be used in an overt manner and prior to commencement of any recording, where possible, Parking Services staff will give clear verbal instruction that recording is taking place.

BWC will not be used to gather evidence for parking enforcement purposes, nor will it be used to monitor a member of staff under any circumstances.

2. Legislation

The integrity of any video data recorded will be considered in accordance with the following legislation:

- Data Protection Act 1998
- Human Rights Act 1998
- Freedom of Information Act 2000
- Home office Surveillance CCTV Code of practice
- Information Commissioners CCTV Code of Practice

Data Protection Act 1998

The Information Commissioner's Office is the regulator for the Act and has given guidance regarding the use of body worn video device equipment by Civil Enforcement Officers (CEO). This legislation regulates the processing of 'personal data' or 'sensitive personal data' whether processed on computer, a BWC, still camera or any other media. Any recorded image that is aimed at or may identify a particular person is described as 'personal data' and covered by this Act and will include images and audio captured using body worn equipment. The use of a BWC in this guidance is 'overt use' meaning that equipment is not to be worn or used in a hidden or covert manner.

Where an individual asks for access to the footage, this is called a 'Subject Access Request'. The requester is only allowed to access footage of themselves and anyone who has provided consent for their images to be viewed by them.

Human Rights Act 1998

Article 6 provides for the right to a fair trial. All images captured using a BWC have the potential to be used in court proceedings and must be safeguarded by an audit trail in the same way as any other evidence. Article 8 of the Human Rights Act 1998 concerns the right for private and family life, home and correspondence. Recordings of persons in a public place are only public for those present at the time and can still be regarded as potentially private. Any recorded conversation between members of the public should always be considered private and users of body worn equipment should not record beyond what is necessary when recording a confrontational situation.

The Council will include on the [Parking Services Web page](#) information about the wearing of body worn camera by its staff. The Council will further ensure that the use of a BWC is emphasised by staff wearing it in a prominent position (normally on their chest) and that it's forward-facing display is visible to anyone being recorded. Additionally, staff will make a verbal announcement, where practicable, prior to commencement of any recording.

Freedom of Information Act 2000 (FOI)

This Act grants a general right of access to information held by public bodies, which is not personal data. Information released under FOI can include statistical and other non-personal information.

Home Office Surveillance Camera Code of Practice

The integrity of any video data recorded will be considered in accordance with this Statutory Guidance. The Home Office is the regulator for this guidance regarding CEO's use of BWC equipment.

Information Commissioners Code of Practice

The Information Commissioners Code of Practice is the Statutory Guidance issued that runs in conjunction with the Surveillance Code of Practice issued regarding CEO's use of BWC equipment.

3. On-Street Operational Guidance and Best Practice

Training

All Parking Services staff will receive full training in the use of BWCs. This training will include practical use of equipment, on-street operational guidance and best practice, when to commence and cease recording and the legal implications of using such equipment.

Daily Use

The BWC will only be used in the event where staff find themselves in a confrontational situation where they are subject to or feel that they are likely to be subject to, verbal or physical abuse.

Recordings will not commence until the member of staff has issued a verbal warning, where possible, of their intention to turn on the BWC.

Recordings will not be made whilst performing normal duties.

All recordings will be held securely.

Access to recordings will be restricted to authorised personnel in the Parking Team.

Start of Shift Procedure

All Parking Services staff will be issued with their own BWC. At the commencement of each shift, members of staff will ensure that their unit is fully functioning. It will be their responsibility to advise a supervisor or manager of any malfunction with the BWC. The check will also include verifying that the unit is fully charged and that the date and time displayed is correct.

The CEO must make regular checks throughout their shift to ensure the BWC is in standby mode and not recording.

Recording

Recording must be incident specific; officers must not record entire duties or patrols and must only use recording to capture video of specific incidents. For the purposes of this guidance, an 'incident' is defined as:

An engagement with a member of the public, which in the opinion of the member of staff is confrontational, and where the member of staff believes they may be subject to physical or verbal abuse.

The member of staff is approached by a member of the public in a manner perceived as aggressive or threatening.

At the commencement of any recording the member of staff should, where possible, make a verbal announcement to indicate why recording has been activated. The purpose of issuing a verbal warning is to allow a member of the public to modify any unacceptable confrontational or aggressive and threatening behaviour. If, at any time during an incident the member of staff considers that the use of a BWC or the issuing of a verbal warning is likely to inflame a confrontational situation, the member of staff may use discretion to disengage from further discussion and withdraw from the incident.

A specific form of words to be used in any warning to a member of the public has not been prescribed, but members of staff should use straightforward speech that can be easily understood by those present such as 'I am wearing a body worn camera and I am now recording'.

Playback

Members of Parking Services staff will be fully aware of the legal implications once digital images and audio have been recorded, the CEOs (Civil Enforcement Officer) have no means to replay any recordings as the devices are locked out. Requests from the Police for access to the footage must be directed to the Parking Manager. Any request for access to captured video by a member of the public whose image was captured during an incident will need to be made in writing to The Council's Data Protection Officer in line with the Council's [subject access procedure](#).

End of Shift

Members of staff will ensure that any CCTV footage required for evidential purposes has been reported to management so it can be downloaded, and any Incident Reports have been completed.

Storage of Data

All recorded footage will be encrypted and downloaded to a secure hard drive by authorised officers only.

Review & Retention of Data

Parking Operations Shift Manager/s will review the recording and, in consultation with the parking operative operating the device, decide whether referral to the Police is appropriate. The Parking Operations Shift Manager/s may also use the recording for training purposes for the operator in question (but not others).

Where a Police referral is made, or where the Police attended the live incident, the Parking Operations Shift Manager will keep the recording until all investigations have been completed or a prosecution has taken place.

If the Police request a copy of the recording, they will become the 'data controller' and any duplicate footage held by the Council will be deleted after 31 days.

If a decision is made to take no further action, the information will be deleted after 31 days.

Inappropriate Use

Any officers misusing a BWC, or associated data will be subject to Bristol City Council's Disciplinary Policy.