



**Corporate Policy &  
Resources**

**Thursday, 9 November  
2023**

**Subject: Body Worn Video Policy**

Report by:

Director of Planning, Regeneration and  
Communities

Contact Officer:

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Purpose / Summary:

To approve the updated Body Worn Video  
Policy.

**RECOMMENDATION(S):**

1. That Committee approve the updated Body Worn Video Policy (Appendix 1) of this report.
2. That Committee delegate to the Director Planning, Regeneration and Communities to make minor housekeeping amendments to the policy in consultation with the Chairman of the JSCC & CP&R committees.

## IMPLICATIONS

### **Legal:**

By maintaining an appropriate Body Worn Video policy, the council ensures that any legal requirements and duties are being met. The use of Body Worn Video falls within the existing legal framework that applies to the use of CCTV within West Lindsey as set out in the CCTV Code of Practice.

The Body Worn Video policy (Appendix 1) outlines the legislation that is applicable.

**(N.B.) Where there are legal implications the report MUST be seen by the MO**

### **Financial : FIN/88/24/SL**

There are no financial implications arising from this report.

**(N.B.) All committee reports MUST have a Fin Ref**

### **Staffing :**

The Body Worn Video policy sets training requirements for staff using this equipment.

The Joint Staff Consultative Committee (JSCC) has been fully consulted on the updated policy.

**(N.B.) Where there are staffing implications the report MUST have a HR Ref**

### **Equality and Diversity including Human Rights :**

The Body Worn Video policy (Appendix 1) and section 4 of this report outlines the legislation that is taken into consideration in order to enable the use of body worn video.

The legislation includes:

- Data Protection Act 2018
- Freedom of Information Act 2000
- Human Rights Act 1988
- Surveillance Camera Code of Practice
- CCTV Code of Practice
- Regulatory of Investigatory Powers Act (RIPA) 2000
- The Protection of Freedoms Act 2012

A Data Protection Impact Assessment (DPIA) for the use of Body Worn Video is maintained by the Council and published online.

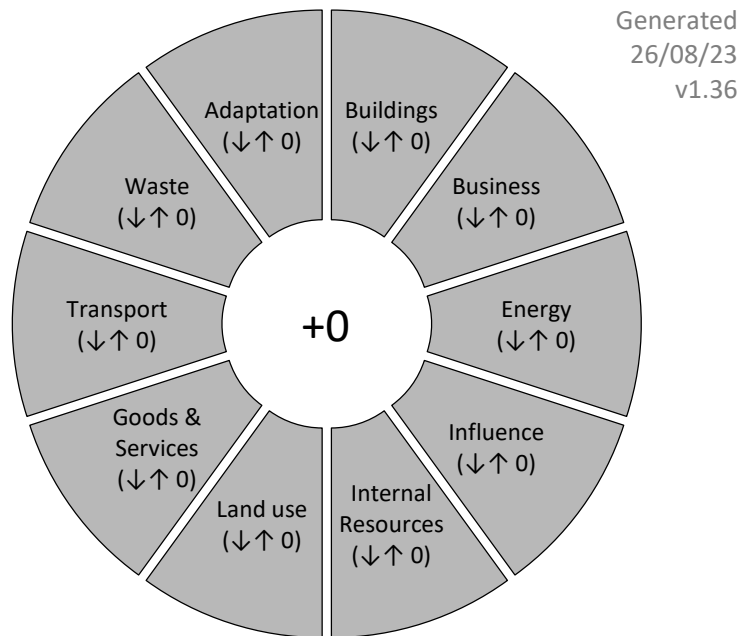
**Data Protection Implications :**

The Body Worn Video policy (Appendix 1) contains detailed information about standards, working practice and procedures to ensure compliance with data protection legislation.

The Council maintains a Data Protection Impact Assessment (DPIA) for the use of Body Worn Video. This DPIA is reviewed regularly by officers and published on the Council’s website.

**Climate Related Risks and Opportunities :**

There are no specific climate related risks or opportunities in relation to this report.



West Lindsey District Council will be net zero by 2050 (26 years and 4 months away).

**Section 17 Crime and Disorder Considerations :**

Not applicable.

**Health Implications:**

No specific health implications.

**Title and Location of any Background Papers used in the preparation of this report:**

None

<b>Risk Assessment :</b>
None

**Call in and Urgency:**

**Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?**

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

**Yes**

**No**

**x**

**Key Decision:**

A matter which affects two or more wards, or has significant financial implications

**Yes**

**No**

**x**

## **1 Key Policy Changes**

1.1 Key policy changes in this updated Body Worn Video Policy can be summarised as:

- Roles, responsibilities, and reporting arrangements updated.
- Booking out procedure updated to include personal issue devices.
- Updated guidance on daily use
- Added section on dynamic risk assessment
- Updated policy document template.
- Sectioned the policy for ease of navigation and to enable clear updates in the future.

## **2 Introduction**

2.1 The Council utilises Body Worn Video to enable the safe and effective delivery of some services. A range of officers performing statutory duties are often placed in confrontational situations. The use of Body Worn Video helps to reduce abuse (physical and verbal) that officers could be exposed to, and it enables officers to perform their role by providing a contemporaneous, irrefutable record of events.

2.2 The use of Body Worn Video directly supports enforcement activity of the Council. Body Worn Video is used to gather evidential footage that can be used in responding to a complaint supporting a legal prosecution.

2.3 Body Worn Video forms part of personal protective equipment (PPE) for officers. The use of Body Worn Video can help prevent further escalation when dealing with an aggressive person(s). Where an incident does escalate, the use of Body Worn Video gathers evidential footage to support further enforcement or legal action.

2.4 To ensure the use of Body Worn Video is safe, legal, and compliant, the Council maintains a Body Worn Video policy. This policy sets out the approach to using Body Worn Video in-line with current legislation and recommended best practices.

2.5 This report introduces an updated Body Worn Video policy for approval.

### **Appendix 1 – Body Worn Video Policy and Operational Guidelines v2.0**

## **3 Legal Requirements**

3.1 The use of Body Worn Video falls within the existing legal framework that applies to the use of CCTV within West Lindsey as set out in the Council's CCTV Code of Practice.

3.2 The following legislation will be complied with and considered in the use of Body Worn Video:

- Data Protection Act 2018
- Freedom of Information Act 2000
- Human Rights Act 1988
- Surveillance Camera Code of Practice
- CCTV Code of Practice
- Regulatory of Investigatory Powers Act (RIPA) 2000
- The Protection of Freedoms Act 2012

3.2 The Human Rights Act 1988 in relation to the use of Body Worn Video requires the Council to ensure that the principal objective of their use is ensuring that any interference with the rights of parties can only be justified if it is:

- Necessary
- In pursuit of a legitimate aim – such as the prevention of crime
- In accordance with the law

3.3 The Council's Body Worn Video equipment uses secure and encrypted storage methods to ensure the safety and security of recorded footage and data.

3.4 All officers that use Body Worn Video are required to complete training on there use which includes reviewing and accepting the Body Worn Video policy.

## **4 Staff Consultation**

4.1 The updated Body Worn Video policy was presented to the Joint Staff Consultative Committee (JSCC) on the 5<sup>th</sup> October 2023. The JSCC acknowledged and endorsed the updated policy for approval by committee.

4.2 A range of current users of Body Worn Video have been engaged on the updated policy.

## **5 Recommendation**

5.1 That Committee approve the updated Body Worn Video Policy (Appendix 1) of this report.

5.2 That Committee delegate to the Director Planning, Regeneration and Communities to make minor amendments to the policy in conjunction with the Chair of the committee.