

## Standard Operating Procedure – Body Worn Video (BWV) Policy

### **(BWV) is used by S&G Enforcement Agents (EA'S) for the following purpose:**

To ensure the safety and protection of S&G's Enforcement Agents and to ensure that S&G's EA's comply with relevant legislation whilst carrying out their duties. The use of images and sound will be retained as evidence in criminal and or civil proceedings and to investigate complaints. BWV cameras provide an independent record of events as they happen and act as a deterrent to would be offenders. Footage gathered by BWV cameras will provide irrefutable evidence of criminal or unacceptable civil activity and help convict those who offend or deter those who may act in physically or verbally abusive manner.

In certain circumstances images may also be used for training purposes. In establishing the use of BWV, S&G has considered the guidance issued by the Information Commissioner in the CCTV Code of Practice and the Home Office Guidance for the use of Body-Worn Video Devices.

**Notification of The Scheme with The Information Commissioner, The Data Controller for the purposes of the Data Protection Act 1998 is the S&G Directors and notification of the EA visits BWV scheme is covered by S&G's notification as a Data Controller with the Information Commissioner.** The registration is reviewed and updated as necessary each July.

The point of contact for data protection queries is **Martin Stanford**

Martin Stanford is responsible for the equipment and the day to day running of the scheme and for ensuring compliance with the requirements of legislation and BWV Policy.

### **Operating Procedures**



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**BWV Systems** All recorded footage is downloaded daily and stored for 90 days in a folder with the relevant date as a label. The day folder will be referenced with the EA's name that recorded the footage. Folder naming protocol: e.g.: 1.01.2016 1000hrs each file when downloaded is automatically issued with a unique computer-generated reference number i.e. S&G\_11012011102021 (EA, number, date and time of recording). It is imperative that EA's BWV show the correct time and date daily at shift commencement.

### Recording in Private Residences

Doorstep recording is acceptable but individual circumstances may demand recording in private residences:

Article 8 of the European Convention on Human Rights provides a right to respect to private and family life and the Data Protection Principles require any processing of personal data to be necessary to the fair and lawful purpose for which it is being processed. Recording in a person's home will inevitably result in personal information unrelated to the incident being investigated being recorded. Accordingly, it is advisable to converse with the member of public but if you do need to enter a private residence, property or business you will need to:

- a. Inform the person that you are currently recording on your BWV and you would like to continue recording, ask them if it is acceptable. If they object, then explain that you will begin to record again for evidence in the event that they become hostile towards you whilst you perform your duties.
- b. If they do not object to recording in the residence then continue to record until you leave the house. Do not record anything you do not need to and keep the visit to a minimum.
- c. Respect the subject's privacy at all times and avoid recording any members of the public that are in a state of undress.
- d. If children are present please consider whether there is a need to use the BWV at all.

## **Recording in Open Spaces**

In so far as is practicable, users should restrict recording to areas and persons necessary to obtain evidence and intelligence relevant to the incident and should attempt to minimise collateral intrusion to those not involved. The sound recording facility of the BWV equipment must NOT be used to record private conversations between members of the public.

**Recording Specific Incidents** All EA's shall at all times wear a badge which clearly indicates that BWV is in operation. EA's should where possible/practicable announce verbally to person's subject of an incident that video and audio recording is taking place by means of BWV. Recordings should only be incident specific. i.e. Recordings shall only be made in situations where the BWV wearer would make a written record of the encounter.

Recordings should not be made whilst on general duties unless you think that there is good cause to do so.

What and when to record:

1. Anything that you would normally report to management or the client
2. Taking of evidence
4. Verbal or physical abuse
5. If you suspect that somebody could become abusive both physically and or verbally whilst you are carrying out your duties.

### **Procedure for Ensuring Accuracy of Date/ Time Reference**

When issued with the BWV, the EA must ensure that it is working correctly prior to leaving commencing operations; At the start of every shift EA's should check their BWV equipment to ensure:

- Unit correctly assembled
- Recording picture is right way up
- Daily time stamp is accurate
- Ensure that the batteries are charged prior to use
- Ensure that all the components are present and in full working order
- Report any defects to the S&G management - The BWV equipment and camera will be checked quarterly by the management to ensure correct recording.

### **Procedure for Ensuring BWV Is Clear of Footage at the start of your shift.**

Ensure that your BWV is clear of footage. If there is any footage on the BWV then you should hand the BWV to the office manager so that the relevance of the footage can be checked and deleted or retained as applicable. If there is any footage that needs to be retained or requires further investigation as to the relevance, the office manager will clear the footage so that the BWV can be used.

### **BWV Computer Storage**

S&G store all images on a digital evidence management system in a cloud environment. The system is used for short-term storage (90 days) and for transferring of cases that are heard at Court to a local secure drive.

## **Data Downloading Protocol**

All BWV devices should be placed into their charging/upload cradle daily and users must ensure that they:

- Download incident footage
- Delete any irrelevant data from BWV
- make notes on their iPad case file that relevant footage should be retained as evidence.

The Data will be downloaded continuously between visits and automatically using the mobile data network and/or when the BWV camera is placed into its docking station. If the footage is to be used as evidence in court it will be saved on a memory stick and placed in a sealed evidence bag that is labelled with the following:

1. Day, date and time and location recording was commenced
2. Day, date, time and location that recording was concluded
3. Day, date, time and location that master copy disk was created and sealed.
4. Whether any person had access to or used data between items 1,2 and 3 above – If so a statement will be required from that person
5. Name of Enforcement Agent
6. Location of incident
7. Type of offence
8. Council Tax and S&G unique reference number if applicable
9. Any other EA's who were present. The Office Manager will input the time and date when the master copy was created on the continuation sheet. When footage has been downloaded successfully, all footage remaining on the BWV will be deleted. Normally, each new shift will be commenced with the BWV having no previous footage stored on them.

## **Recording of a visit**

Footage Recordings must be case specific, users should not indiscriminately record entire duties and shall only use record upon exiting the vehicle at the beginning of each visit or in the event of an incident. It is evidentially important to record as much of a visit as possible therefore recording should begin at the earliest opportunity at the start of a visit or incident. EA's should commence recording as soon as they become aware that any other encounter is likely to be subject to an incident. It is good practice that EA's continue to record for a short period after the incident to clearly demonstrate to any subsequent viewer that the incident has concluded and the user has resumed to other duties.

Once a recording has been completed this becomes S&G information and must be retained and handled in accordance with this protocol and CCTV System Code of Practice (Appendix A). In accordance with the Data Protection Act (1998), appropriate technical and organisational measures will be taken to prevent unauthorised access or loss of the data. Access to footage will be restricted by the Directors who will decide whether to allow requests for access by third parties.

## **Viewing of Recorded Images**

Viewing of recorded images should take place in a restricted area which is located at Stanford & Green's Offices, Bank Chambers, 4A Court Street, Faversham, Kent. ME13 7AN. Unauthorised persons shall not be allowed access to that area when a viewing is taking place and arrangements put in place to ensure that viewing screens cannot be overlooked. Following a request from a third party to view images the viewing log should be completed, detailing the name(s) of the person(s) viewing the images, the reason for the viewing, and the outcome (if any) of the viewing

## **Audit Log**

Access to, and disclosure of the images recorded will be restricted and controlled to ensure that the rights of those filmed are preserved and that the chain of evidence remains intact should it be needed for evidential purposes. With reference to maintaining the chain of evidence, S&G directors will manage continuity of information by means of a continuation sheet, this will record:

- Day, date and time they took possession of the equipment (time a)
- Day, date, time and location they commenced recording (time b)
- Day, date, time and location they concluded recording (time c)
- Day, date, time and location master copy disk created and sealed (time d)
- Whether any other person had access to or used the unit between either time a, b or c and d (if so a statement will be required from that person).
- Incident reference number

All EA's will have their own BWV equipment with an individual serial number. Hard copies of recordings will be kept in the lockable cupboards at S&G's offices.

## **Equipment & Data Storage.**

The BWV equipment should be kept on your person during your shift and stored securely at the end of your working day. Under no exception leave the BWV in your vehicle un-attended.

Recorded Footage that is initially considered to be 'non-evidential' shall be retained for a period of up to no longer than 90 days at which point it shall be automatically deleted.

The code of practice issued under part 2 of the CPIA includes a requirement to retain all material relevant to an investigation, at least until proceedings are completed and for the length of a custodial sentence or until discharge from hospital or at least 6 months from the date of conviction Recorded Footage that is considered may become 'evidential' shall be retained for a suitable period for the individual circumstances – at

which point all data will be deleted ie. Completion of a prosecution or resolution of a complaint – 6 months from the date of conviction, complaint resolution all Data will be deleted. At any point, any recorded footage that is deemed not to be of ongoing relevance shall be deleted.

All deletions of images shall be logged. None of the images taken should be deleted without authority. Any deletion of images either intentionally or accidentally, may be subject of 'challenge' or legal debate during any prosecution. Where such authority is given deletions must be recorded in an audit trail and be subject to the requirements of the Criminal Procedure and Investigation Act 1996 and Attorney General guidelines on disclosure of evidence.

6. Data / Footage Requests from The Public and Criminal Justice Agencies

Any requests for the release of data shall be processed in accordance with the ICO CCTV System Code of Practice and as such any request for the release of data shall be in accordance with this policy and authorised by the S&G Directors. Data will be made available in the first instance by restricted viewing of data in a secure environment at S&G's Offices. Data will, if approved, be released in hard copy form copied to a memory stick which will include: -

- A data file of the incident
- License free software enabling the data file to be viewed
- A PDF document stating requirements for hardware & software
- License free software to view the PDF file

## **Other Enquiries from the public**

General enquiries from the public should be provided on request with one or more of the following:

- Subject Access Request Form
- Copy of CCTV Code of Practice
- Copy of the BWV policy
- Copy of BWV Standard Operating Procedure

- Copy of the complaints procedure to be followed if they have concerns about the use of the system, or non-compliance

## **Data / Footage Requests from Criminal Justice Agencies**

Disclosure of recorded images to law enforcement agencies may be allowed where the images recorded may assist in a specific criminal enquiry or complaint. Further to this, data / footage request may be considered from prosecution agencies and relevant legal representatives. Requests should be referred in the first instance to the S&G directors who will refer the matter to the Standards and Monitoring Support Officer.

## **Ownership of Data**

Ownership of footage recorded by S&G EA's BWV will be by Stanford & Green Limited.

## **Training**

All staff will be trained before being expected to wear & use BWV

## **Complaints Procedure**

Complaints regarding the use of BWV be made in writing and directed in the first instance to the S&G Directors

## **Body Worn Video (BWV) Impact assessment**

### **What will S&G be doing with the images?**

The images and audio will be used to provide evidence to Local Authority clients, The Enforcement Conduct Board, the Police or in court to provide a detailed record of any incident. It may also be used to assist with complaint resolution.

## Compliance with Data Protection Legislation.

In its administration of its BWVV system, Stanford & Green complies with the Data Protection Act 1998. Due regard is given to the data protection principles embodied in the Data Protection Act. These principles require that personal data shall be:

- a) processed fairly and lawfully;
- b) held only for specified purposes and not used or disclosed in any way incompatible with those purposes;
- c) adequate, relevant and not excessive;
- d) accurate and kept up to date;
- e) kept for no longer than necessary for the particular purpose;
- f) processed in accordance with the rights of individuals;
- g) kept secure
- h) not be transferred outside the European Economic Area unless the recipient country ensures an adequate level of protection.

**From 25 May 2018, Stanford & Green will also comply with the General Data Protection Regulation. Due regard will be given to the data protection principles contained within Article 5 of the GDPR which provide that personal data shall be:**

- a) processed lawfully, fairly and in a transparent manner;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
- d) accurate and, where necessary, kept up to date



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- e) kept in a form which permits identification of the data subjects for no longer than is necessary for the purposes for which the personal data are processed
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures.

## Applications for disclosure of images

Requests by individual data subjects for images relating to themselves “Subject Access Request” should be submitted in writing to the Stanford & Green ‘s Directors together with proof of identification.

### Access to footage

Stanford & Green Ltd are the data controllers of footage and as such ‘own’ it. We are the data controller of that footage and as such we are responsible for how we process and share it.

Digital/recorded material such as Body Worn Video, photographs or CCTV count as information used to recover Local Government Taxes and fines. You are entitled to request access to only your personal data contained within the information we hold where you can be identified, under [Data Protection law](#) (DPA 2018), by making a [Right to Access Request](#) (also known as a Subject Access Request). However, we reserve the right to apply the relevant exemptions set out by the DPA 2018 to the release of the personal data if the circumstances are required.

Where the Stanford & Green is unable to comply with a Subject Access Request without disclosing the personal data of another individual who is identified or identifiable from that information, it is not obliged to comply with the request unless satisfied that the individual has provided their express consent to the disclosure, or if it is reasonable, having regard to the circumstances, to comply without the consent of the individual.

## **Access to and disclosure of images to third parties**

A request for images made by a third party should be made in writing. In limited circumstances it may be appropriate to disclose images to a third party, such as when a disclosure is required by law, in relation to the prevention or detection of crime or in other circumstances where an exemption applies under relevant legislation.

Such disclosures will be made at the discretion of Stanford & Green, with reference to relevant legislation.

A record of any disclosure made under this policy will be held on the BWV management system, itemising the date, time, camera, requestor, authoriser and reason for the request.

All staff involved in the operation of the Stanford & Green BWV System will be made aware of this policy and will only be authorised to use the BWV System in a way that is consistent with the purposes and procedures contained therein.

**All staff with responsibility for accessing, recording, disclosing or otherwise processing BWV images will be required to undertake data protection training.**

## **Who will take legal responsibility under the data protection Act?**

The Data Controller is Martin Stanford is the nominated representative for Stanford & Green Limited and updates the Information Commissioners' register. The directors 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 policy.

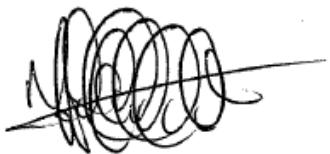


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This policy is dated the 8 January 2026

Signed

A handwritten signature in black ink, appearing as a series of loops and lines. It is a cursive script that is somewhat abstract and difficult to decipher precisely, but it represents the signature of M Stanford.

M Stanford - Director