

# Colchester Borough Council - CCTV Policy

## 1. Introduction

1.1 The Council recognises that licensed drivers are a valuable asset to the Borough and **drivers' safety and health** is a key concern. This concern must be considered alongside the overriding objective in the licensing of hackney carriage and private hire vehicles, drivers and operators of the **safety of the travelling public**.

1.2 In considering the installation of CCTV in licensed vehicles, the Council has had regard to the number and nature of complaints made by the public in relation to licensed drivers and to recent high profile cases which have highlighted not only the vulnerability of passengers to wrong doing but also the vulnerability of drivers to unfounded allegations. There are often significant difficulties in investigating such complaints, to the satisfaction of all parties, because of the lack of an independent witness.

1.3 In order to address the objectives set out above, and for the following reasons the Council has determined that with effect from xxxxxxxx all newly licensed vehicles should be fitted with CCTV and existing vehicles must be fitted with CCTV upon renewal of their licence.

- To enable drivers to protect themselves against allegations of misconduct.
- To help identify culprits in where problems have occurred.
- Deterring and preventing the occurrence of crime
- Reducing the fear of crime
- To assist the Council and Police in investigating incidents of crime
- To assist insurance companies in relation to motoring claims.

## 2. General principles

2.1 For the purposes of this document the term "CCTV system" includes any electronic recording device attached to the inside of 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, and accident data recording devices.

2.2 Any CCTV system to be fitted must, as a minimum, meet the requirements set out in this Policy.

2.4 CCTV systems installed in Taxis and PHVs will be inspected as part of the annual licensing inspection to ensure they do not pose a risk to the safety of the passengers or the driver and are fitted safely and securely.

2.5 The installation and operation of CCTV must comply with the requirements of the [Information Commissioner's CCTV Code of Practice](#).

2.6 All equipment must comply with any legislative requirements in respect of Motor

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Vehicle Construction and Use Regulations.

2.7 All equipment must meet all requirements as regards safety, technical acceptability and operational/data integrity.

2.8 All equipment must be designed, constructed and installed in such a way and in such materials as to present no danger to passengers or 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.

## 3. System Specification

3.1 The following are the minimum criteria that the Council expects for a CCTV system.

- Meets the current Information Commissioner's data protection requirements [Information Commissioner's CCTV Code of Practice](#)
- Capable of date and time stamping.
- Capable of recording and storing images for a minimum of 28 days.
- Capable of capturing images that, in low light conditions, must be of sufficient quality to enable identification of any person travelling in a vehicle and be of such quality that they can be used for prosecution purposes.
- Be capable of storing images in a manner which prevents them being removed, downloaded or viewed by the driver or any other person travelling in the vehicle; the images to be capable of being downloaded by a system administrator only.
- Digitally encrypted and the de-encryption software required to view the images must be supplied to the Council free of charge before the system is installed in the vehicle.
- The area recorded by the camera must not extend outside of the vehicle.
- The system must be marked with the Electro Magnetic Certification indicating it meets the European Industry Standard.
- Must not interfere with any other safety, control, electrical, computer, navigation, satellite or radio system in the vehicle.

## Installation

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4.1 All equipment must be installed as prescribed by the equipment and/or vehicle manufacturer installation instructions.

4.2 The installed CCTV system must not weaken the structure or any component part of the vehicle or interfere with the integrity of the manufacturer's original equipment.

4.3 All equipment must be installed in such a manner so as not to increase the risk of injury and/or discomfort to the driver and/or passengers. For example, temporary fixing methods such as suction cups will not be permitted, or lighting, such as infra-red, which emits at such a level that may cause distraction or nuisance to the driver and/or passengers.

4.4 All equipment must be protected from the elements, secure from tampering and located such as to have the minimum intrusion into any passenger or driver area or impact on the luggage carrying capacity of the vehicle.

4.5 Equipment must not obscure the view of the road through the windscreen (Motor Vehicle (Construction and Use) Regulations, 1986).

4.6 Equipment must not obscure or interfere with the operation of any of the vehicle's standard and/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.

4.7 Viewing screens within the vehicle for the purposes of viewing captured images are not permitted.

4.8 All wiring must be fused as set out in the manufacture's technical specification and be appropriately routed.

4.9 If more than one camera is being installed their location within the vehicle must be specific for purpose i.e. to provide a safer environment for the benefit of the Taxi/ PHV driver and passengers.

4.10 All equipment must be checked regularly and maintained to operational standards, including any repairs after damage.

4.11 All system components requiring calibration in situ should be easily accessible.

## Camera Activation Methods

4.12 Activation of the equipment may be via a number and combination of options, including door switches, time delay, driver's panic button or, in the case of an incident/event recorder, predetermined G-Force parameters set on one or more axis (i.e. braking, acceleration, lateral forces). The CCTV system may be configured to record images for a short period of time before the trigger event, during the related

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incident and a short period following the related incident.

Please note - A direct wired link to the vehicle's taximeter, in the case of a Taxi, will not be acceptable.

## Audio Recording

4.13 CCTV systems must not be used to record conversations between members of the public except in very exceptional circumstances. Where the system comes equipped with sound recording facility then this functionality should be disabled.

Please note - There are limited circumstances in which audio recording may be justified due to a specific threat to an individual's personal safety, e.g. when a 'panic button' is utilised in response to a threat of physical violence. Where this audio recording facility is utilised a reset function must be installed which automatically disables audio recording and returns the system to normal default operation after a specified time period has elapsed. The time period that audio recording may be active should be the minimum possible. In the limited circumstance where audio recording is justified, signs must make it very clear that audio recording is being or may be carried out

## Image Security

4.14 Images captured must remain secure at all times. The captured images must be protected using approved 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 ( [Information Commissioner's CCTV Code of Practice](#) )

## Retention of CCTV images

4.15 The CCTV equipment selected for installation must have the capability of retaining images either within its own secure, encrypted hard drive; using a fully secured and appropriately encrypted detachable mass storage device, for example, a compact flash solid state card; or where a service provider is providing storage facilities, transferred in real time using fully secured and appropriately encrypted GPRS (GSM telephone) signalling to a secure server within the service provider's monitoring centre.

4.16 Images must not be downloaded onto any kind of portable media device (e.g. CDs or memory sticks) for the purpose of general storage outside the vehicle. CCTV equipment selected for installation must include an automatic overwriting function, so that images are only retained within the installed system storage device for a maximum period of xxxx days from the date of capture. Where a service provider is used to store images on a secure server, the specified retention period must also only be for a maximum period of xxxx days from the date of capture. Where applicable, these provisions shall also apply to audio recordings.

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## Using recorded CCTV images

4.22 Any images and/or audio recordings should only be used for the purposes as set out in the Policy at Paragraph xxxxx.

4.23 Requests to view captured images may be submitted in writing by the Police or other statutory law enforcement agencies; the Council; insurance companies/brokers/loss adjusters; or exceptionally other appropriate bodies using a standard template request form or signed statement; any such requests must set out the reasons why the disclosure is required.

4.25 Members of the public may also make a request for the disclosure of images, but only where they have been the subject of a recording. This is known as a 'Subject Access request'. Such requests must only be accepted where they are in writing and include sufficient proof of identity (which may include a photograph to confirm they are in fact the person in the recording). A fee may be charged for a subject access request (currently a maximum of £10). More guidance on handling Subject Access requests can be found in the ICO's Subject Access Request Code of Practice, which is available on their website.

## Signage

4.26 All licensed vehicles fitted with a CCTV system must display a sign in a prominent position stating that the vehicle carries CCTV. The driver may also verbally bring to the attention of the passengers that CCTV equipment is in operation within the vehicle, if it is felt necessary or appropriate. The signage must be displayed in such positions so as to minimise obstruction of vision and to make it as visible as possible to passengers, before and after entering the vehicle

## 5. Conditions

5.1 The following conditions will be attached to the vehicle licence –

- No CCTV system, including the installation of cameras, shall be installed in a vehicle unless previously approved in writing by the Council.
- No change shall be made to the CCTV system, including the number and location of cameras, without the prior written consent of the Council.
- A sign must be displayed in a prominent position stating that the vehicle carries CCTV. The signage must be displayed in such positions so as to minimise obstruction of vision and to make it as visible as possible to passengers, before

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and after entering the vehicle. The sign must be maintained in a clean and legible condition.

- The proprietor shall ensure that the system is properly and regularly maintained and serviced in accordance with the manufacturer's instructions by a suitably qualified person. Written record of maintenance and service shall be kept and made available on request to an authorised office of the Council or the Police.
- Upon request for CCTV footage made by an officer of the Council or Police Officer, the proprietor shall ensure that the CCTV system is made available to the system administrator as soon as is reasonably practicable and in any event within 7days.
- The proprietor of the vehicle shall take all reasonable steps to ensure that the driver of the vehicle is made aware of every condition in relation to the CCTV system installed in that vehicle and has been given adequate instruction in its use and the requirements in relation to image retrieval.
- The proprietor shall ensure that notification is lodged with the Information Commissioner to cover the purposes for which the CCTV system is used.