

**Privacy Notice for Parking
Regulation and Compliance -
Civil Enforcement Officer Body
Worn Video Camera footage
(BWVC)**



**Nottingham City Council
Information Compliance**

**Service Area: City Growth and Development
Directorate: Planning and Transport
PN-170**

11/2024

The Parking Regulation and Compliance team are part of Nottingham City Council, who are the data controllers for the personal data (or personal information) that we process about you. When we process personal information relating to you, we will only do so when it is necessary and where we have a lawful reason to do so.

We will use the information provided by you for a number of reasons, depending on the service or reasons for interacting with you. This includes:

- For the prevention and detection of crime and anti-social behaviour;
- To manage traffic and operation of the road network;
- To increase public safety and give reassurance;
- Reducing violent or aggressive behaviour towards staff; and
- To assist with health and safety matters.



The camera is only activated by the officer wearing the camera in the event an incident is anticipated. The Civil Enforcement Officer (CEO) where practicable will make a verbal statement to indicate that recording is taking place and if possible, confirm to those present that the incident is being recorded using both audio and video. CEO's will attempt to minimise the risk of intrusion on those not involved in the incident where possible.

What personal information will the Council process?

As the Body Camera will capture anything within its field of view, including audio, it may capture information that relates to or reveals personal or sensitive information about you. Information captured may include but is not limited to the following categories of personal data:

- Name
- Address
- Contact Details
- Vehicle Registration

Footage captured may also including the following special categories of data:

- Race or Ethnic origin;
- Political Opinions;
- Religious Beliefs;

- Trade Union Membership;
- Physical or Mental Health;
- Sex Life or Sexual Orientation;
- Biometric Data (for identification purposes)
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Lawful basis for processing

The basis under which we use personal information for this purpose is that this is necessary for the performance of a task carried out in the public interest by the Council or in the exercise of official authority vested in the Council.

The footage relevant to you will be captured by the officer in the event of an incident and the footage captured may include your personal information.

This is a result of the powers or duties contained in:

- The Traffic Management Act 2004
- The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and Amendments

The condition under which we process 'special categories of personal data' is that such use is **necessary for reasons of substantial public interest:**

- **For the purposes of preventing and detecting unlawful acts;**
- **For statutory purposes;**
- **For protecting the public; and**
- **For insurance purposes.**

This processing is in accordance with the provisions of the UK General Data Protection Regulation and the Data Protection Act 2018.

When using the Body Worn Cameras, the Council will have regard to the following legislation:

- European Convention on Human Rights and Human Rights Act 1998;
- Regulation of Investigatory Powers Act 2000;

- Protection of Freedoms Act 2012;
- Freedom of Information Act 2000;
- UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 (DPA 2018).

When the Council uses Body Worn Cameras, we will have regard to and have measures in place to ensure compliance with the Surveillance Camera Commissioner's Code of Practice, which includes twelve principles that need to be adhered to.

1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
2. The user of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
3. There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
5. Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
6. No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
7. Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose

such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.

8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
10. There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
11. When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
12. Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

The Nottingham City Council CCTV Policy can be found here:

<https://www.nottinghamcity.gov.uk/information-for-residents/community/cctv/>

The legislation that contains the powers and functions that require us to process your personal data can be found here:

<http://documents.nottinghamcity.gov.uk/download/5939>

Criminal Investigations

Part Three will only apply where the Council is acting as Competent Authority (has statutory powers for law enforcement activities), and is processing the data for the ‘prevention, investigation, detection or prosecution of criminal offences, or the execution of criminal penalties.

The Body Camera will capture anything within its view. In the event footage is captured concerning a criminal offence, the Council may process data for law enforcement purposes. These criminal Investigations may include:

- **Incidents where footage relating to criminal offences is captured**

The basis under which the Council uses personal data for this purpose is that this is necessary for law enforcement purposes.

Part 3 of the Data protection Act 2018 applies to processing personal data for ‘law enforcement purposes. When processing personal data for ‘law enforcement purposes’, the Council are acting as a ‘Competent Authority’ and have law enforcement powers given to us within statute.

It covers processing for the prevention, investigation, detection or prosecution of criminal offences, or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security.

In practice, the lawful basis would either be necessary for the performance of a task carried out for law enforcement purposes by Nottingham city council or based on consent. There may be circumstances where we obtain consent from the individual whose data, we are processing, although this will only be appropriate in certain circumstances in the context of law enforcement.

As the Body Worn Camera will capture anything within its field of view, it may capture information that relates to or reveals sensitive information about you. Sensitive personal data may be relevant for law enforcement purposes when it is in relation to

hate crimes, for example. Information captured may include the following sensitive personal data:

- Race or Ethnic origin
- Political opinions
- Religious beliefs
- Trade Union membership
- Physical or mental health
- Sex life or sexual orientation
- Genetic and biometric data

In order to process this type of data Nottingham City Council must be able to demonstrate that the processing is strictly necessary and satisfy one of the conditions in Schedule 8 of the Data Protection Act 2018 or is based on consent.

The conditions for sensitive processing in Schedule 8 of the Act are:

- necessary for statutory purposes for reasons of substantial public interest;
- necessary to protect the vital interests of the data subject or another individual;
- necessary for the safeguarding of children and of individuals at risk.’
- necessary for legal claims;
- necessary for the purpose of preventing fraud; and
- necessary for archiving, research or statistical purposes

The Council will mainly process sensitive information **for reasons statutory purposes for reasons of substantial public interest.**

Will my information be shared with other organisations or used for other purposes?

The Council will only share your personal information with other departments within the Council, and with other organisations when it is necessary to provide the services to you, and when we have a lawful reason to do so. The Council may also share your information when we are obliged to by law.

In relation to this service, the Council may share your personal information with:

- Nottinghamshire Police

The information may also be used for the purpose of any other function carried out by the Council. This may include sharing your information across the Council, or with external organisations. Information about these functions and the legal basis on which information is used for them can be found at <http://www.nottinghamcity.gov.uk/privacy-statement/>

The information will only be used for another purpose where it is lawful to do so.

How long will the Council retain the data for?

The information that you have provided will be kept for Body Worn Video footage which is no longer required must be deleted after 31 days. Any footage that is used as evidence in regard to an incident is deleted once the case is resolved and the details are no longer required. Evidential recordings are retained for a period of up to 2 years.

The Council publish an Information Asset Register (IAR), this will outline the retention periods for the personal data we process. You can find this IAR on our website <https://www.nottinghamcity.gov.uk/media/4qlj20fx/iar-public-view-13082024.xlsx>

Information Rights

The UK General Data Protection Regulation provides for the following rights as prescribed by the legislation:

- A right to request a copy of your information
- A right to request rectification of inaccurate personal data
- A right to request erasure of your data known as 'the right to be forgotten'
- A right to in certain circumstances to request restriction of processing
- A right in certain circumstances to request portability of your data to another provider
- A right to object to processing of data in certain circumstances
- A right regarding automated decision-making including profiling

The Data Protection Act 2018, part 3, also provides the following rights:

- A right to request a copy of your information
- A right to request rectification of inaccurate personal data
- A right to request the erasure of your data known as ‘the right to be forgotten.’
- A right to in certain circumstances to request the restriction of processing
- A right in certain circumstances to request portability of your data to another provider
- A right not to be subject automated decision making

However, Nottingham City Council can restrict the above rights in certain circumstances, for example, to avoid obstructing an investigation, avoid prejudicing the prevention, detection, investigation or prosecution of criminal penalties or to protect the rights and freedoms of others.

Data Protection Officer

The Data Protection Officer is Naomi Matthews. You can contact the data protection officer at:

Loxley House,
Station Street,
Nottingham,
NG2 3NG

or at data.protectionofficer@nottinghamcity.gov.uk .

Information Commissioner’s Office

The Information Commissioner’s Office (ICO) website provides guidance on data protection and privacy matters, you can visit the website at www.ico.org.uk. You also have the right to complain to the ICO if you consider that the Council have processed your personal data incorrectly or that we have breached our obligations to you. You can contact the ICO at:

Wycliffe House,
Water Lane
Wilmslow,

Cheshire
SK95AF

www.ico.org.uk

Further Information

For more information about these rights please refer to our detailed privacy statement at <https://www.nottinghamcity.gov.uk/privacy-statement> .