

CCTV Briefing Note

Use of Audio Recording Facility

1. Purpose

This briefing note is to provide all guidance to existing and new Hackney Carriage and Private Hire Vehicle drivers on the use of audio recording facility as part of CCTV installations within a licenced vehicle.

2. CCTV requirements and audio

The Council does not require you to have a CCTV system which records sound. It will be up to you whether you wish to install a system which does so. If you do, you are required to comply with the following principles:-

These principles seek to ensure that you operate the sound recording facility in accordance with passengers' privacy rights and their rights under the Data Protection Act 1998.

Any system which has the facility to record sound must **NOT** be capable of recording sound continuously. This is a requirement of the Council's CCTV Specification.

3. When can I use the audio?

If the CCTV system is fitted with sound recording, the driver **MUST NOT** turn on the sound recording ("panic") button **UNLESS** the driver reasonably believes it is either:

- a) in the interest of his or a passenger's safety; or
- b) for the purpose of protecting his livelihood, e.g. disputes about payment, concerns about potential damage to the vehicle etc. or
- c) if you feel concerned about potentially harassing or abusive language, e.g. inappropriate conversation, racial abuse, if passenger becomes aggressive during the course of the journey etc.

4. How long does it record for?

Please note that when you trigger the sound button the system will record sound for **15 minutes only** and then will revert back to normal soundless. Needed after this 15-minute period, you should press the "panic" button again just before the 15-minute period ends.

You must allow the 15-minute period to expire before taking a new passenger who is unrelated to the original incident. If you do not, then the sound recording of the new passenger is likely to be a breach of the Data Protection Act.

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If you choose to operate a CCTV system with a sound recording option, you must do so in accordance with the principles above. You must also display a sign in your taxi which alerts passengers to the fact that sound recording may be used if the driver feels it is justified to do so on the grounds set out above.

The Council has provided appropriate wording for the signage to cover video and audio recording for the approved installations.

5. Further Information

For further information please see the ICO Guidance Note:- <https://ico.org.uk/for-organisations/guide-to-data-protection/cctv/>

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