

Charnwood Borough Council – Street Management

Body Worn Video (BWV) and Fly Tipping Cameras Impact assessment

July 2019

1.0 What will the organisation be doing with the images?

The images and audio for BWV and images for fly tipping cameras will be used to provide evidence in court for environmental crime to provide a detailed record of the incident.

2.0 Who will take legal responsibility under the Data Protection Act?

The Data Controller is Charnwood Borough Council. The Senior Information Risk Officer (SIRO) and Data Protection Officer are the Council's liaison for the Information Commissioners' Officer

The Head of Regulatory Services will be legally responsible for the day to day running of the scheme and for ensuring compliance with the requirements of the legislation and the BWV and Fly tipping cameras standard operating procedure.

3.0 What is the organisation's purpose for using CCTV?

Charnwood Borough Council Street Management department will use the images and audio (images only for fly tipping cameras) for the prevention and detection of environmental crime and parking contraventions through gathering of intelligence including use of images and sound as evidence in criminal or civil proceedings.

4.0 What are the problems it is supposed to address?

- Environmental crime issues including fly tipping, littering, dog fouling
- Incidents of verbal/physical abuse against Street Wardens

5.0 What are the benefits to be gained from its use?

The use of BWV and fly tipping cameras has the potential to significantly improve the quality of evidence provided by the Street Management Team in the drive to reduce environmental crime.

BWV and fly tipping cameras can be highly beneficial to prosecutions and in the production of effective evidence.

BWV is a one touch recording system to capture video and audio evidence. It is a method of recording evidence and can act as a deterrent in cases of potential verbal and physical abuse.

Fly tipping cameras are a motion triggered device recording video only to record incidents of fly tipping and to act as a deterrent for would be fly tippers.

By using BWV or fly tipping cameras, the incident is recorded at the time and as exactly as possible after the incident occurs. The evidence is therefore more thorough.

Images recorded on BWV can act as an excellent aide memoir to ensure that witness statements contain all relevant and sufficient information.

Recorded evidence on BWV can help in the process of investigating a complaint about a Street Warden. If recorded evidence is available then it can be viewed and allows a prompt decision to be made on the complaint.

6.0 Can CCTV technology realistically deliver these benefits?

Yes, recordings that include images (and audio for BWV) have been used (nationally) in numerous court cases to provide clear evidence and achieve successful prosecutions.

7.0 Can less privacy intrusive solutions achieve the same objectives?

The Street Management Team will use a variety of methods of gathering intelligence and will use discretion when deciding which method to gather the evidence i.e. a pocket notebook is a better option if inside a personal dwelling due to Article 8 of the Human Rights Act.

8.0 Do you need images of identifiable individuals or could the scheme use other images not capable of identifying the individual?

The images of identifiable individuals help in cases where the offender gives incorrect personal information. For fly tipping cameras capture the vehicle registration number and images of the offender will help to identify the individual (s).

9.0 Will the equipment/system of work being considered deliver the desired benefits now and remain suitable in the future?

The current system delivers the desired benefits for BWV. For fly tipping cameras the equipment is used at other councils successfully, so the same equipment has been procured to provide the same results. An annual review of the equipment will be carried out to ensure that the equipment is fit for use.

10.0 What future demands may arise for wider use of images and how will you address these?

The BWV and fly tipping cameras footage will only be used for the purposes as stated in 3.0 and 4.0

11.0 What are the views of those that will be under surveillance?

BWV is not to be used for surveillance purposes it is to be used strictly for recording specific incidents. The fly tipping cameras are motion triggered and once the motions have ceased the cameras will stop recording.

12.0 What could you do to minimise intrusion for those that may be monitored, particularly if specific concerns have been expressed?

If a Street Warden issues a fixed penalty notice and there are people in the proximity of the recording, the Street Warden will ask the person involved to move to a location away from other people.

Fly tipping hotspots will be checked prior to putting the cameras up to make sure there is no collateral intrusion. The cameras will only work when there is motion in the recording area, so it will not be recording all the time. Fly tipping locations are usually rural areas with minimal housing in the vicinity.