

Committee: Licensing and Environmental Health

Agenda Item

Date: 09 September 2015

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Title: **Review of CCTV Code of Practice and Police Protocol**

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Item for decision

Summary

This report is to inform members of a consultation undertaken with regard to reviewing the CCTV Code of Practice and Police Protocol which were established in 2011.

Recommendations

1. That Members approve the proposed amendments to the Code and Protocol.

Financial Implications

2. None. There are no costs associated with the recommendations.

Background Papers

3. The following papers were referred to by the author in the preparation of this report and are attached.
 - Code of Practice for the Management of Camera Systems in Hackney Carriages and Private Hire Vehicles Licensed by UDC (2011 version with amendments highlighted)
 - Protocol Governing Police use of CCTV in QTP Taxis and Private Hire Vehicles (2011 version with amendments highlighted)

Impact

- 4.

Communication/Consultation	A consultation meeting was held on 23 June 2015 by Council Officers with representatives of the police, ULODA and proprietors of vehicles that have CCTV systems installed. The amended documents were circulated to the attendees for their comments on 22 July 2015.
Community Safety	None
Equalities	None
Health and Safety	None

Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

5. In 2011 the Council purchased 15 CCTV camera systems with funds provided by Essex County Council to install in Taxis and Private Hire vehicles whose proprietors had signed up to the Quality Taxi Partnership (QTP) that had been set up in 2009.
6. At the time the Police Uttlesford Crime Reduction Advisor & Architectural Liaison Officer, drew up a protocol governing the Police use of the data captured by the CCTV in licensed vehicles which became a signed agreement between the Council and Essex Police.
7. The Council's legal advisor also drew up a policy document which closely mirrored the protocol submitted by the Police. This document became the "Code of Practice for the Management of Camera Systems in Hackney Carriage and Private Hire Vehicles licensed by Uttlesford District Council". This document set out how the scheme should run, and the responsibilities of the Council, the drivers and the Police in operating the CCTV systems and using the data. For those drivers that have the CCTV installed, it also becomes part of their licence conditions.
8. The Code of Practice was agreed and accepted by UDC, Essex Police, Uttlesford Licensed Operators and Drivers Association (ULODA) and Uttlesford hackney carriage and private hire drivers who had CCTV installed.
9. The Code of Practice is subject to review and reviews should take place on a three yearly basis. The CCTV units were purchased and installed in December 2011 so the review is being undertaken now, albeit slightly overdue, as a result of staff changes.
10. On 23 June 2015 a consultation meeting took place, involving a representative of ULODA, vehicle proprietors who have CCTV systems installed in their vehicles, officer representatives of the Council and from the Police, the current Crime Prevention Tactical Advisor and their Senior-Architectural Liaison Officer, to look at both documents, to ensure they accurately reflect the operation of the scheme and are up to date.
11. It was agreed that all references to the QTP should be removed from both documents. The QTP had originally been set up for a period of 2 years, with the possibility of extending the agreement at the end of this period, however once the initial funding from ECC had been exhausted there were no further meetings and the partnership ceased operating.
12. The other amendments to the Code of Practice that were agreed were:
 - a. At point 3.1 - the word "audio-visual" should be included

- b. At point 3.9 - the notices displayed in the vehicle should also make it clear that the system installed is an audio and visual camera system).
 - c. At point 3.13 - the reference to the one year guarantee has been deleted as it is no longer relevant.
 - d. At point 4.8 the wording has been amended to add the word “authorised”.
13. Several small changes were made to the Police Protocol document (see background papers) at the suggestion of the Police representatives.
- a. All references to the QTP were removed;
 - b. wording was added to make it clear that signage will be displayed to alert passengers to the fact that a CCTV system is in operation.
 - c. On page 2 the wording of one of the Key Objectives was changed to “To assist the police and UDC in **gathering the best evidence** in investigating any crime.....”.
 - d. On page 3 the job title Crime Reduction Tactical advisor has been changed to Crime Prevention Tactical Advisor and the reference to QTP has been replaced by Community Safety Partnership.
 - e. On page 4 the paragraph about *The collection of Evidence – Requests by the Police* has been amended to add a phrase explaining that images may be sought relating to “incidents near to or on the route of any driver where the Police Senior Investigation Officer suspects evidence could have been recorded within the vehicle and that evidence could aid an investigation.
14. The amended documents were circulated to the attendees for comment. One did not respond, but the others were happy that the changes reflected what was agreed at the consultation meeting.

Risk Analysis

15.

Risk	Likelihood	Impact	Mitigating actions
Drivers misuse the CCTV system.	2. Drivers may be unaware of changes to legislation.	2. Negative impact on the reputation of the Council and/or drivers. Data may be inadmissible in evidence.	Code or Practice regularly reviewed and to form part of licence conditions.
Failure to review the Code of	2. There is a small chance	2. Legislation or practice changed	Review the Code of Practice on a regular

Practice.	that this may be overlooked in very busy periods.	which could result in breaches of Data Protection and/or data being inadmissible or lost.	basis.
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1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.