

Consultation Response

Body Worn Video Cameras for Parking Enforcement Officers

Introduction

The council has put forward the proposal that under the new parking enforcement contract which is due to commence in April 2018 that all the contractor's Civil Enforcement Officers are equipped with Body Worn Video (BWV) cameras which are capable of recording both audio and video data.

This proposal was prompted by a history of the unacceptable level of assault and abuse faced by the contractor's employees. The parking enforcement contractor and its staff deliver a service required by the council. The council has a duty of care to adequately resource the contractor and its CEOs with BWV equipment to provide a deterrent measure against ongoing risks of physical assault and robbery. The council is promoting the introduction of BWV, though does not propose to take any active role in its use, or operation, nor in the management of any BWV data. These functions would be carried out by the parking enforcement contractor and its staff in accordance with relevant legislation.

The council has however prepared an Equalities Impact Assessment (EqIA) and an initial Privacy Impact Assessment (PIA) for this proposal.

'Privacy by Design' is a Code of Practice issued by the Information Commissioner's Office (ICO) under section 51 of the Data Protection Act and recommends that relevant services should be subject to a Privacy Impact Assessment. The ICO initial screening test indicates this proposal for BWV would fall within scope of a PIA which includes the scope for public consultation.

The results of the consultation will be used to update the EqIA and the PIA.

Consultation

A consultation exercise was carried out by the council's Engagement, Participation and Involvement Team over a period of 6 weeks between 12 October and 23 November 2017 to identify comments and concerns raised by people who responded to the consultation.

In total the council received 169 responses of which there were 110 responses with comments.

The chart shows the range of support or opposition to the proposal. (see Appendix)

In broad terms, the responses indicate those respondents: in support 79%, neutral 5%, oppose 14%.

A range of comments were received. Those which related to this proposal for BWV comprised: data protection (15 comments); costs (11 comments); and the level of recorded incidents (4 comments).

Response to the Consultation Comments

Data Protection

BWV is essentially a form of CCTV which can record both video and audio data.

The relevant legislation includes the Data Protection Act 1998.

The contractor's staff will be trained in the use of BWV equipment and data management. BWV is not intended to be used continuously but is available for a CEO to switch on whenever an interaction is perceived to be threatening or has the potential to escalate and create risk to the CEO.

The contractor will restrict access to BWV data to selected members of staff. CEO staff will not have direct access to either view or edit the data.

Legislation and Codes of Practice define how long the BWV data may be held for before being securely destroyed, the circumstances in which data can be held for longer periods, how data can be used, and who can use the data and for what purpose. BWV data for parking enforcement purposes will not be held for longer than typically 1 month after which time data is securely destroyed unless required for other purposes such as investigations or legal actions.

BWV data may be used to investigate any incident which occurs during the course of parking enforcement duties. This includes cases of threatening or aggressive interaction between CEOs and third parties such as drivers. BWV data will also be used by the contractor to investigate any complaints made against CEO behaviour. BWV data may also be used for training purposes.

The contractor may also choose to use the BWV equipment to record a vehicle parked in contravention of parking restrictions and this may be in addition to other photographic records.

BWV data may be passed to the Police or Crown Prosecution Service who have their own statements for data management, retention and destruction. Northamptonshire Police operate a range of different BWV manufacturer equipment. The parking contractor will use BWV equipment which is capable of meeting Police requirements for data to be used as evidence in legal action.

The contractor will provide its own statements for use and operation to meet the requirements of legislation and published guidance.

Costs

The cost of a BWV system would be met by the council from income received from the parking service. All income received from the parking service operation can only be spent on services which relate to the parking service and other highway functions. Income cannot be spent on other county council services; district council functions such as environmental control, littering or flytipping; or additional police officers.

Recorded Incidents

Incidents are recorded as being either a Code Yellow or a Code Red.

`Code Yellow` - incidents of verbal abuse which have not escalated to Code Red status. The Code Yellow record is not a full record of all incidents as many are simply accepted by CEOs as part of the normal level of abuse received in carrying out their duties. This does not mean that verbal abuse is acceptable but simply that the number of incidents and the regularity becomes a recognised issue that CEOs have to accept and deal with as part of their job.

`Code Reds` - incidents which involve physical assaults or a real threat of assault in which a Civil Enforcement Officer (CEO) has needed to call for support from other CEO's or which may have required the Police to attend and/or to take further action against a third party.

Record data shows:

Year	Code Yellow	Code Red	Incident details for Code Reds	Police action
Jan – Dec 2016	5	17	Damage and theft of equipment, physical assaults including being punched, being driven at by vehicles, threat of being killed, attempted bribery	Police attended on 4 occasions
Jan – Sept 2017	9	6	Physical assaults including being punched, threatened with a knife, being driven at by a vehicle	Police attended on 2 occasions

Conclusion

- Body Worn Video is a recognised and effective measure to improve the safety of staff delivering services for the council;
- The history of recorded incidents justifies the introduction of Body Worn Video;
- The consultation confirms support for the introduction of Body Worn Video by the significant majority of respondents.

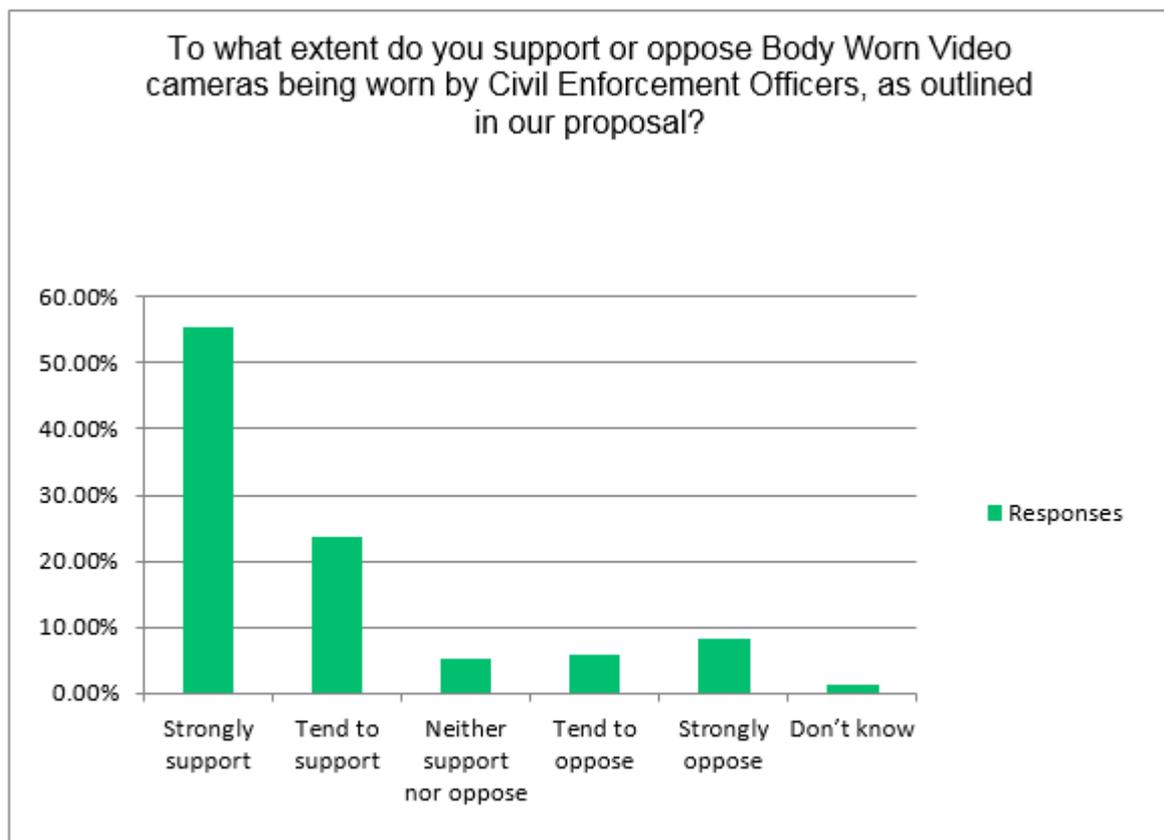
Recommendation

Body Worn Video will be implemented under the parking enforcement contract commencing April 2018.

Appendix

Body Worn Video Cameras for Parking Enforcement Officers To what extent do you support or oppose Body Worn Video cameras being worn by Civil Enforcement Officers, as outlined in our proposal?

Answer Choices	Responses	
Strongly support	55.36%	93
Tend to support	23.81%	40
Neither support nor oppose	5.36%	9
Tend to oppose	5.95%	10
Strongly oppose	8.33%	14
Don't know	1.19%	2
	Answered	168
	Skipped	1



Reference Documents

Equality Impact Assessments (initial and post consultation)

Privacy Impact Assessment - the initial assessment is at 'Annex one', 'Annex two' provides the full assessment