

<b>Committee(s):</b>	<b>Date(s):</b>
Planning & Transportation	14 April 2015
<b>Subject:</b> Introduction of Body Worn Cameras (Bodycams): Civil Enforcement Officers (Parking)	<b>Public</b>
<b>Report of:</b> Director of the Built Environment	<b>For Information</b>
<b><u>Summary</u></b>	
<p>Working in partnership with Vinci Park Services UK Ltd, the City is introducing Body Worn Cameras (Bodycams) for Civil Enforcement Officers (CEOs). The implementation of this technology will be reviewed after six-months to determine if they have a protective effect in reducing the number of violent incidents towards CEOs. In addition the review period will allow other potential benefits such as improved visibility of enforcement, improved customer service, and more efficient parking and traffic management to be assessed.</p> <p>The CEOs are employed by Vinci Park Services who are contracted to provide parking and traffic enforcement on behalf of the City of London Corporation, under an Agreement dated 24<sup>th</sup> February 2014 (“the Agreement”). The CEOs perform a key role in maintaining road safety and traffic flows in the City by encouraging motorists to comply with the parking and traffic regulations. The introduction of Bodycams is expected to bring about efficiencies in enforcement of these regulations, and consequential traffic management benefits.</p>	
<b>Recommendations</b>	
<p>Members are asked to note the introduction of Body Worn Cameras on 1 May 2015 with a review after six months; the outcome of the review period will be reported back to Members in the autumn.</p>	

## **Main Report**

### **Background**

1. Body Worn Cameras (Bodycams) have been routinely used by local authorities for parking enforcement for several years to capture both video and audio information. A recent survey undertaken showed that such technology is used for parking enforcement in at least 12 London authorities most of which contract out their service to a third party provider. The equipment has been shown to improve safety, reduce crime and anti-social behaviour as well as improving the

delivery of parking and traffic services through improved efficiency, and better management of complaints and investigations.

2. CEOs perform a key role in maintaining road safety and traffic flows in the City of London by encouraging motorists to comply with parking and traffic regulations. This brings them into regular contact with the public often in highly charged circumstances. The introduction of Bodycams allows the interaction and contact they have with the general public in certain situations to be recorded in an indisputable format.
3. CEOs are subject to varying degrees of abuse on a daily basis whilst carrying out their duties. Some of this abuse is serious e.g. physical or racial. Vinci Park Services ensures their CEOs are trained to diffuse difficult situations, which means that the number of incidents of actual physical abuse in the City is not high. However there are 2-3 reported incidents a month where CEOs are subject to serious verbal abuse (including racial abuse) or attacked causing actual bodily harm; the introduction of Bodycams is anticipated to reduce this. In the spirit of safety leadership, partnership and continuous improvement, it is a positive development for the City to ensure, as is reasonably practicable, the health and safety of its contractors is enhanced.
4. In addition, difficulties sometimes arise in dealing with challenges to PCNs where there are disputes of fact regarding conversations and other interactions between motorists and the CEO. These can currently take significant resources to address. It is anticipated that the availability of footage recording such interactions will help to reduce or prevent the number of such disputes and assist in resolving them efficiently and effectively when they arise. Bodycams are also expected to improve service delivery by minimising the frequency and duration of potentially aggressive interaction between the motorist and the CEO, allowing CEOs to undertake their duties more efficiently. This in turn has a positive effect in maintaining traffic flows and reducing congestion ensuring the City fulfils its statutory Network Management Duty. This is regarded as particularly important at a time when exceptionally high demand on the road network is anticipated, particularly in respect of important infrastructure projects.
5. The introduction of Bodycams also has the following benefits:
  - The provision of contemporaneous visual and audio recordings of enforcement activities to assist with the consideration of challenges, and appeals to Penalty Charge Notices (PCNs) improving the quality of investigation and decision making regarding cancellation.
  - Improved training for CEOs; City of London officers, CEO trainers and supervisors can utilise the equipment to review and improve how incidents and parking contraventions are handled
  - Documented evidence of conversations with the public, which will improve fairness, transparency and accountability in the management of complaints. It provides objective evidence of controversial events offering protection to both the general public and the CEO

- Provision of reliable evidence to the Police and City Officers of assaults and abuse against CEOs
- Assist in carrying out the City's public sector equality duty by seeking to reduce or eliminate racist abuse directed at CEOs.

### **Operational Use of Bodycams**

6. CEOs will not use Bodycams for monitoring and recording of all activity on a continuous basis e.g. as part of their routine patrols as this would be disproportionate. Instead the Bodycam will be switched on when a PCN is issued for a parking contravention and when there is contact with the motorist or general public. The equipment is fitted to the CEO's uniform.
7. The CEO will make a verbal announcement to indicate that the Bodycam is in use or about to be activated (where it is safe to do so). The CEOs will make the announcement clearly and in a straightforward language that can be easily understood by the general public. Once the PCN is issued or the incident is concluded, the CEO will switch off the device.
8. Bodycams will only be deployed in an overt manner by CEOs who have been trained in its use. The Bodycams will be clearly displayed, and there will be a label on the equipment to indicate that recording is in progress. CEOs will receive training in all the necessary technical aspects of the equipment being used, and legislation such as the Data Protection Act 1998 (DPA). Only those who have received the training will be permitted to use the equipment.

### **Privacy**

9. Whilst this technology is routinely used in parking enforcement, it is recognised that there might be concerns regarding personal privacy issues particularly as the Bodycam equipment would not necessarily be identified as a camera especially from a distance.
10. The Information Commissioner's Office (ICO) recommends that a Privacy Impact Assessment (PIA) is completed to ensure compliance with the Data Protection Act 1998 (DPA). A PIA is a process which helps to anticipate and address likely impacts of a project, and to identify solutions to minimise the risk of personal intrusion. A PIA in respect of the introduction of this technology has been undertaken and detailed in Appendix 1. The PIA will be continually updated to take into account operational changes that might emerge overtime, and incorporate both internal and external feedback received during the six months review period.
11. The Body Worn Camera Protocol outlines best practice guidelines and advice for using Bodycams and utilising the material recorded. The adherence to this Protocol will be a requirement of the current agreement between the City and Vinci Park Services who will be operating the Bodycams on behalf of the City. The Protocol will ensure:

- That the deployment and usage of Bodycams, including the process of the capture, retention, and sharing of any data complies with relevant legislation and good practice
- On-going compliance with any data protection good practice note as may be released from time to time by the ICO
- That captured and retained images and sounds are suitable evidential quality
- Information is stored safely and securely

### **Financial & Risk Implications**

12. The purchase of the equipment is jointly funded between the City and Vinci Park Services and supplied by Edesix who are a specialist provider of this type of equipment for parking enforcement. Although jointly purchased, the equipment remains the property of City of London and maintained by Vinci Park.
13. The City funding is from a departmental carry-forward provision from 2013/14 budget.

### **Legal Implications**

14. The Protocol for the use of Bodycams must comply with the Data Protection Act 1998, which regulates the processing of personal data. The Freedom of Information Act 2000 provides for a general right of access to information, which is not personal data held by public bodies. The Human Rights Act 1998, Article 6 (right to a fair trial) requires recordings that might have the potential to be used in court proceedings, to be safe guarded i.e. need an audit trail. Article 8 (right to respect for private life) requires that recordings, which may potentially be private, must not go beyond what is necessary.
15. The Agreement provides for variations to be dealt with by way of a Change Request. The Change Request will place an obligation upon Vinci Park Services UK Ltd to take account of, and comply with a Protocol for the use of Body Worn Cameras, setting out how the equipment will be used by Vinci Park Services UK Ltd during the six month trial period. Any breach of the Protocol will be regarded as fundamental, which might ultimately result in termination of the Agreement. The Change Request will also incorporate any changes required to Vinci's Data Protection Access Controls Policy and Data Retention Schedule.
16. All captured data will be processed to comply with the Data Protection Act 1998, and adherence to ICO guidance. The City recognises the risk of enforcement action, which could be taken under the Data Protection Act 1998 should any processing breach occur.
17. For data protection purposes, the City of London is the Data Controller (the responsible party) and Vinci Park Services is the Data Processor in relation to

the personal information being processed through Bodycams. This is consistent with other data that is stored and used by the City's contractor for processing PCNs and the provisions are covered in formal contract between both parties.

### **Strategic Implications**

18. The introduction of Bodycams contributes towards the provision of an efficient and high quality local service for workers, residents and visitors in the Square Mile by improving efficiency of working, minimising threats towards CEOs and improving the quality of investigation in relation to complaints, challenges and appeals to PCNs. It also supports the City's Core Value of working in partnership with its contractors and service providers.

### **Consultees**

19. The Town Clerk, the Chamberlain, the Comptroller & City Solicitor, Corporate Health & Safety Section, Transport for London and the Officers in the Department of Built Environment have been consulted in the preparation of this report and their comments included.
20. External consultation and feedback will be encouraged during the six month review period and reported back to Committee in the autumn.

### **Conclusion**

21. This report provides information to Members on the introduction of Body Worn Cameras (Bodycams) for Civil Enforcement Officers as means of improving their personal safety, maintaining traffic flows in the City and also strengthening enforcement of parking and traffic enforcement in the way in which complaints and appeals to Penalty Charge Notices are dealt with. The introduction of Bodycams on 1 May 2015 will be reviewed after six months. The outcome of the review will be subject to separate report and presented to Members at Committee in the autumn.

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## Appendix 1

	<b>PRIVACY IMPACT ASSESSEMENT</b>	
<b>BODYCAMS &amp; BENEFITS</b>	<p><b>Introduction</b></p> <p>It is proposed to introduce Body Worn Cameras on 1 May 2015 for the purposes of parking enforcement with a review period of six months.</p> <p>Body Worn Cameras (Bodycams) are a body worn portable system that can provide an audio and visual record of enforcement activities undertaken by Civil Enforcement Officers (CEOs). This technology is routinely used by local authorities that have contracted out their parking services.</p> <p>Bodycam technology can address a number of needs:</p> <ul style="list-style-type: none"><li>• Maintaining traffic flows and minimising congestion on City Streets</li><li>• Improved health and safety of CEOs by reducing the risks of assaults</li><li>• Training tool</li><li>• Enhance the integrity, efficiency and effectiveness of parking enforcement</li><li>• Strengthen the quality of communication with motorists and general public</li></ul>	<p><b>Supplementary Information:</b></p> <p>Civil Enforcement Officers (CEOs) are employed by Vinci Park Services UK, who provides parking enforcement on behalf of the City of London.</p>

- Strengthen the quality of evidence to support the issue of a Penalty Charge Notice (PCN) to ensure fairness, transparency and accountability in the appeals process and in dealing with complaints
- Improving the quality of evidence to support police action in the event of physical and verbal assaults on CEOs representing the City of London.

### **Improved health and safety of CEOs**

According to findings from the Crime Survey for England and Wales, certain occupational groups, such as police officers and health professionals, who have direct face to face contact with members of the public, are generally at high risk of assault. In addition evidence presented to the London Assembly Parking Enforcement Scrutiny Committee in 2005 noted that assaults on parking attendants (now Civil Enforcement Officers) was rising.

In the last 5 years there have been 121 incidents involving abuse directed at CEOs representing the City of London, which equates to approximately 25 per year. These incidents range from spitting and liquid throwing, verbal abuse e.g. racial and physical abuse such as pushing. This equates to around 2-3 reported serious incidents of physical and verbal abuse every month. The City of London considers this to be unacceptable as CEOs should not be subject to harassment, distress, abuse and threatening behaviour whilst undertaking their duties.

Violent and aggressive attacks on staff leads to loss of time, increased costs as a result of procuring additional staff and legal fees, as well as a reduction in staff morale. Equally for the affected employee the effects

	<p>of a violent incident can be both physical and psychological.</p> <p>In addition to improving safety, Bodycams have also proven to assist in the management of complaints and investigations as can be referenced to the London Borough of Hammersmith &amp; Fulham Transport and Select Committee report. The technology also minimises the frequency and duration of potentially aggressive interaction between the CEO and the motorist, allowing CEOs to go about their duties more efficiently.</p> <p>Bodycams have proven to be an invaluable tool when collecting evidence against abusive drivers or members of the public and their use has reduced the risk of assaults. The contractor, employed by the City of London to provide parking services, has already introduced Bodycams for CEOs in another local authority and noted advantages since the equipment was implemented, particularly in relation to improved health and safety of CEOs.</p> <p><b>Appeals and complaints</b></p> <p>Bodycams will be used to document evidence of parking contraventions and conversations with the public. This will improve fairness, transparency and accountability in the appeals process, and in the management of complaints.</p>	<p>Bodycams will be activated when a Penalty Charge Notice (PCN) is issued to a vehicle that is parked in contravention, and switched off once the PCN has been served.</p>
<p><b>COLLECTION, USE &amp; DELETION OF PERSONAL DATA</b></p>	<p>For data protection purposes, the City of London is the Data Controller and Vinci Park Services is the Data Processor in relation to any personal</p>	<p><b>Supplementary Information:</b></p> <p>Recorded images may include vehicle registration numbers,</p>



	<p>information being processed. This is consistent with other data that is stored and used by the City's contractors for processing PCNs and the provisions are covered in the formal contract between the City of London and Vinci Park Services.</p> <p>The City of London is already a notified Data Controller with the Information Commissioner's Office (Registration Number Z5996206), and the registration entry will be updated to reflect the use of the Bodycams prior to their introduction.</p> <p>All recordings will be securely stored in a locked location that is covered by office CCTV to ensure that at all times no unauthorised access will be allowed to the recorded material. All access to stored data will be logged and recorded. The existing CCTV room (controlled) located at Aldersgate Street will be used for this purpose. Data access will be restricted to authorised personnel only, by using unique passwords and logins.</p> <p>Daily recorded footage will be transferred to a secure storage device. The stored data will be kept separately and uniquely identifiable at all times. No footage will be left on the Bodycam devices once it has been transferred to the secure storage device.</p> <p>Stored recordings will be used for the enforcement of PCNs issued by CEOs, and, where necessary, as evidence for the police to follow up physical or verbal assaults on the CEOs performing their duties.</p> <p>There may also be occasions where stored recordings will be used for</p>	<p>occupants of vehicles, pedestrians and employees of Vinci Park or City of London.</p> <p>Only the Contract Manager &amp; Assistant Contract Manager Vinci Park Services will have access to the recorded data.</p> <p>Data will be stored for a maximum of 90 days. There is encrypted security built in to ensure there is no unauthorised access.</p> <p>Data storage will be located at Aldersgate Street with controlled access to authorised personnel.</p> <p>Recorded audio will be in relation to any conversation the CEOs engage in with motorists, members of the public and employees of Vinci Park or the City of London, where such recording is made in line with the</p>
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	<p>the training of CEOs in certain situations, for example the correct way to issue a PCN or managing a potentially volatile situation. This will be monitored through the four-weekly contract management meetings between the City and Vinci Park.</p> <p>Access, viewing, disclosure and retention of stored data will be controlled by the City of London, and will be in accordance with the Data Protection Act 1998, and any other relevant legislation. The storage and processing of the data will be undertaken by Vinci Park Services in accordance with an agreed Protocol with the City of London.</p> <p>A retention schedule will be in place to ensure that no information is retained for longer than is necessary for its purpose, for example where the PCN is paid without appeal, the appeal process has been exhausted or where the police may need it for evidence purposes.</p>	<p>agreed protocol.</p> <p>In the event of an incident, the reporting procedure is followed and only those incidents of physical abuse or serious verbal abuse such as racial abuse, will be considered for further action i.e. referral to the Police. What constitutes serious verbal abuse is a judgment that will be made by the Authorised Officer.</p> <p>The data will be securely stored for 90 days or longer in the event of an incident that might be investigated by the Police.</p>
<p><b>CONSULTATION</b></p>	<p>As the equipment would not necessarily be identified as cameras by the public, especially from a distance, members of the public may be unaware that the Bodycam is capable of recording sound. In order to ensure fair processing, it is important that the City of London raise public awareness of the use of Bodycams in its enforcement area, for example, through the City's website.</p>	<p><b>Supplementary Information:</b></p>

	<p>Comments from the general public on the use of this technology during the six-month trial period can be made by contacting <a href="mailto:parking.team@cityoflondon.gov.uk">parking.team@cityoflondon.gov.uk</a></p> <p>The initiative will also be publicised via other communication methods such as Twitter, Facebook and News Letters.</p> <p>In the preparation of the PIA, officers in the Department of the Built Environment, Comptroller &amp; City Solicitor, Corporate Health &amp; Safety Officer, Information Officer in the Town Clerk's Department, Transport for London, and other local authorities (who have already introduced such technology) have been consulted.</p>	
<p><b>PRIVACY RISKS AND SOLUTIONS</b></p>	<p><b>Privacy and Related Risks</b></p> <p>A number of risks associated with Bodycams have been identified and consideration given to how these might be minimised:</p> <ul style="list-style-type: none"> <li>• Inadequate disclosure controls increase the likelihood of information being shared inappropriately.</li> <li>• The context in which information is used or disclosed can change over time, leading to it being used for different purposes without people's knowledge.</li> <li>• New surveillance methods may be an unjustified intrusion on</li> </ul>	

privacy. Measures taken against individuals as a result of collecting information about them might be seen as intrusive.

- Information which is collected and stored unnecessarily, or is not properly managed so that duplicate records are created, presents a greater security risk.
- If a retention period is not established information might be used for longer than necessary.
- Non-compliance with the DPA or other legislation can lead to sanctions, fines and reputational damage. Problems which are only identified after the project has launched are more likely to require expensive fixes.
- Information that is collected and stored unnecessarily, or is not properly managed so that duplicate records are created, is less useful to the business.
- Public distrust about how information is used can damage an organisation's reputation and lead to loss of business. Data losses which damage individuals could lead to claims for compensation.

**Identified Solutions**

Monthly audits will be undertaken to ensure that information is managed in

	<p>A Protocol outlining the detailed procedures for the operational use of Bodycams will be produced to ensure the use of the equipment and the recorded personal data complies with the Data Protection Act.</p> <p>Bodycams will only be deployed in an overt manner, using trained uniformed staff and in defined operational circumstances. The technology will only be deployed in accordance with the Protocol to ensure its use is proportion, necessary and justifiable.</p> <p>All CEOs will wear a visible identification badge alerting to the presence of the Bodycam equipment. The camera will be securely fixed to the CEO's uniform to ensure it cannot easily be removed by a member of the public.</p> <p>The following photograph illustrates the equipment that will be attached to the CEO's uniform:</p>	<p>accordance with the Protocol.</p> <p>Retention of data is 90 days. Audits will be periodically undertaken to ensure that this is not exceeded. There is encrypted security built in so there is no unauthorised access to footage.</p> <p>Each CEO will be assigned their own personal Bodycam. There will be no shared equipment.</p>
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All captured data will be processed to ensure compliance with the Data Protection Act and other relevant legislation. In cases where recordings of identifiable individuals have taken place, the evidence/recording will only be made available in accordance with the Data Protection Act. This is likely to include employees of the City of London or its contractor, the Police, third parties involved in the handling of PCN appeals.

Any individual who is the subject of a recording, and requests access to it, has a right to do so in line with the sixth data protection principle. This process is known as a subject access request (SAR)

Upon receipt of such a request, the City of London will follow the procedure that will be advertised on its website, which will include satisfying itself that the person requesting access to the recording is the

same person recorded.

All CEOs will receive specific training through Vinci Park Services in all the necessary technical aspects of the equipment being used. This will cover the legal implications, equipment, practical use, (when to commence and cease recording for example) and health and safety information. CEOs will also be trained in identifying the situations in which it is appropriate to use both the video and audio functions of the device or just one of the functions.

The CEO will make a verbal announcement to indicate that the Bodycam is activated, and the announcement will include details of the date, time, location, the nature of the incident and include whether it is recording images, sound, or both. CEOs will be instructed to make the announcements clearly and in straightforward language that can be easily understood by the general public.

The purpose or purposes for the recording taking place must comply with the purposes listed in the City of London's privacy notice which will be displayed on the website.

Recording will commence at the start of any alleged contravention and will continue uninterrupted until the contravention has been fully recorded and the PCN served. If a driver returns and enters into a conversation, the CEO will make them aware that the parking contravention and/or conversation is being recorded.

CEOs will not use Bodycams for monitoring and recording of all activity

on a continuous basis. Nor will the information captured from a Bodycam replace the CEO's pocket book, which remains the primary evidence to support the issue of a PCN. Recording of general patrolling duties will not be made, unless a driver or member of the public approaches the CEO and the CEO believes that individual is being aggressive or there is the potential for aggression. When engaging in non-routine or potentially controvertible conversations, the CEO will announce to the individuals that video and audio recording is taking place.

The contractor will operate a booking in/out procedure for these devices, in a controlled environment providing a full audit trail of the equipment in use. In the event of a lost camera, the contractor is obliged to immediately report it to the City of London's the Authorised Officers (as outlined in the Protocol) who will then notify the City of London's Information Officer. The information lost will then be assessed, and any necessary action will be taken.

The Agreement provides for variations to be dealt with by way of a Change Request. The Change Request will place an obligation upon Vinci Park Services UK Ltd to take account of, and comply with a Protocol for the use of Body Worn Cameras, setting out how the equipment will be used by Vinci Park Services UK Ltd during the six month review period. Any breach of the Protocol will be regarded as a fundamental, which might ultimately result in termination of the Agreement. The Change Request will also incorporate any changes required to Vinci's Data Protection Access Controls Policy and Data Retention Schedule.

At the end of the CEO's shift, the information will be downloaded onto a secure networked computer, which is located at Aldersgate premises. Recorded material will not be disclosed to a third party unless approved,



	<p>and access to recordings will be controlled and approved by City of London Authorised Officers listed in the Protocol.</p> <p>As the equipment would not necessarily be identified as both video and audio cameras by the public, especially from a distance, members of the public may be unaware that the Bodycam is capable of recording images and sound. In order to ensure fair processing of personal information, in accordance with the Data Protection Act, it is important that the City of London raise public awareness of the use of Bodycams in its enforcement area, for example, through the City's website.</p>	
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## CONCLUSION

In the spirit of safety leadership, partnership and continuous improvement, it is a positive development for the City to ensure, as is reasonably practicable, the health and safety of its contractors is enhanced. It is proposed to introduce Body Worn Cameras on 1 May 2015 for the purposes of parking and traffic enforcement with a review period of six months. The desirable outcomes include:

- Improved safety for CEOs
- Improved service delivery by minimising the frequency and duration of interactions between the CEO and motorist allowing CEOs to go about their duties more efficiently (Network Management Duty)
- Enhanced quality of service e.g. by identifying training needs
- Evidence for complaints, challenges and appeals in relation to Penalty Charge Notices
- Evidence for prosecution re: verbal or physical abuse towards a CEO

This technology is routinely used by local authorities for the purposes of improved safety and enforcement services as the following table illustrates:

Local Authority	Year of Introduction	Contractor
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Hillingdon	2012	APCOA
Wandsworth	2014	Mouchel
Newham	2014	Mouchel
Brent	2015 (summer)	Serco
Bromley & Bexley	2010	Vinci Park Services
Merton	2014	In-house service
Tower Hamlets	2013	In-house
Hackney	2012	APCOA
Hammersmith & Fulham	2013	In-house service
Waltham Forest	2013	NSL
Enfield	2012	NSL
Hackney	2011 (Headcams) 2015 Bodycams	APCOA

The Privacy Impact Assessment, together with the Body Worn Camera Protocol will be reviewed and updated in the light of experience. Specific requirements, such as retaining data for a maximum 90 days (unless evidence is required longer for a criminal investigation) will be audited monthly to ensure that the use of Bodycams continues to comply with the processing of personal information in line with the requirements of the Data Protection Act.