

DASHCAM POLICY

1. Introduction

1.1 This policy sets out Crowborough Town Council's (herein referred to as the 'Council') position on the use of on-board incident capture devices (Dash Cams) in vehicles and its effect on employees and members of the public.

2. Purpose and scope

2.1 The primary uses of Dash Cams are to assist in the management of the safety and protection of employees of the Council whilst they are carrying out their duties and driving the Council's vehicles.

2.2 The Dash Cams are intended to serve as a deterrent against any potential abuse, whether physical or verbal, by members of the public towards employees of the Council whilst they are performing their duties. Should there be any incidents involving employees of the Council in a Council vehicle, which results in a legal claim, Dash Cam footage will be reviewed and may be used to provide evidence.

2.3 On request, Dash Cam footage may be provided to a statutory body (ie Police) if the footage may be a source of further evidence of criminal activity, whether or not it relates to an incident which directly involves an employee of the Council.

2.4 In cases where there is a genuine reason to question the performance and conduct of an employee of the Council, Dash Cam footage may be viewed, but only if there is a specific reason to do so and where the matter is considered a disciplinary issue.

2.5 Dash Cam footage will not be routinely viewed without justifiable reason to do so.

3. Principles

The following principles apply:

3.1 Dash Cams are and will be installed in all Council vehicles.

3.2 Dash Cams are set up to capture both visual images and sound ('data') in order to fulfil their purpose.

3.3 All occupants of Council vehicles are aware that there is a Dash Cam in their vehicle and have been provided with a copy of this policy.

3.4 Employees who are new to driving a Council vehicle will be provided with a copy of this policy upon commencing their role at the Council.

3.5 Data will be stored routinely for a period of 3 months (the 'retention period') and will then be deleted unless the contents are already part of an ongoing disciplinary investigation or litigation in which case it will be kept as long as required for the relevant process to conclude.

3.6 Access to data will be restricted to Designated Responsible Persons ('DRPs'), limited to the Council's Clerk, the Council's Mayor, and including Councillors undertaking their responsibilities as Investigators, on a disciplinary panel or on a grievance panel. DRPs may gain access in the event there is a reasonable belief by the Council that there may have been misconduct, or a breach of Health and Safety by an employee.

3.7 The data cannot be remotely accessed in real-time.

3.8 The Council reserves the right to access the data in the event of matters relating to grievance or disciplinary proceedings, or defence or litigation of a legal claim, and reserves the right to request the data is viewed by the Council's legal representatives and / or HR Consultant with the consent of two DRPs via an 'Access to View Dash Cam Data Form'.

3.9 In the event it is deemed appropriate to access the data, two DRPs must agree that it is a proportionate measure and sign an 'Access to View Dash Cam Data Form'. (Appendix A) Where data is requested for the defence or litigation of a legal claim or is relating to a request from a Statutory body, the Council's Clerk and the Council's Mayor must both sign an 'Access

View Dash Cam Data Form' before providing the data to a third party. In the absence of the Council's Clerk or the Council's Mayor, another Councillor may sign in absentia.

- 3.10 Any persons whose images are recorded have a right to view those images, and to be provided with a copy of those images, within one month of making a written Data Subject Access Request. Availability of images will be subject to the retention period. Any person who wishes to make such a request should do so in writing, providing the relevant time and date of the image, so that they may be easily identifiable. The request should be made in writing to the Data Protection Officer, Crowborough Town Council, Council Offices, Pine Grove, Crowborough, TN6 1DH.
- 3.11 Any employee found to be compromising the integrity of the data stored on the dashcam will be subject to disciplinary procedure.

4. Members of the public

- 4.1 Where an incident involves a member of the public (a 'third party'), the relevant insurers will be informed of the details. Although the third party may be made aware that there is recorded evidence in the form of Dash Cam data, a copy of the recorded material can only be obtained if requested by the subject themselves via a Data Subject Access Request.
- 4.2 Third Parties should also be aware that under appropriate circumstances the data may be provided to a Statutory body with the intention to prosecute for criminal offences.
- 4.3 In defence of legal claims footage may also be provided to the Council's legal representatives with the intention of providing evidence before the courts.

5. Complaints

- 5.1 Complaints about the operation of the Dash Cam system should be addressed initially to the Data Protection Officer, Crowborough Town Council, Council Offices, Pine Grove, Crowborough, TN6 1DH.

This policy does not form part of employees' terms and conditions of employment and may be subject to change at the discretion of the Council.