

# **EAST AYRSHIRE COUNCIL**

## **REGULATORY SERVICES**

### **Body Worn CCTV**

### **Privacy Notice**

This notice provides clarification on the use of body worn CCTV by our staff and what information is collected through body worn CCTV recordings. It also provides information on the purpose of such recordings, how images are stored and retained and who you can contact should you require further information on your rights under data protection.

Body worn CCTV is required by our staff to protect them against potential anti-social behaviour, conflict, false accusations and for corroboration of incidents occurring during investigations. The CCTV units are worn overtly by our staff and are only utilised when required. In other words, they do not continually capture images but are switched on by staff interacting with you when necessary.

#### **Who is responsible for your information?**

East Ayrshire Council Regulatory Services

Personal information that is held is processed in accordance with Data Protection Law. For information on the role of the Data Controller, Data Protection Officer and contact details for East Ayrshire Council, please refer to the Privacy Statement on the Council's website.

#### **What personal data do we need and why?**

Images of individuals may be collected on body worn CCTV units in the East Ayrshire area. It is necessary to collect such images for the following purposes:

- To deter threatening or anti-social behaviour against our staff;
- Corroboration of incident occurring when a member of staff is on duty for investigation purposes;
- To reduce the scope of false allegations against staff;
- To protect lone working staff.
- To gather evidence of offences committed.

#### **How will we use your information?**

The information captured on body worn CCTV units may be used in the following ways:

- To pass to the Police when criminal incidents occur;
- To corroborate incidents or offences in the absence of a third party witness.

#### **What is the lawful basis for processing the data?**

Local authorities such as East Ayrshire Council are authorised to employ the use of video recording to promote the prevention of crime or the welfare of victims of crime. This power is contained in section 163 of the Criminal Justice and Public Order Act 1994.

The processing of the images captured by body worn CCTV units is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller. The body worn CCTV units may capture more sensitive information about individuals, including health details, race or ethnic origin and criminal behaviour. The processing of this information is necessary for reasons of substantial public interest and for the prevention or detection of unlawful acts and to carry out a key function as set out in law, namely the Council's obligations under the Environmental Protection Act 1990, Dog Fouling (Scotland) Act 2003, the Refuse Disposal (Amendment) Act 1978, the Smoking, Health and Social Care (Scotland) Act 2005, the Consumer Protection from Unfair Trading Regulations 2008, Trade Marks Act 1994, and the Animal Health & Welfare (Scotland) Act 2006.

### **Who will we share your information with?**

Where necessary your information will be shared with the following:

- Police Scotland and other emergency services
- The Crown Office and Procurator Fiscal Service
- Our service provider Pinnacle

The service may make any disclosures required by law and may share information with other bodies responsible for detecting/preventing fraud or auditing/administering public funds. We will also generally comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate.

Regulatory Services, East Ayrshire Council will ensure that any external agency which receives disclosed information is fully aware of and accepts its responsibility as outlined in within the General Data Protection Regulations and the Data Protection Act 2018.

### **How long do we keep your information?**

We will only keep your information for the minimum period necessary. After this time, information is deleted/destroyed in accordance with the Council's retention schedule.

### **Providing accurate information**

It is important that we hold accurate and up to date information. If any details have changed, or change in the future, then individuals should ensure that they inform the Council as soon as possible so that they can update their records accordingly.

### **Individuals' data protection rights**

Under data protection legislation, individuals have a right to request access to information about them that Regulatory Services, East Ayrshire Council holds. Further details can be found in the Council's Privacy Statements.

Individuals also have the right to:

- Object to processing of personal data that is likely to cause, or is causing damage or distress
- Prevent processing for the purposes of direct marketing
- Object to decisions being taken by automated means
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- In certain circumstances, transfer their data to another organisation (data portability)

Individuals can contact the Council regarding their data protection rights and the processing of their data. Details of how to do this can be found is on the Council's Privacy statement.

If individuals have a concern about the way Regulatory Services, East Ayrshire Council is collecting or using their personal data, they should raise their concern in the first instance with the Council's Data Protection Officer; contact details to be found on the Council's main Privacy Statement, via the website.