



Policy on use of Body Worn Cameras (Traffic Wardens)

1. BACKGROUND

The role of a Waterford City & County Council ("Council") Traffic Warden is to enforce Parking Regulations. This is done by patrolling designated areas and checking that vehicle owners comply with parking regulations and byelaws, display appropriate paid parking discs where required, regulate use of parking permits, and check compliance regarding Motor Taxation.. In the course of their work Traffic Wardens frequently have to issue warnings and parking fines – as a result, they may be subject to verbal abuse and can be threatened with or suffer actual physical assault. Encounters with the public can become confrontational; in an effort to enhance their personal security and assist in resolution of complaints WCCC has issued each Traffic Warden with a Body Worn Camera (BWC).

As an employer, the Council has an obligation to ensure the Health & safety of all its employees; body worn cameras are seen as a H&S control measure to reduce the risk of violence/aggression towards Traffic Wardens.

2. PURPOSE

This policy is intended to provide Traffic Wardens with instructions on when and how to use body-worn cameras (BWCs) and to make it clear that all times the privacy rights of individuals must be respected as much as possible.

3. POLICY

3.1 It is the policy of WCCC that Wardens shall use their own judgement of a situation and activate the BWC when they feel it is needed- they are not to be activated for extended periods or in the normal course of work when no threat or difficulty exists.

3.2 WCCC has adopted the use of the BWC to accomplish several objectives. The primary objectives are as follows:

3.3 Audio and video recordings allow WCCC to report any abusive or threatening behaviour to the Gardai.

3.4 The BWC images may be used in prosecutions for assault or threats to Traffic Wardens.

3.5 The primary purpose of the BWC is to act as a deterrent and to enhance the personal safety of Traffic Wardens; once a member of the public is informed that an exchange is being recorded it is far less likely that they will attempt to physically harm a Traffic Warden.

4 When and How to Use the BWC

4.1 Wardens shall activate the BWC to record any threatening incidents that may arise with members of the public in the performance of their official duties.

- 4.2 Wardens should always inform individuals that they are being recorded
- 4.3 BWC should only be used in public areas (eg. streets and public car parks). They should never be used in locations where individuals have a reasonable expectation of privacy, such as a residence.
- 4.4 The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the individual concerned moves into an area restricted by this policy.
- 4.5 The Warden may use their own discretion on deciding whether to use BWC - all incidents should be considered on a case by case basis.
- 4.6 BWCs do not have any functionality to allow viewing of the recordings at the scene.

5 Procedures for BWC Use

- 5.1 A BWC is issued to each Traffic Warden and must be worn as part of normal uniform when on duty.
- 5.2 Traffic Wardens shall only use BWCs issued by the Council. The BWC equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Council.
- 5.3 Traffic Wardens who are assigned BWCs will receive training to ensure proper use and operation of the equipment as well as understanding the Council's policy in relation to correct use and data protection.
- 5.4 BWC equipment is the responsibility of individual Traffic wardens and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the Traffic Warden's supervisor as soon as possible so that a replacement unit may be procured.
- 5.5 The BWC should be stored securely when not in use.
- 5.6 Traffic Wardens shall inspect and test the BWC prior to each shift in order to verify proper functioning and shall notify their supervisor of any problems.
- 5.7 Traffic Wardens are encouraged to inform their supervisor of any recordings that may be of value for training purposes.
- 5.8 At the end of their shift (or as soon as is practicable) if any recordings have been made, Traffic Wardens should download footage to secure location on their PC for reviewing in conjunction with the Traffic Warden Supervisor.
- 5.9 If footage is not required (eg. Report to Gardai not likely, no future Court case etc) it should be deleted.

6 Restrictions on Using the BWC

- 6.1 BWCs shall be used only in conjunction with official Traffic Warden duties.
- 6.2 The BWC shall not generally be used to record:
- Communications with other Traffic Warden personnel;
 - Encounters with members of the public unrelated to parking violations;
 - When on a break or otherwise engaged in personal activities; or
 - In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.

7 Storage of data

- 7.1 Any recordings shall be securely downloaded periodically and no later than the end of each shift. Each file shall contain information related to the date, BWC identifier, and assigned Traffic Warden.
- 7.2 All images and sounds recorded by the BWC are the exclusive property of the Council. Accessing, copying, or releasing files for non-traffic related offences is strictly prohibited.
- 7.3 All access to BWC data (images, sounds, and metadata) must be specifically authorized by the Traffic Warden Supervisor, and access can be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
- 7.4 Files should be securely stored and no longer than useful for purposes of training or for use in an investigation or prosecution. Standard retention period will be 6 months or longer if required for a specific purpose.

8 Supervisory Responsibilities

- 8.1 The Traffic Warden Supervisor shall ensure that Traffic Wardens equipped with BWC devices utilize them in accordance with policy and procedures defined herein.
- 8.2 At least on a monthly basis, Traffic Warden Supervisors will randomly review BWC recordings to ensure that the equipment is operating properly and that Traffic Wardens are using the devices appropriately and in accordance with policy and to identify any areas in which additional training or guidance is required.
- 8.3 Traffic Warden Supervisor will have responsibility for ensuring appropriate retention periods are complied with.

9 Sharing of BWC recordings

Evidence gathered by Traffic Warden BWCs will only be shared or viewed by authorised parties such as Gardai or staff within the Traffic Warden /Roads section.

10 Data Protection, Access Requests and Complaints

- 10.1 All Traffic Wardens using BWCs will receive general data protection awareness training
- 10.2 At all times, Traffic Wardens using BWCs in the course of their work will take as much precaution as is feasible to minimise the inadvertent capture of the images of onlookers /passers-by whenever a confrontation with an individual is being recorded.
- 10.3 Any queries/complaints in relation to personal data captured by the BWC should be referred to the Council's Data Protection Officer.
- 11 Any subject access requests or complaints about the use of BWC should be forwarded immediately to the Council's Data Protection Officer.

Contact: Data Protection Officer, Waterford City & County Council, City Hall, The Mall, Waterford. X91 PK15.

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