



**Committee – Corporate  
Policy and Resources**

**Date 9/11/17**

**Subject: Body Worn Cameras – Policy**

Report by:

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Purpose / Summary:

To request approval from Corporate Policy and Resources (CP and R) Committee for the Body Worn Camera Policy.

**RECOMMENDATION(S):**

CP and R are asked to:

1.1 Approve the policy as shown in Appendix 1

## IMPLICATIONS

### **Legal:**

The use of Body Worn CCTV cameras 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 policy in appendix 1 outlines the legislation that is applicable in this instance in detail.

### **Financial : FIN/97/18**

The cost of 12 Body Worn CCTV cameras and associated hardware and software will be in the circa £10k, this will be funded from the Business Improvement and Transformation Budget created to fund such projects. Ongoing costs of £1k will be incorporated into the Medium Term Financial Plan.

### **Staffing :**

The relevant staff that will be required to use this equipment have been consulted with as part of developing the policy. This consultation has taken place and the feedback from this is provided within the report.

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

The attached policy in appendix 1 and section 4 of the report outlines the legislation that is taken into consideration in order to enable the deployment of this equipment. For reference the legislation is as follows:

- Data Protection Act 1998
- 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

An impact assessment is shown in Appendix 2.

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**Risk Assessment :**

**Financial** – there is an initial budget required to fund the equipment and its installation. Alongside this there is a small revenue budget needed for up keep and maintenance however this is not perceived as high risk for the Council.

Mitigation: None required

**Reputational** – perception by public of how Body Worn CCTV will be deployed and utilised

Mitigation: Clear communications plan and policy to support usage. Regular review of policy and clear process in place for obtaining footage and raising complaints regarding usage

**Staffing** – lack of willingness to utilise equipment due to training or behavioural issues

Mitigation:

- equipment regarded as key to enable officers to be effective and improve casework role. Clear process via one to ones to address lack of usage and training provided to address this.
- use of Council's policies to address behavioural issues

**Climate Related Risks and Opportunities :**

None noted

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

Houses of Parliament Body Worn Video briefing 2015.  
<http://researchbriefings.files.parliament.uk/documents/POST-PB-0014/POST-PB-0014.pdf>

**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 Introduction**

- 1.1 This paper sets out the case for the Council for Body Worn CCTV cameras to be utilised by officers in set circumstances to carry out specific duties and to increase our effectiveness in dealing with enforcement matters.
- 1.2 A separate policy has been developed for this proposal, which sets out the legal framework in which the cameras can be used and the circumstances in which officers should use them.
- 1.3 As part of this process the policy has been considered by the Head of Paid Services and the Joint Staff Consultative Committee. There has also been a consultation with a staff user group to underpin the contents of the policy and ensure it is fit for purpose.
- 1.4 Officers are clear from the outset that the introduction of a tool such as this will need to be managed in a way that ensures it is seen as a positive addition to our operations.

## **2 Background**

- 2.1 The type of surveillance used by enforcement agencies has moved away from fixed CCTV, to much more sophisticated operations using digital and portable technology. It is commonplace to see Police officers using body worn CCTV and a large number of local authorities now use it as part of their enforcement duties.
- 2.2 Enforcement officers carry out a key role in regards to the Council's statutory duties and in doing so are often placed in confrontational situations. Evidence suggests that the use of body worn CCTV reduces abuse (physical and verbal), that officers could be exposed to and it better enables officers to perform their roles by providing a contemporaneous, irrefutable record of events. This equipment will compliment and enhance the existing methods that the Council has available to it.
- 2.3 As the Council continues to enhance its approach to enforcement, this equipment will enable those officers to be safer, whilst carrying out their duties as well as improving the quality of investigation that they can undertake.
- 2.4 The addition of this type of technology will provide the Council with a tool that will bring multiple benefits to staff and members of the public as outlined in section 3.

## **3 Scope and Benefits**

- 3.1 The proposed policy is clear that body worn CCTV cameras will only be utilised in the following circumstances:

- If an employee is in a confrontational situation where they are subject to, or feel that they are likely to be subject to, verbal or physical abuse
- To gather evidential footage for a Police or Council enforcement investigation

The body worn cctv cameras will not be used when performing normal or routine work and any usage must be proportionate, legitimate, necessary and justifiable in regards to the relevant law and policy.

- 3.2 It is believed that the use of body worn cameras will provide the following benefits to the Council and its staff

1.	<b>Staff Safety</b> <ul style="list-style-type: none"> <li>- Enhanced ability to reduce number of potentially confrontational incidents</li> <li>- Ability to record accurately incidents that occur</li> </ul>
2.	<b>Public Safety</b> <ul style="list-style-type: none"> <li>- Enhanced public safety via the recording of incidents</li> <li>- Ability to reduce number of potentially confrontational incidents that may impact upon the public</li> </ul>
3.	<b>Enhanced Investigations and Evidence</b> <ul style="list-style-type: none"> <li>- Irrefutable evidence in relation to enforcement action and prosecutions</li> <li>-</li> </ul>
4.	<b>Financial</b> <ul style="list-style-type: none"> <li>- Reduce requirement for dual visits where complex information needs to be recorded</li> <li>- Reduction in staff resource required to review information relating to visits</li> <li>- Ability to review recordings following visits reducing requirements for follow up visits (e.g. where photographs have not identified initial issue)</li> <li>- Streamlined process for storage and review of information</li> </ul>
5.	<b>Reputational</b> <ul style="list-style-type: none"> <li>- Enhanced perception of role enforcement officers undertake</li> <li>- Enhanced accountability on enforcement officers due to activities being recorded</li> <li>- Demonstration of increased professionalism and ability to act across the work areas</li> </ul>

## 4 Legal Requirements

- 4.1 The use of Body Worn CCTV cameras 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 policy outlines the legislation that is applicable in this instance in detail.

4.2 The following legislation will be complied with and apply and be considered in the deployment of Body Worn CCTV Cameras

- Data Protection Act 1998
- 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

4.3 The Human Rights Act 1988 in relation to the use of Body Worn CCTV cameras requires the Council to ensure that the principle 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

4.4 The Body Worn CCTV cameras will be stored within the existing, secure CCTV service room within the Guildhall. Officers will be required to sign out units from this area and all usage will be recorded via a stand alone computer which will host the software and footage. All officers using the system will be required to have an individual login and complete initial training as well as an annual refresher.

4.5 The stand alone computer will be housed within the CCTV service room and will solely be used to host the software required for the Body Worn CCTV cameras.

## **5 Consultation**

5.1 It is not believed that there is a specific need to consult with residents in regards to the introduction of Body Worn CCTV. There is a clear and demonstrable need for its introduction and should it be introduced there will need to be a clear plan for communicating this.

5.2 On the 31<sup>st</sup> July 2017 an initial consultation session was held with the key officers who will be potentially using the equipment as well as services that may be impacted upon it such as Customer Services and Human Resources.

5.3 The majority of feedback from officers was positive and there is clear recognition for the value that this equipment can bring to the work that is undertaken. All officers present felt that some form of use within their work area would help them to be more effective and provide a useful tool from a safety perspective.

The main areas of concern raised by staff were as follows:

- Use in Public: relates to the general usage in public and recording of individuals. Legal advice being sought to clarify usage and to ensure we are compliant with the relevant laws.
- Audio Recording: legal advice being sought as to whether we are able to record audio within the remit of CCTV.

Both of these issues will be clarified prior to any approval by committee and are not deemed to pose a risk to progressing with the proposed recommendations.

## **6 Recommendations**

CP and R are asked to:

- 6.1 Approve the policy as shown in Appendix 1.