

CODE OF PRACTICE FOR THE MANAGEMENT OF CAMERA SYSTEMS IN HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES LICENCED BY UTTLESFORD DISTRICT COUNCIL

This Code of Practice has been agreed and accepted by Uttlesford District Council, Essex Police, Uttlesford Licensed Operators and Drivers Association and Uttlesford hackney carriage and private hire drivers.

1. Introduction

- 1.1 Following the inception of the Uttlesford Quality Taxi Partnership, whose aims include reducing crime and the fear of crime on the transport system, funding was received for the provision of in-car CCTV systems being installed into some licensed vehicles within the Uttlesford District.
- 1.2 This Code of Practice (hereinafter called the Code) sets out to ensure that the in-car camera systems in hackney carriages and private hire vehicles (hereinafter called Licensed vehicles) licensed by Uttlesford District Council (hereinafter called the Council) are used to prevent crime, identify the perpetrators of crime, enhance the health and safety of hire vehicle drivers and passengers and reduce the fear of crime. Adherence to this Code will ensure that the civil liberties of all parties are upheld.
- 1.3 This CCTV scheme is managed by Uttlesford District Council's Licensing Department. The body responsible for monitoring compliance with this Code will be the Council acting through officers of the Licensing and Enforcement Departments.
- 1.4 Any person agreeing to this Code, by completing a copy of the certificate appended to this Code of Practice, will be accepting it as part of the conditions attached to their Proprietors / Vehicle Licence. Any noncompliance will be considered to be a breach of those conditions.

2. The Purpose of In Car Camera Systems

- 2.1 The purpose of in-car camera systems shall be to provide a safer environment for the benefit of hire vehicle drivers and passengers by:
 - 2.1.1 Deterring and preventing the occurrence of crime;
 - 2.1.2 Reducing the fear of crime;

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2.1.3 Assisting the Police in investigating incidents of crime;

2.1.4 Assisting the Police in identifying missing persons.

2.2 This CCTV scheme will be operated fairly within applicable laws (which includes but is not limited to Data Protection Act 1998, Freedom of Information Act 2000, Criminal Procedure and Investigations Act 1996, Police and Criminal Evidence Act 1984 and the Human Rights Act 1998) and only for the purposes for which it was established, or subsequently agreed in accordance with this Code

3. Installation and Operation of In Car Camera Systems in Licensed Vehicles

3.1 The Council has procured in-car audio visual camera systems which it is making available to licensed vehicle proprietors to be installed in their cars.

3.2 ~~Proprietors who wish to have the in-car system installed must have become a member of the Quality Taxi Partnership and be willing to operate in accordance with the Partnership's charter.~~

3.3 Prior to installation of an approved system, any Licensed vehicle Proprietor wishing to have an in-car camera system installed must sign an agreement to comply with this Code.

3.4 The Council will approve companies to carry out the installation and to undertake any servicing and maintenance of the in-car system (hereinafter called "Approved Company").

3.5 An Approved Company will carry out the installation of the in-car system in accordance with the manufacturer's instructions and this Code. The Proprietor / Operator will be trained in its use.

3.6 The installation will consist of one rear-facing camera in the hire vehicle unless the seating arrangements therein allows rear-facing passengers, in which case an additional camera may be installed to capture images of passengers in those seats. Any Proprietor wishing to install additional cameras to those allowed in this paragraph must obtain written consent from the Council prior to doing so.

3.7 All cameras will be installed above the level of the dashboard within the hire vehicle.

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3.8 The Approved Company will provide a certificate to the Council giving details of the installation.

3.9 All Licensed vehicles with in-car camera systems installed shall display prominent notices visible from outside the vehicle and also within the vehicle at a point readily visible to passengers, declaring that an in-car audio and visual camera system is in operation within the vehicle. The signage should be in accordance with Council's requirements as notified to the Proprietor. The driver may also verbally bring to the attention of passengers that in-car camera equipment is installed.

3.10 Signs must not be displayed if equipment is not installed or is not operational

3.11 The in-car camera system will at all times be operated in accordance with the manufacturer's instructions, a copy of which will have been provided to the driver or operator on the installation of the system.

3.12 The Proprietor of a Licensed vehicle with an in-car camera system will advise the Council of any proposed changes to the installation which shall have to be approved by the Council and be carried out by an Approved Company.

3.13 The Proprietor of the Licensed vehicle with an in-car system will be responsible for any on-going costs ~~after the one year guarantee has expired. During the first year of installation,~~ any maintenance issues or problem should be referred to the Approved Company that installed the system.

3.14 The Proprietor will be responsible for ensuring that the in-car system is kept in a good and serviceable condition and is serviced in accordance with the manufacturer's instructions by an Approved Company. Written records of all maintenance and servicing shall be made and retained by the Proprietor for a minimum of 12 months. Such written records shall be made available on demand by an authorised officer of the Council or a Police Officer.

3.15 The Proprietor of the Licensed vehicle shall take all reasonable steps to ensure that any driver of the vehicle is made aware of every condition in relation to any installed CCTV system and has been given adequate instruction regarding its use and the need for the system to be made available as soon as reasonably practicable, and in any event within 7 days of any authorised request for any image retrieval.

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3.16 The Council must be notified if any maintenance work is required to the in-car camera system at any time.

4. Use of Information Recorded on In-Car Camera Systems

- 4.1 It is important that any Operator, Proprietor or driver who suspects that a crime has been committed and that an in-car camera system may contain relevant information to the crime, should report that suspected crime to the Police as soon as possible. Any delay in reporting a suspected crime may result in evidence being lost.
- 4.2 Only persons approved by the Council after consultation with Essex Police (hereinafter called "Approved Person") may download or otherwise extract information from an in-car camera system, subject to Data Protection Legislation.
- 4.3 In the event of a serious crime investigation, where the equipment stores the image digitally and is therefore the primary evidence, it may be necessary for the data storage unit to be removed from the vehicle. This decision will be made by the **Senior** investigating police officer. The Approved Person to remove the unit should, where possible, install a replacement to allow the system to continue to operate.
- 4.4 The removal of information from the in-car camera system or the removal of the data storage unit will only be carried out by an Approved Person. However, an Approved Person will not be required where removal is for maintenance purposes and is being carried out by an Approved Company
- 4.5 Upon removal, any photograph, data storage unit or other data will be kept by the Approved Person in a secure environment and will be passed only to the requesting police officer and no one else to ensure continuity of evidence.
- 4.6 The Approved Person will provide a certificate to the police officer confirming that they are an Approved Person to download data or remove the equipment, that they are properly trained for that function and that the equipment was working satisfactorily at that time. A statement containing the following information must also be provided: details of person requesting the image, details of vehicle in which equipment is installed (make and model, registration number and plate number), serial number of equipment, date and time the image was recorded and date and time the image was produced.

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- 4.7 If the downloaded images are not collected by the Police within 30 days from the date of request, the images and data will be confidentially destroyed
- 4.8 Only an authorised police officer or an authorised civilian working for the police ~~or at the direction of the police~~ may make copies of any image.
- 4.9 No other person will have direct access to the images stored in the in-car camera system. Any person, who believes that the image of a person responsible for a criminal act may be held in an in-car camera system, must report the matter to the police.

5. Monitoring of the Use of In-Car Camera Equipment

- 5.1 Authorised officers of the Council will be responsible for monitoring the use of in-car camera systems.
- 5.2 Any authorised officer of the Council may, at any reasonable time and on production of identification, if requested, examine any in-car camera installation.
- 5.3 Any failure to comply with this Code of Practice will be reported to the appropriate Committee as a breach of the Proprietors / Vehicle Licence Conditions.
- 5.4 Any complaints about the operating of the system should be addressed to the Licensing Department of the Council in the first instance.

6. Liability

The in-car camera system will at all times remain the property of the Council. However, the Proprietor will at all times be liable for its use in his/her vehicles. The Proprietor of the vehicle will be responsible for the maintenance of the system and for any damage caused as a result of their misuse or mistreatment of the system, their negligence or failure to follow this Code.

7. Return of the System

- 7.1 In the event of any Licensed vehicle in which a system is installed ceasing to be a registered Hackney Carriage/Private Hire vehicle for hire within the district of Uttlesford the Proprietor will get an Approved Company to remove the system from the vehicle and deliver the same to the Council in good working order.

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7.2 In the event that the Council becomes aware that the Proprietor has breached the code, the Council can request the immediate return of the system. The Proprietor must get an Approved Company to remove the system from the vehicle and deliver the same to the Council in good working order.

8. Review

The working of the Code of Practice shall be subject to review. Reviews will take place on a three yearly basis and also at other times when it becomes apparent that a particular policy requires urgent review.

We, the undersigned, have approved the Code of Practice and will take all reasonable measures to ensure compliance with it and enforce it where necessary.

Signed for Uttlesford District Council

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Name and position

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Signed for Essex Police

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