

Body Worn Camera Policy (Information Governance)

This document sets out the policy for use of Body Worn Cameras for the prevention, reduction and detection of crime and infractions of the codes of conduct for staff and students, to ensure the safety and security of campus users and this policy defines how FX Plus will do this in a legal and ethical manner whilst still maintaining operational effectiveness.

Organisation(s):	FX Plus Falmouth University University of Exeter Students Union
Applies to:	Staff and Students
Policy Owned by:	Information Governance
Required Consultees:	Head of Safety and Support, Safety and Support Operations Manager
Approved by:	FX Plus Senior Executive Team
Date Approved:	21 September 2023
Review date:	21/09/2026 or when required due to legislation change or established practice adjustments
Version Number:	2

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1. Purpose

- 1.1 In order to operate legally and effectively, FX Plus must operate its BWC systems in line with the Data Protection Act 2018, the Surveillance Commissioner's Code of Practice 2013, the Protection of Freedoms Act 2012 and the Human Rights Act 1998, and to ensure best practice and advice supplied by the Surveillance Commissioner and the Information Commissioner's Office. FX Plus is registered with the Information Commissioner's Office and the registration number is Z8629765.

2. Scope

- 2.1 This policy applies to all members of staff of Falmouth Exeter Plus ("FX Plus"), and their subsidiary commercial services, including, but not limited to Cornwall Plus, the Sports Centre and the Nursery, students and staff from Falmouth University and the University of Exeter located on Penryn and Falmouth Campuses, and associated contractors operating on either campus.

3. Related information

- 3.1 The CCTV (Closed Circuit Television) Policy can be found on the FX Plus Intranet site.

4. Key Definitions

- 4.1 **BWC:** Body Worn Cameras
- 4.2 **CCTV:** System consisting of camera equipment, storage, monitoring and associated equipment for transmission and controlling purposes.
- 4.3 **BWC System:** A surveillance system that stores the recordings of the BWC's in order to be viewed or downloaded to assist in incident management on campus.

5. Implementation

- 5.1 FX Plus own and operate Body Worn Cameras at Penryn Campus and Falmouth Campus and as such are the data controller for images and videos produced, retained, and distributed from the vault storage System.

6. Purpose of the Body Worn Cameras

- 6.1 The principal purpose of the BWC's is for the prevention, reduction and detection of crime and to ensure the safety and security of campus users. BWC images and

videos may also be used for the investigation of suspected breaches in FX Plus, Falmouth University and University of Exeter policies and regulations, including staff and student disciplinary offences. Images may be watched live, recorded and played back for the capturing of incidents.

7. Operation of the Body Worn Cameras

- 7.1 The BWCs can be worn by the Safety and Support and Halls teams when attending an incident on campus in order to best evidence what has happened and provide information for any investigations that may lead on from them.
- 7.2 During a night shift BCWs are worn whenever the Safety and Support team are patrolling.
- 7.3 The use of BWCs depends on the nature of the incident and the availability of good quality CCTV images in the vicinity.
- 7.4 Images and videos are stored on Amazon S3 Storage (The Cloud) and the only staff members that can access this storage are members with individual usernames and passwords. Staff may be authorised by the Head of Safety and Support to access footage within their own areas of responsibility on a view only basis. All staff viewing the BWC footage must be aware of their responsibilities outlined by this policy. In areas of surveillance, signs will be displayed prominently to inform employees that BWC's are in use.
- 7.5 A Privacy notice is on the FX plus website, under 'Policies and Governance'.
- 7.6 Workers using areas where Staff may be using BWCs may have their images captured.

8. BWC Software Access

- 8.1 All users must have individual log in's for the BWC system, shared usernames and passwords are not to be used. There are several levels of user access within FX Plus and these are dictated by their need to view and process data from the BWC System. The users are categorised as:

Limited Operator (User): Allows the viewing and reviewing of their own BWC footage relevant and proportional for their job role and responsibilities.

Full Operator (Supervisor): Allows the downloading, viewing and reviewing of all BWC footage relevant and proportional for their job role and responsibilities. Downloads are only to be carried out in accordance with the FX Plus CCTV Operations Procedure.

9. Retention of Images

- 9.1 Unless required for evidential purposes, the investigation of an offence or as required by law, BWC images and recordings will be retained for no longer than 30

days from the date of recording. Images will be automatically overwritten after this point.

- 9.2 Where an image is required to be held in excess of the retention period referred to in the above paragraph the Head of Safety and Support, Data Protection Officer or their nominated deputy, will be responsible for authorising such a request and must record why the retention period has been extended and provide an expected destruction/overwrite date.
- 9.3 At the end of their useful life all images and recordings stored in whatever format will be erased securely and permanently and where in physical form for example tapes or discs, disposed of as confidential waste. All still photographs and hard copy prints also will be securely disposed of as confidential waste.

10. Disclosure of Images

- 10.1 Third parties who wish to have a copy of BWC images and recordings do not necessarily have a right of access the images under the DPA 2018, and care must be taken when complying with such requests to ensure that neither the DPA 2018 or the CCTV Policy are breached.
- 10.2 Disclosure of recorded material will only be made to third parties in strict accordance with the purposes of the system and is limited to the following:
- Law enforcement agencies (where the images recorded would assist in a specific criminal enquiry, and at the university's discretion).
 - prevention, investigation and/or detection of crime and protecting the vital interests of a person/s
 - Prosecution agencies.
 - Appropriate members of university staff (such as Human Resources and the Student Conduct, Complaints and Appeals team) in the course of staff or student disciplinary proceedings (including prospective proceedings) to ensure compliance with the university's regulations and policies.
 - Representatives of Exeter and/or Falmouth Universities
 - People whose images have been recorded and retained (unless disclosure to the individual would prejudice criminal enquiries).
 - Organisations with which FX Plus have a Data Sharing Agreement with that enables them to have access to CCTV images.
- 10.3 All third party requests for access to a copy of video footage should be made in writing to the Data Protection Officer. If a law enforcement or prosecution agency is requesting access they will make a request under Schedule 2.1.2 of the Data Protection Act 2018, where this is done outside normal working hours the Duty Manager may release the footage but must inform the Head of Safety and Support and Data Protection Officer that this has been done.
- 10.4 Whatever BWC data has been disclosed to a third party it must be logged as to who has accessed it, when (date/time) it was accessed, what organisation they are from, details of what was viewed and why. Any digital media containing BWC footage that has been disclosed must be signed for and the person receiving that data must be

given a statement outlining their Data Protection responsibilities as a data controller of the footage or images received.

- 10.5 Individuals (and organisations on behalf of individuals) under the Data Protection Act 2018, have the right to access personal data, including BWC footage of themselves. Any such requests must be made to the Data Protection Officer who will process this request. Note that whilst individuals have a right to view footage of themselves, FX Plus must also protect the privacy of others who are also visible on the footage.

11. Limits on use of Body Worn Cameras

- 11.1 BWC's will not be operated in toilets, private offices or changing rooms, unless this is necessary for the investigation of a serious crime or there are circumstances in which there is a serious risk to health and safety or to the operation of the employer's business. BWC recordings will be used in this way only where it is a proportionate means of achieving the aim in the circumstances.

12. Accountability and Responsibility

- 12.1 The BWC System is owned by FX Plus
- 12.2 The Director of Residences and Facilities, Head of Safety and Support and their deputies are responsible for approving access rights to BWC footage for FX Plus staff and designated contractors.
- 12.3 Anyone with rights to access BWC data is responsible for ensuring it is processed lawfully and in line with this Policy.
- 12.4 The Head of Safety and Support is responsible for auditing compliance against the BWC policy.
- 12.5 The Data Protection Officer is responsible for advising on compliance with the Data Protection Act 2018, and other legislation.
- 12.6 Where new Body Worn cameras are to be purchased or reallocated, the Head of Safety and Support's approval must be sought and recorded.

13. Equality Impact Assessment

- 13.1 The author has confirmed whether an Equality Impact Assessment is required and confirms that:
- An Equality Impact Assessment is **not required**.
 - An Equality Impact Assessment **is required and has been completed**.

14. Contact for Further Information

- 14.1 For further information, please email dataprotection@fxplus.ac.uk