

DOCUMENT CONTROL INFORMATION				
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03/08/2018	BWV01 V2	Live	CN	Annual Review

Role/Site/Client **All**

Task/Name of SOP	Body Worn CCTV Policy and Procedures
References:	Health & Safety at Work Act Client Requirements / Specification Equipment issue, maintenance and usage procedures. Human Rights Act Data Protection Act Physical Intervention & Conflict Management Model Incident Reporting Procedures Privacy Impact Assessment (BWV-02)

SOP Brief:

This document explains how Eboracum UK will approach and use Body Worn Video (BWV) technology and is primarily aimed at all employees.

The intention is for BWV to;

- Raise and maintain standards of service.
- Reduce incident escalation.
- Augment opportunities for evidence capture.
- Prevent and/or Reduce complaints.
- Provide reassurance that the company is doing the right thing by creating a culture of honesty.

SOP Details:

All Eboracum UK operatives should comply with Policy when dealing with members of the public and when gathering evidence/information, ensuring the quality and integrity of that evidence/information.

This document and associated procedures must be followed at any incident where BWV is / has been used. Eboracum UK has a Body-Worn Video evidence management process. This system ensures compliance of all relevant legislation and provide a full audit trail maintaining evidential continuity.

For the purpose of this policy, Eboracum UK Ltd (Formerly Eboracum Security Ltd)'s Data Registration Number with the ICO is: Z3644847
 The data controller is Carl Nickson who is contactable on 0800 644 1660 or carl@eboracumsecurity.com.

The decision to use BWV as a tactic must be justifiable and proportionate to the issue at hand. Eboracum Security is committed to the following and the use of BWV should be considered in any interaction with members of the public.

Introduction

Body Worn Video (BWV) is an overt method by which operatives can obtain and secure evidence at incidents. This document is intended to enable staff to comply with legislation and guidance to create evidence suitable for use ultimately in court proceedings if required. In addition to providing compelling supportive evidence for court it has been found that BWV can furnish other benefits such as;

- Raise standards of service.
- Reduce incident escalation.
- Augment opportunities for evidence capture.
- Reduce complaints.

This document explains the process by which Eboracum UK Ltd will utilise BWV devices. It will ensure a consistent and effective system is adopted throughout the organisation, benefiting both members of the public and staff.

BWV devices will be used by Eboracum SIA Licensed operatives. It has the potential to significantly prevent, stop escalation, and record events involving conflict. In cases which involve legal redress it can improve the quality of evidence provided by members of the organisation.

It will also raise standards of service providing a good reference for staff development.

BWV can be used across a wide range of operations and in all cases users must use professional judgment with regard to the use of this equipment.

There are some examples of situations where the use of BWV is not appropriate; the following list is for guidance only and is not exhaustive.

- Legal privilege – users must be careful to respect legal privilege and must not record material that is, or is likely to be, subject to such protections.
- Private dwellings – users must consider the right to private and family life (Article 8 of the ECHR) and must not record beyond what is necessary for the requirements of the individual case.

At an individual case level the use of BWV should be made clear by staff making a verbal announcement to those persons who may be recorded. In some cases it will not be practical to make such an announcement, on these occasions this announcement must be made as soon as practicable.

The decision to record or not to record any incident remains with the user providing that justification can be provided (as follows). The user must be mindful that failing to record an incident may require explanation. Therefore, if the user is present at an encounter where BWV can be used the user should record the incident.

Recording should be incident-specific: users should not indiscriminately record entire duties and only use recording to capture video and audio at incidents that would normally require reporting, whether or not these are ultimately required for use in evidence.

Risk Assessments / Health and Safety Considerations

Each incident should be subjected to a dynamic risk assessment on its own merits. When using BWV the decision to record or not record forms part of this risk assessment.

The assessment should include consideration of the health and safety, human rights and welfare of all those involved.

Booking Out Equipment

Company owned body worn cameras should be stored in Eboracum offices when not in use. They should be in a secure environment and docked. The company Director is responsible for maintaining the security of the cameras and the allocation to staff who have been instructed in its use.

When the units are booked/signed out, the operative will check the time and date stamp are correct and sign the booking out log to confirm this.

Only specifically instructed personnel are permitted to use BWV devices. On completion of instruction they will be locally authorised to use the equipment. Only operatives authorised by the company director are permitted to operate the devices.

Recording Events

Recordings should only be made in situations where the BWV wearer decides to take some form of action, or make an intervention e.g. violence prevention or detention of offender(s) who have committed indictable offences. All recordings have the potential to be used in evidence even if it appears at the time that this is unlikely.

It is important to record as much of an incident as possible. Recording should begin at the earliest opportunity at the start of an event.

Image Capture

At the start of any recording, the user should, where possible, make a verbal announcement to indicate why the recording has been activated. If possible, this should include:

- the date, time and location;
- the nature of the incident;
- confirmation to those present that the incident is now being recorded using both video and audio recording;

If the recording has started prior to arrival at the scene of an incident, the user should, as soon as possible announce to those present that recording is taking place and that actions and sounds are being recorded.

Users should use straightforward speech that can be easily understood by those present, such as “I am video recording you”, “I am video recording this incident” or “everything you say and do is being recorded on video”.

Users should attempt to minimise intrusion of privacy on those persons who are present but not involved in the incident, by keeping the camera focused on the incident and not bystanders.

Unless circumstances dictate otherwise, recording must continue uninterrupted from the start of recording until the conclusion of the incident. It is advisable that the member of staff continues to record for a short

period after any incident to clearly demonstrate to any subsequent viewer that the incident has concluded and that the user has resumed other activities.

Prior to concluding recording, the user should make a verbal announcement to indicate the reason for ending the recording. This should state:

- the date, time and location; and
- the reason for concluding recording.

Selective Capture and Bookmarking

Selective capture is the user making a choice of when to record and when not to record. The nature of some incidents may make it necessary for the user to consider the justification for continuing to record throughout an entire incident.

In cases where the user does interrupt or cease recording, they should record the decision including the grounds for making such a decision. In recording an incident, it is likely that BWV users will encounter different people, as well as recording the visual evidence at the incident itself.

Selective capture is a means by which users may separate encounters with each person in order to allow for easier retrieval at a later time. It is recognised that bookmarking (temporarily stopping and restarting recording) is not always practicable due to the nature of incidents; therefore it should only be attempted if the situation is calm and the operator is easily able to undertake this action.

Prior to any temporary suspension for the purpose of bookmarking, the user should where possible make a verbal announcement clearly stating the reason for suspending recording. Following the pause **at the start of recording** the user should also announce that they have recommenced recording. The bookmarking process will be demonstrated on the final whole recording of the incident by a missing section of a few seconds.

Transfer of images to secure hard drive for storage

Before completion of duty the BWV user will dock the device. Where footage is of significant value ie. Evidential, it will be transferred onto the stand-alone hard drive. The BWV Footage retention log will be completed. It will be stored for 28 days, or if a case is in progress for as long as the case lasts. The transfer and retention of images must only be completed by management.

Deletion of Images

There are no circumstances in which the unauthorised deletion by the user or other person of any images that have already been recorded can be justified, and any such action may result in legal or disciplinary proceedings.

All non-evidential data will be retained on the secure hard drive for 28 days and then deleted through the system.

Return of Equipment

When the BWV equipment is no longer required it will be returned to the appropriate storage facility. The user will ensure that all equipment is in working order and suitable for re issue. Any damage or malfunctions must be reported to Carl Nickson. Care should be taken to ensure that the device and any batteries are placed on charge for the next user.

Extract from the SIA website regarding the use of BWV and SIA Licensing:

" A headcam/bodycam is a 'hands-free' video recording (and possibly audio recording) device that is worn about the person in order to create a visual record from that person's point of view. This device will usually produce a video feed either to be viewed live by another person in another location, or to be somehow captured and stored for later review.

Individuals who view footage recorded by headcams/bodycams are likely to fall within the definition of public space surveillance (CCTV) activity. If you are employed to use CCTV equipment to monitor the activities of a member of the public in a public or private space, **other than for the purposes of protecting property or identifying a trespasser (e.g. if you use CCTV to guard against outbreaks of disorder), and this activity is carried out in connection with any contract for the supply of services, then you will require a Public Space Surveillance (CCTV) licence.***

If you simply wear a headcam or bodycam but do not watch or review any of the footage from that device, the SIA takes the view that this does not fall within the public space surveillance (CCTV) definition. You would therefore not require a Public Space Surveillance (CCTV) licence.

When dealing with matters relating to public space surveillance (CCTV), the Data Protection Act 1998 (and the eight data protection principles that underpin the regulation) must be taken into consideration. Public space surveillance (CCTV) captures information about individuals, and information held by organisations that relates to individuals is covered by the Data Protection Act 1998. Most organisations that process personal data are required to register as a data controller with the Information Commissioner's Office.

*However, if you view footage recorded by headcams/bodycams solely for the purpose of protecting property or identifying a trespasser, then a Security Guard or Door Supervisor licence would be sufficient. Due to licence integration, a Public Space Surveillance (CCTV) licence would also cover you for this activity. "

Policy review

This policy will be kept up to date, particularly as the business changes in nature and size. To ensure this, the policy and the way in which it has implemented will be reviewed every year. In addition, reviews of risk and assessments and site safety inspections etc will take place from time to time.

This policy will be reviewed periodically and where a appropriate change is to be implemented/announced.

Approved By:	
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Carl Nickson
Director
Updated 03-8-2018

