

APPENDIX 1

CCTV GUIDELINES

Introduction

These guidelines set out to ensure that CCTV systems on the Authority's Contracts for Route Instructions are used to prevent and detect crime, reduce the fear of crime and enhance the health and safety of Drivers and passengers.

Vehicle owners, who may also be the Driver and/or operator, installing CCTV systems must fully comply with the requirements set out in these guidelines.

For the purposes of these guidelines the term "**CCTV system**" will include any electronic recording device attached to the inside of the Vehicle having the technical capability of capturing and retaining visual images and audio recording from inside or external to the Vehicle. In addition to the standard CCTV camera system these may include for example, such devices as events/incident/accident data recording devices.

The purpose of CCTV

The purpose of the CCTV system shall be to provide a safer environment for the benefit of the Driver and passengers by:

1. Deterring and preventing the occurrence of crime;
2. Reducing the fear of crime;
3. Assisting the police in investigating incidents of crime; and
4. Assisting insurance companies in investigating motor vehicle accidents.

General requirements

Any CCTV system to be fitted must, as a minimum, meet the requirements set out in this document. Only CCTV systems meeting these requirements can be installed into licensed taxi, private hire and PCV vehicles used on any Authority Contract for Route Instruction.

- The CCTV system operator must let people know they are using a CCTV system. Signs are the most usual way of doing this. The signs must be clearly visible and readable and should include the details of the organisation operating the system if not obvious.
- Conversations between members of the public should not be recorded on a CCTV system. (There are some specific exceptions to this, such as a panic button in a taxi cab).

What must a CCTV system operator do?

- Make sure someone in the organisation has responsibility for the CCTV system images, deciding what is recorded, how images should be used and who they should be disclosed to;
- Register with the Information Commissioner's Office;
- Have clear procedures on how to use the CCTV system and when to disclose information; and
- Make regular checks to ensure the procedures are followed.

When can CCTV system images be disclosed?

Members of the public have the right to see CCTV system images of themselves and to ask for a copy of the recording. The organisation must provide them within forty (40) calendar days of the request. Under current guidelines members of the public may be asked to pay a fee of up to ten pounds (£10) (this is the maximum charge, set by Parliament). This is called a "Subject Access Request". The member of the public will need to provide details to help the operator to establish their identity as the person in the pictures, and to help them find the images on their CCTV system.

CCTV system operators are not allowed to disclose images of identifiable people to the media - or to put them on the internet - for entertainment. Images released to the media to help identify a person are usually disclosed by the police.

An organisation may need to disclose CCTV system images for legal reasons - for example crime detection. Once they have given the images to another organisation, then that organisation must adhere to the prevailing data protection legislation in their handling of the images.

How long can an organisation retain CCTV system images?

Organisations should have a retention policy that meets requirements of the prevailing data protection legislation. They should only keep the images for as long as necessary to meet the purpose of recording them.

Equipment

- All equipment must comply with any legislative requirements in respect of the 1986 Regulations;
- All equipment must meet all requirements as regards safety, technical acceptability and operational/data integrity; and
- All equipment must be designed, constructed and installed in such a way and in such materials as to present no danger to passengers or the Driver, including impact with the equipment in the event of a collision or danger from the electrical integrity being breached through vandalism, misuse, or wear and tear.

Please also see the latest advice from the Information Commissioner's Office (ICO), available from:

www.ico.org.uk/your-data-matters/cctv/

and

www.ico.org.uk/for-organisations/guide-to-data-protection/

Contact details for ICO:

www.ico.org.uk/global/contact-us/