

Taxi and Hackney Carriage Vehicles Camera Download Policy

WARRINGTON
Borough Council



The policy is as follows:

1. All passengers are made aware of the fact that they are being recorded by notices strategically placed on the vehicles. A minimum of 3 warning signs, approved by an authorised officer, must be clearly and prominently displayed inside the vehicle advising passengers that a CCTV system is in operation in the vehicle. These labels clearly warn that both audio and visual recordings take place in the vehicle using wording and images of a camera and a microphone (Audio recording will only be permitted for use where the driver believes it is in the interest of his or a passenger's safety or for the purpose of protecting his livelihood. The driver will be advised to allow the 15-minute period to expire before taking a new passenger who is unrelated to the original incident) The labels displayed will also inform passengers that audio recording will only be activated use where the driver believes it is in the interest of his or a passenger's safety or for the purpose of protecting his livelihood
2. Data will only ever be downloaded on four occasions
 - (i) where a crime report has been made involving the specific vehicle and the Police have formally requested that data or,
 - (ii) when a substantive complaint has been made to the licensing authority regarding a specific vehicle / driver and that complaint is evidenced in writing (and cannot be resolved in any other way),
 - (iii) where a Data request is received from an applicant e.g. police or social services, that has a legitimate requirement to have access to the data requested to assist them in an investigation that involves a licensed vehicle or driver.
 - (iv) Subject Access Request compliant with the Data Protection Act.
3. To safeguard the data all downloads will be conducted in the presence of at least two relevant people. Relevant people are: a member of the Warrington Borough Council (WBC) licensing team or a serving police employee. This will generally be at the Council offices with two Licensing staff and a Police Officer where possible.
4. All requests must be in an appropriate format detailing the powers that allow the release of the data and providing all the information required. The request form for download must state the approximate time of the event/occurrence and only the timescale relevant to the specific incident will be downloaded, decrypted and thereafter stored.
5. On receipt of a download request to be conducted by WBC staff an authorised member of the Licensing Team will confirm it is a legitimate request. If practical, arrangements will be made with the owner of the licensed vehicle for the vehicle to attend the Licensing Office. If it is not practical then an authorised member of the Licensing Team will attend the location of the vehicle or data box to facilitate the download. Any download will be carried out in the presence of at least one other person if at the licensing office. If the download is taking place away from the licensing office then either an additional member of Council staff or a member of the requesting organisation i.e. police officer will be present in addition to the member of staff conducting the download.
6. A dedicated computer will be used to facilitate the download from the data box. This computer will copy the downloaded footage onto its files. A master copy will be created from this computer and placed on the external hard drive dedicated for such use and retained by WBC Licensing Team. This hard drive will be kept secure to prevent loss of data. A working copy will be produced and either given to the requesting authority or subject or retained by the investigating officer. Data retained by WBC Licensing Team will only be retained for the following periods:

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- a. Cases leading to prosecution 10 years from date of trial
- b. Formal caution 3 years from date of caution
- c. Written warning or no formal action 3 years from date of decision
- d. Subject Access request 6 years from date of request.

The file on the dedicated computer will be deleted once the master and working copies are produced.

Staff in the Licensing Team will conduct a review of material held on the hard drive each year in March and erase any such material outside of these time limits. Any working copies should be placed on the appropriate files and they will be weeded and safely destroyed with the files whose time limits mirror those set out above.

7. Data will only be viewed by the person performing the download to the extent necessary to facilitate the download process. Data being used in any investigations will only be viewed by persons involved in that investigation but will be released to be used in court if necessary.
8. After a period of time any data held by the system installed in any vehicle is automatically overwritten dependant upon the specification of the system installed. Typically, this will be within a period of 14 days.
9. Only systems approved by the Licensing Team may be installed by an approved installer – thereby ensuring that any equipment may not be tampered with, encryption is of a sufficient standard and data may not be interfered with or released to any third party / published.