

Privacy Notice

This privacy notice sets out how West Berkshire District Council (the “**Council**”) will use your personal data, and your rights in relation to that personal data. This document describes how and why we collect, store, protect, process and share the data you give to us. It is written in accordance with the UK data protection legislation.

This notice relates to personal data collected from the officer worn body videos. We will use the data collected to help keep staff, service users, visitors and the public safe, to reduce the risk of crime occurring and also help prosecute offenders when it does.

This notice applies to any individual (including customers, service users, employees, visitors and members of the public) whose images and audio data are captured by our Body Worn Cameras and stored on our system.

It is important that you read this notice so that you know how and why we use information about you.

Date of Issue: 28 June 2023

Update History:

June 2023	First issue of a new Privacy Notice

Directorate: Place
Department: Environment
Service: Transport and Parking

About the Organisation

The Council is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address:

West Berkshire District Council
Market Street
Newbury
Berkshire
RG14 5LD

ICO Registration Number: **Z6825178**
<https://ico.org.uk/ESDWebPages/Entry/Z6825178>

The Data Protection Officer

Contact details for the Data Protection Officer at the Council can be found at:
<http://info.westberks.gov.uk/dpofficer>

THE PERSONAL DATA WE HOLD ABOUT YOU

The Council has issued all Civil Enforcement Officers with portable Body Worn Cameras. The Body Worn Video provides visual and audio recording of activities undertaken by the wearer. Body Worn Video can be used in all locations within West Berkshire. The use of Body Worn Video will not be continuous and activation of the Body Worn Video will be made where there is a legitimate need to do so.

These cameras are attached to officers to capture images and audio data in areas used by the public.

We will process the following personal data:

- Static and moving images of people
- Audio recording of people Vehicle details
- The Body Worn Video may incidentally record vehicle registrations, ownership details and Penalty Charge Notice details.

The Body Worn Video may incidentally record sensitive information, known as Special Category Data, if the footage reveals an individual's ethnic origin, race, religious or philosophical beliefs, political opinions or data concerning their health (for instance, if they have a visible disability or hold a valid blue badge).

These details are collected and held on a secure computer system and operated by the Council, which is access-controlled to restrict entitlement to review footage to suitably-trained staff. As with all Council systems, the integrity of the data will be protected using up-to-date technical and organisational security measures.

SOURCE OF YOUR PERSONAL DATA

We collect the above information about you from the Body Worn Videos which are transmitted to and recorded onto the Council's systems.

PURPOSE AND LEGAL BASIS FOR PROCESSING YOUR PERSONAL DATA

In accordance with the data protection laws, we need a "legal basis" for collecting and using information about you. There are a variety of different legal bases for using personal data which are set out in the data protection laws.

We have set out below the different purposes for which we collect and use your personal data, along with the legal basis we rely on to do so.

Why we use your information	Our legal basis for using your information
The Council's Civil Parking Enforcement Officers are required to wear and activate the Body Worn Video in the public interest in its role as a public	Public Task: Article 6(1)(e) of the GDPR namely the processing is necessary for the performance of a

Why we use your information	Our legal basis for using your information
<p>authority responsible for the enforcement of Civil Parking restrictions. The information collected will only be processed for one or more of the following purposes:</p> <ul style="list-style-type: none"> • To ensure the health and safety and protection of its staff, service users and members of the public; • in the prevention of and detection of crime, the apprehension of offenders and public safety; • monitor and address anti-social behavior; • create a safer environment and providing reassurances to staff and the general public; • de-escalation of conflict or confrontation and reduce the potential escalation of incidents • assisting with investigations (where appropriate); • assisting in the effective resolution of any disputes or legal or insurance-related claim involving the Council; and • Provide supporting evidence for Civil Parking Enforcement activities. <p>In the event that Body Worn Videos are in operation, the Civil Enforcement Officer will take all reasonable steps to make sure that those captured in such footage are made aware recording is taking place.</p> <p>Where a service or information request requires you to submit further personal information, a separate privacy notice will describe how we will use that data.</p>	<p>task carried out in the public interest.</p> <p>Legitimate Interests Article 6(1) (f) , the council processes the data in the interests of running an effective, safe environment which takes reasonable efforts to safeguard the public funds spent upon it by preventing incidents that could disrupt or damage its property.</p> <p>The legal basis for processing your special category personal data is:</p> <p>Substantial Public Interest: Article 9(2)(g) UK GDPR: processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject. Schedule 1, Part 1 Para 10, 11,</p>

SHARING YOUR PERSONAL DATA

The systems are owned and operated by West Berkshire Council. We will only share data when it is necessary, or if the Council is required to do by law. The Council does not have a planned, regular or scheduled sharing of the Body Worn Video footage.

Body Worn Video footage will only be processed internally by Council Staff who are authorised to do so and any other department where there is a legitimate and lawful reason for their involvement such as HR colleagues in the event of an investigation.

The images and audio captured may be passed to law enforcement such as the police and other agencies involved in the prevention and detection of crime and public safety.

In addition, the Council may share the footage with third party organisations such as insurance companies in relation to a legal or insurance-related claim involving the council.

Under no circumstances will personal data (including images of patrons) be provided to any third party for any other reason than those outlined in this notice, or required by law.

RETAINING YOUR PERSONAL DATA

Your personal data will not be kept longer than necessary. Images are only retained for a period of up to 31 calendar days after which they are securely and permanently destroyed, assuming they have not been preserved for purposes of detecting/preventing crime or in relation to a legal or insurance-related claim.

You can check how long the Council will keep each type of data against our retention schedule (www.westberks.gov.uk/retention).

YOUR RIGHTS

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
 - **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
 - **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
 - **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
 - **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
 - **Request the transfer** of your personal information to another party.
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HOW TO MAKE A REQUEST

If you wish to make a request associated with any of the rights listed above, contact the Council using the contact details at the top of this notice.

INTERNATIONAL TRANSFERS

Your personal data will not be processed outside the UK or by an international organisation.

COMPLAINTS

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. Further information can be found at: <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/>

The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
0303 123 1113

Email: casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.
