

Guidance notes for CCTV installation

1. PURPOSE

1.1 The aim of this report is to give guidance to drivers of vehicles licenced by Bradford Council who intend to install in car CCTV systems within their vehicles. The report will lay down a minimum criteria that would be seen has good practice guidance for the trade.

1.2 In doing so the Licensing Authority recognises that such systems can be helpful in the prevention and detection of crime, reduce the fear of crime and enhance the safety of hackney carriage and private hire vehicle drivers, as well as improving public safety. However, this report also seeks to ensure that the installation and operation of CCTV systems do not compromise the safety of drivers or passengers or unreasonably interfere with the privacy of members of the public. This report does not place a mandatory requirement on the licensed operators of hackney carriages and private hire vehicles to install CCTV systems in their vehicles.

2. INFORMATION COMMISSIONAIR (ICO)

2.1 The ICO is a government body responsible for regulating freedom of information and the protection of personal data. Users of CCTV Systems are required to register with the ICO in the register of data controllers. £35) Registration can be done by visiting the information commissioner website or alternatively calling them on 03031231113 for further information.

3. DATA CONTROLLER

3.1 The Information Commissioner defines a “data controller” as the body which has legal responsibility under the Data Protection Act 1998 for all matters concerning the control of personal data, this being defined as the person who has access to any data stored within the device.

3.2 For the purpose of the installation and operation of a CCTV system in hackney carriages and private hire vehicles, the “data controller” may be the holder of the hackney carriage or private hire vehicle licence, an operator who is responsible for the vehicle, the issuing licensing authority or the driver.

3.3 The data controller will therefore be responsible for ensuring compliance with the requirements of all relevant data protection legislation, including the Data Protection Act 1998. The data controller is legally responsible for the use of all images including breaches of legislation and must register with the ICO (Information commissioner office) at a cost of £35 per year. (Subject to changes)

4. THIRD PARTY DATA PROCESSING

4.1 Where a service provider is used for the remote storage of CCTV data other than the data controller they will act as a data processor’. If there is no storage facility on the device this is not applicable.

4.2 A data processor, in relation to personal data, means any person (other than an employee of the data controller) who processes data on behalf of the data controller, in response to specific instructions. The data controller retains full responsibility for the actions of the data processor. A formal written contract between the data controller and the data processor should be arranged. The contract would detail security arrangements,

retention/deletion criteria, who has access along with information regarding termination arrangements.

5. INSTALLATION AND OPERATION CCTV

5.1 Recording of sound. Operators should avoid recording conversations between members of the public. CCTV systems should not have any sound recording facility. If at the time of purchasing a system it comes equipped with a sound recording function then this functionality should be disabled. There may be a case for audio recording in circumstances that affect driver /passenger safety for example a panic button if a driver feels threatened or vulnerable and activates the sound function in order to record evidence.

6. MANUFACTURING SPECIFICATIONS

6.1 All equipment must comply with any legislative requirements in respect of Motor Vehicle Construction and Use Regulations. All equipment must meet any and all requirements with regards to safety, technical acceptability and operational and data integrity.

6.2 Equipment should always be designed, constructed and installed in such a way and in such materials as to present no danger to passengers or to the driver, in the event of a motor vehicle collision/ wear and tear or misuse through vandalism.

7. INSTALLATION OF CAMERA

7.1 The camera(s) must be fitted safely and securely in such a way that it does not adversely encroach into the passenger area and must not impact on the safety of the driver, passenger or other road users.

8. INSTALLATION SPECIFICATIONS

8.1 All equipment must be installed as per manufacturer installation instructions. The CCTV system installed must not weaken the vehicle structure or interfere with the integrity of the vehicle manufacturer's original equipment.

8.2 All equipment must be protected from weather conditions; secure from tampering and positioned in such a manner has to not impact on passenger comfort.

8.3 The Construction and Use Motor Regulations 1986 states that equipment should not obscure the view of the road through the windscreen. Equipment must not obscure or interfere with the operation of any of the vehicle's standard or mandatory equipment, i.e. not mounted on or adjacent to air bags/air curtains or within proximity of other supplementary safety systems which may cause degradation in performance or functionality of such safety systems.

9. IMAGE SECURITY

9.1 All Images captured by the CCTV system must remain secure at all times. The captured images must be protected using encryption software which is designed to guard against the compromise of the stored data, for example, in the event of the vehicle or equipment being stolen.

10. CCTV IMAGE RETENTION

The CCTV equipment selected for installation must have the capability of retaining images either within its own hard drive which should be secured and encrypted appropriately. A detachable mass storage device such as a compact flash/ solid state card. For the purposes of storage, users should not download images onto portable media devices such as CDs or memory sticks. There is not a defined standard period for the retention of captured images. A recommended maximum period of 31 days from the date of capture would be appropriate.

11. ACCESS AND USE OF INFORMATION RECORDED

11.1 Any images and any audio recording should only be used for the purposes described in this report. Requests may be made to the data controller by authorised officers of the Licensing Authority or the Police.

12. CLEAR SIGNAGE

12.1 Hackney carriages and private hire vehicles with CCTV installed should display signage within the vehicle to indicate that CCTV is in operation. The driver should also verbally bring this to the attention of the passenger (s) that CCTV is in operation. There should also be clear signage depicting CCTV is operating in this vehicle. If there is an audio capability this should also be clearly displayed and verbally related to the passengers.

CONCLUSION

This report does not seek to endorse or recommend any particular system. The aim is to give good practice guidelines for the installation of in car CCTV Systems within licensed vehicles. The choice to install or not to install remains with each individual driver/operator/proprietor.

The decision to install In-Car CCTV systems should not be determined by cost. In order to satisfy the Licensing Service any preferred installation should fulfil the requirements contained in this document.

LIST OF KEY POINTS

1. **THE INFORMATION COMMISSIONAIR** (see paragraph 2)
2. **THE DATA CONTROLLER** (see paragraph 3.1)
3. **THIRD PARTY DATA PROCESSOR** (see paragraph 4.2)
4. **RECORDING OF SOUND** (see paragraph 5.1)
5. **MANUFACTURE** (see paragraph 6)
6. **CAMERA INSTALLATIONS** (see paragraph 7)
7. **INSTALLATION** (see paragraph 8.1)
8. **SECURITY OF IMAGES** (see paragraph 9.1)
9. **RETENTION OF CCTV IMAGES** (see paragraph 10)
10. **USE OF INFORMATION RECORDED ON CCTV** (see paragraph 11)
11. **SINAGE** (see paragraph 12)

To comply with the requirements of Bradford Council for CCTV- In-Car Installations do you have the following? (Please **delete** Yes/No where applicable)

1. Have you submitted notification to the Information Commissioner's Office (ICO)?

Yes/ No

2. Has the ICO provided you with documentation to evidence your notification as the "data controller" associated with your system?

Yes/ No

3. Do you have documentary evidence regarding contractual arrangements with any data processor or service provider associated with the operation or management of the CCTV system? (Where applicable)

Yes/ No

4. Have you displayed the required signage, including the relevant contact details?

Yes/ No

5. Does the CCTV system meet the installation standards as set out in this document? (List of key points)

Yes/ No

PLEASE SIGN DATE, AND RETURN THE FOLLOWING. IF YOU HAVE ANSWERED YES TO ALL FIVE QUESTIONS YOU WOULD IN ALL LIKELYHOOD COMPLY WITH THE CONDITIONS CONTAINED IN THIS DOCUMENT.

Application Declaration

I have read and understand the information contained, including the requirement for me to register with the information commissioner. I agree to work within the guidelines set out by Bradford Council in a responsible and ethical manner, and adhere to all other guidelines stated in this document.

Name (please print name):

Badge no (if applicable):

Date: