



<b>Report To:</b>	Policy Development Panel
<b>Date:</b>	24 June 2025
<b>Subject:</b>	South & East Lincolnshire Councils Partnership Body Worn Video (BWV) Policy 2025
<b>Purpose:</b>	To advise Members of a new Body Worn Video Policy across the South & East Lincolnshire Councils Partnership to ensure arrangements across the Partnership provide assurance that our legal obligations and all data protection controls are effectively managed and to consider the (BWV) Policy prior to approval at Cabinet.
<b>Key Decision:</b>	N/A
<b>Portfolio Holder:</b>	Councillor Jim Astill – Portfolio Holder for Corporate, Governance, Communications and Environmental Services.
<b>Report Of:</b>	Christian Allen, Assistant Director - Regulatory
<b>Report Author:</b>	Peter Hunn – Community Safety Manager
<b>Ward(s) Affected:</b>	All
<b>Exempt Report:</b>	No

### Summary

The purpose of this brand-new policy is to ensure that the operational use of Body Worn Video (BWV) is lawful, proportionate, legitimate and necessary; that it will be only used when deemed necessary for the purposes of violence reduction or evidence collection by trained staff in accordance with legislation, policy and procedures. It sets out roles and responsibilities, provides staff with the correct procedures for collecting, downloading, processing and presenting video evidence, appropriate retention etc. This policy will ensure all BWV devices are used reasonably, justifiable and proportionately and that the product of BWV devices is stored, retained, reproduced and disposed of appropriately.

## **Recommendations**

Members are invited to note the report and comment as appropriate.

## **Reasons for Recommendations**

To ensure that Members are aware of the duties imposed on the Council by legislation and best practice guidance with regard to the use of BWV and the requirement to adopt policies, processes and procedures that are up to date, relevant and fit for purpose.

Ensuring Members are informed that BWV activity, policy and procedures demonstrates good governance and an organisational commitment to the obligations imposed by RIPA, Surveillance Camera Commissioner guidance and any appropriate legislation around privacy, the Data Protection and Freedom of Information legislation.

## **Other Options Considered**

None

## **1. Background**

- 1.1 As detail by Christian Allen in March 2025 when he provided members with an update on The South and East Lincolnshire Councils Partnership Regulation of Investigatory Powers Act 2000 Policy during the year 2025/26 we would be bringing forward a New Partnership BWV Policy demonstrating an ongoing commitment to the health, safety and welfare of our staff, service users and anyone else affected by our activities.
- 1.2 This new policy will enable front line officers to utilise BWV devices where it is lawful, reasonable, justifiable and proportionate to do so.
- 1.3 The policy will demonstrate that appropriate technical and organisational measures have been considered and will be implemented, integrating the principles of data protection into the processing of evidence/data. BWV devices provide an excellent standard of evidence when undertaking regulatory and enforcement activities however, they must be deployed appropriately and the information/data gathered correctly managed.
- 1.4 The purpose of this new policy will be to ensure that the operational use of BWV is lawful, reasonable, justifiable and proportionate, and that BWV devices will only be deployed when it is deemed necessary for the purposes of reducing aggression towards officers or in the gathering of evidence by trained staff in accordance with legal requirements, policy and mandatory guidance. It will set out roles and responsibilities, provide staff with the correct procedures for collecting, downloading, processing, presenting and retaining evidence obtained from BWV devices.

## **2. Report**

- 2.1. The individual councils within the S&ELCP are committed to ensuring, so far as is reasonably practicable, the health, safety and welfare of its staff, service users and anyone else who may be affected by its activities. This policy has been developed and adopted to ensure that The council's front line enforcement officers using BWV devices do so in a lawful, reasonable, justifiable and proportionate manner.
- 2.2. Under Articles 25(1) and 25(2) of the UK GDPR, The individual councils within the S&ELCP have an obligation to implement appropriate technical and organisational measures to show that it has considered and integrated all of the principles of data protection into the processing activities.

## **3. Policy Statement**

- 3.1. The individual councils within the S&ELCP is committed to securing the best evidence and intelligence possible when carrying out their council functions, including but not being limited to its regulation and enforcement activities. BWV technology provides enhanced opportunity to secure such evidence and intelligence.

## **4. Training**

- 4.1. All Officers authorised to use BWV devices will receive training in the operation of this policy and the operation of allocated BWV devices prior to being able to employ their use. This will include:
  - Applicable legislation and legal requirements of using BWV devices in a public area, privacy, data protection, information governance etc.
  - Framework and reasons for implementation of devices throughout the Councils.
  - How to mount the device on the body.
  - How to operate the device, turning on/off and various functions.
  - When to operate the recording function and the parameters of permitted use.
  - Permissions of use, how to alert the public recording is about to commence and reasons why.
  - Maintenance and charging of the device.
  - How to use the device software for information and data upload/transfer.
  - The timeframe for uploading of information and data.
  - How to deal with a subject access request.
  - How the information and data is stored and erased from the devices.
  - Implications for misuse.
- 4.2. All personnel must attend a full training session prior to operating the BWV device in an operational environment and must sign to acknowledge they have been trained in the use of BWV devices and understand their legal responsibilities in its use. Records of this training will be held centrally for audit and accountability purposes.

## **5. Conclusion**

5.1. This report and associated appendices detail the use and control of BWV devices across the individual councils within the S&ELCP for all departments / officers.

### **Implications**

#### **South and East Lincolnshire Councils Partnership**

By adopting a common approach to the use of BWV cameras across all three councils, economies of scale, efficiencies and shared learning can be optimised across the Partnership. This sub regional approach also accords with the objectives set out in the Memorandum of Agreement and the Business Case for the South and East Lincolnshire Councils Partnership.

#### **Corporate Priorities**

Safe and Resilient Communities

#### **Staffing**

Current staffing resource across the partnership will support the delivery of BWV activity with additional resources identified through further funding as necessary.

#### **Workforce Capacity Implications**

None

#### **Constitutional and Legal Implications**

Non - compliance with the legislation associated with covert surveillance leaves the Council open to evidential challenge to enforcement activities in the courts and potentially formal claims for compensation from individuals or corporate bodies should it be found that BWV policy, guidance and procedures have not been followed. The Policy and training ensure all officers considering using BWV do so are aware of the requirements of the legislation and best practice.

#### **Data Protection**

A separate DPIA has been produced for this policy and can be found as part of the associated appendices.

#### **Financial**

None, there is an expectation that departments across the Partnership who wish to use BWV will purchase their own CCTV enabled cameras that are able to be connected directly to the CCTV Suite at Boston. Further funding opportunities will be sought wherever possible to support delivery. That aside, delivery will be managed through existing departmental commitments and resources.

## **Risk Management**

The Council may be exposed to legal, financial and reputational risk were it to undertake enforcement activity inconsistent with the obligations of this policy. Hence it is important that our policy, practices and procedures are regularly reviewed to ensure that they are up to date with IPCO and Home Office guidance. Adopting common policy, practices and procedures also provides the Partnership with improved resilience, capability and capacity to our evidence gathering and recording arrangements.

## **Stakeholder / Consultation / Timescales**

Consultation has been undertaken with the relevant Portfolio Holder, Monitoring Officer, Group Manager for Information Governance and Data Protection Officer and Section 151, Corporate Managers and Service Managers.

The report has also been shared with those Officers with designated responsibilities in the Partnership BWV Policy.

## **Reputation**

Non-compliance with the legislation associated with covert / overt surveillance leaves the Council open to reputational damage should a formal claim for compensation from individuals or corporate bodies find BWV policy, guidance and procedures have not been followed.

If any prosecution is undertaken, and that through disclosure it becomes clear that either our BWV policy is not robust or it has not been followed, it may compromise the outcome of the prosecution as a result.

## **Contracts**

None

## **Crime and Disorder**

Compliance with the obligations of PACE and Crime and Disorder Act 1998 must be intrinsic to all enforcement activities undertaken by the Council.

## **Equality and Diversity / Human Rights / Safeguarding**

Adopting an approach to the use of BWV that is consistent with Data Protection, RIPA, IPCO and Home Office guidance will help to ensure that the Council is meeting its equality and diversity, human rights and safeguarding obligations.

It should be noted that CCTV surveillance techniques and investigations need to consider Article 8 of the Human Rights Act, which covers right to privacy. This is also subject to regulation under RIPA and CCTV Codes of Practice.

## **Health and Wellbeing**

This policy supports officers for the purposes of violence reduction or evidence collection by trained staff in accordance with legislation.

Work carried out to reduce crime and disorder within the partnership and to support those that are affected helps to improve the health and wellbeing of those residents.

## **Climate Change and Environment Impact Assessment**

None

## **Acronyms**

IPCO – Investigatory Powers Commissioners Office  
RIPA – Regulation of Investigatory Powers Act (2000)  
BWV – Body Worn Video  
CCTV – Closed circuit television  
BBC – Boston Borough Council  
ELDC – East Lindsey District Council  
SHDC – South Holland District Council  
S&ELCP – South and East Lincolnshire Councils Partnership  
PACE – Police and Criminal Evidence Act  
DPIA – Data Protection Impact Assessment  
FAQ – Frequent Asked Questions  
GDPR – General Data Protection Regulation

## **Appendices**

Appendix A – BWV Policy 2025  
Appendix B - DPIA  
Appendix C - BWV FAQ

## **Background Papers**

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

## **Chronological History of this Report**

None

## **Report Approval**

Report author:	Peter Hunn, Community Safety Manager
Signed off by:	Christian Allen, Assistant Director - Regulatory
Approved for publication:	Christian Allen, Assistant Director - Regulatory