Guidelines for CCTV systems
in licensed Hackney Carriage and Private Hire vehicles

Introduction
These guidelines set out to ensure that CCTV systems in Hackney Carriage Vehicles (HCVs) and Private Hire Vehicles (PHVs) licensed by South Lakeland District Council are used to prevent and detect crime, reduce the fear of crime and enhance the health and safety of HCV, PHV drivers and passengers.

Vehicle owners, who may also be the driver and/or operator, installing CCTV systems must fully comply with the requirements set out in these guidelines.

For the purposes of these guidelines the term "CCTV system" will include any electronic recording device attached to the inside of vehicle having the technical capability of capturing and retaining visual images and audio recording from inside or external to the vehicle. In addition to the standard CCTV camera system these may include for example, such devices as events/incident/accident data recording devices.

It must be noted that the installation of a CCTV system is optional.

The purpose of CCTV
The purpose of the CCTV system shall be to provide a safer environment for the benefit of the HCV or PHV driver and passengers by:
1. Deterring and preventing the occurrence of crime
2. Reducing the fear of crime
3. Assisting the Police in investigating incidents of crime
4. Assisting insurance companies in investigating motor vehicle accidents

General requirements
Any CCTV system to be fitted must, as a minimum, meet the requirements set out in this document. Only CCTV systems meeting these requirements can be installed into licensed taxi and private hire vehicles.

CCTV systems installed in HCVs and PHVs will be inspected as part of the annual licensing inspection to ensure they do not pose a risk to the safety of the passengers or the driver and are fitted safely and securely.

Automotive Electromagnetic Compatibility requirements (EMC)
CCTV equipment must not interfere with any other safety, control, electrical, computer, navigation, satellite, or radio system in the vehicle.

Any electrical equipment such as an in-vehicle CCTV system fitted after the vehicle has been manufactured and registered, is deemed to be an Electronic Sub Assembly (ESA) under the European Community Automotive Electromagnetic Compatibility Directive and therefore must meet with requirements specified in that directive.

CCTV equipment should be e-marked or CE-marked. If CE marked confirmation by the equipment manufacturer as being non-immunity related and suitable for use in motor vehicles is required.

For further information please contact:
Licensing Team, Public Protection Group, Neighbourhood Services Directorate, South Lakeland District Council, South Lakeland House, Lowther Street, Kendal, Cumbria LA9 4DQ Tel: 0845 050 4434 Email: licensing@southlakeland.gov.uk Website: www.southlakeland.gov.uk
Camera design requirements

The camera(s) must be fitted safely and securely, should not adversely encroach into the passenger area and must not impact on the safety of the driver, passenger or other road users.

Installation

All equipment must be installed as prescribed by the equipment and/or vehicle manufacturer installation instructions.

Each CCTV installation will be subject to the conditions of vehicle licensing as set out in South Lakeland District Council Hackney Carriage Private Hire Licensing policy. This document can be viewed at: www.southlakeland.gov.uk/licensing-and-permits/taxi-licensing

The installed CCTV system must not weaken the structure or any component part of the vehicle or interfere with the integrity of the manufacturer's original equipment.

All equipment must be installed in such a manner so as not to increase the risk of injury and/or discomfort to the driver and/or passengers. For example, temporary fixing methods such as suction cups will not be permitted, or lighting, such as infra-red, which emits at such a level that may cause distraction or nuisance to the driver and/or passengers.

All equipment must be protected from the elements, secure from tampering and located such as to have the minimum intrusion into any passenger or driver area or impact on the luggage carrying capacity of the vehicle.

It is contrary to the Motor Vehicle (Construction and Use) Regulations, 1986, for equipment to obscure the view of the road through the windscreen.

Equipment must not obscure or interfere with the operation of any of the vehicle's standard and/or mandatory equipment, i.e. not mounted on or adjacent to air bags/air curtains or within proximity of other supplementary safety systems which may cause degradation in performance or functionality of such safety systems.

Viewing screens within the vehicle for the purposes of viewing captured images will not be permitted.

All wiring must be fused as set out in the manufacture’s technical specification and be appropriately routed.

If more than one camera is being installed their location within the vehicle must be specific for purpose i.e. to provide a safer environment for the benefit of the HCV or PHV driver and passengers.

All equipment must be checked regularly and maintained to operational standards, including any repairs after damage.

All system components requiring calibration in situ should be easily accessible.

Camera activation methods

Activation of the equipment may be via a number and combination of options, such as - door switches, time delay, drivers’ panic button or in the case of incident/event recorder, predetermined G-Force parameters set on one or more axis (i.e. braking, acceleration, lateral forces) and configured to record for a short period of time before the event, during the event and a short period following the event. A direct wired link to the vehicle’s taximeter, in the case of a HCV, will not be acceptable.

Audio recording

CCTV systems must not be used to record conversations between members of the public as this is highly intrusive and unlikely to be justified except in very exceptional circumstances. You must choose a system without this facility wherever possible. However, if the system comes equipped with sound recording facility then this functionality should be disabled.

There is a limited circumstance in which audio recording may be justified, subject to the sufficient safeguard below:-

- Where recording is triggered due to a specific threat, e.g. a ‘panic button’ is utilised. Where this audio recording facility is utilised a reset function must be installed which automatically disables audio recording and returns the system to normal default operation after a specified time period has elapsed. The time period that audio recording may be active should be the minimum possible and should be declared at the time of submission for approval of the equipment.

In the limited circumstance where audio recording is justified, signs must make it very clear that audio recording is being or may be carried out.

Image security

Images captured must remain secure at all times.

The captured images must be protected using approved encryption software which is designed to guard against the compromise of the stored data, for example, in the event of the vehicle or equipment being stolen. It is recommended by the Information Commissioner’s Office (ICO) that “data controllers” ensure any encryption software used meets or exceeds the current FIPS 140-2 standard or equivalent. System protection access codes will also be required to ensure permanent security.

Retention of CCTV images

The CCTV equipment selected for installation must have the capability of retaining images either:

- within its own hard drive
- using a fully secured and appropriately encrypted detachable mass storage device, for example, a compact flash solid state card
- or where a service provider is providing storage facilities, transferred in real time using fully secured
and appropriately encrypted GPRS (GSM telephone) signalling to a secure server within the service provider’s monitoring centre.

Images must not be downloaded onto any kind of portable media device (e.g. CDs or memory sticks) for the purpose of general storage outside the vehicle.

CCTV equipment selected for installation must include an automatic overwriting function, so that images are only retained within the installed system storage device for a maximum period of 31 days from the date of capture. Where a service provider is used to store images on a secure server, the specified retention period must also only be for a maximum period of 31 days from the date of capture.

Where applicable, these provisions shall also apply to audio recordings.

**Notification to the Information Commissioner’s Office**

The Information Commissioner’s Office (ICO) is the official regulator for all matters relating to the use of personal data.

The ICO defines a “data controller” as the body which has legal responsibility under the Data Protection Act (DPA) 1998 for all matters concerning the use of personal data. For the purpose of the installation and operation of in-vehicle CCTV, the “data controller” is the specified company, organisation or individual which has decided to have CCTV installed. The data controller has the final decision on how the images are stored and used and determines in what circumstances the images should be disclosed.

Notification is the process by which a data controller informs the ICO of certain details about their processing of personal information. These details are used to make an entry in the public register of data controllers.

This means that any specified company, organisation or individual vehicle owner who has a CCTV system installed in a SLDC licensed vehicle must register with the ICO (Notification) and obtain documented evidence of that registration. This documentary evidence may be required to be presented to an Licensing Officer of SLDC at any time during the term of the vehicle licence.

The Notification requires renewal on an annual basis, and payment of the appropriate fee.

**Using a third party service provider (data processor)**

Where a service provider is used for the remote storage of CCTV data they will act as a ‘data processor’.

A data processor, in relation to personal data, means any person (other than an employee of the data controller) who processes data on behalf of the data controller, in response to specific instructions. The data controller retains full responsibility for the actions of the data processor.

There must be a formal written contract between the data controller and data processor (service provider). The contract must contain provisions covering security arrangements, retention/deletion instructions, access requests and termination arrangements.

Documentary evidence of the contractual arrangements may be required to be presented the licensing section at any time during the term of the vehicle licence.

**Use of information recorded using CCTV**

The data controller is responsible for complying with all relevant data protection legislation. The data controller is legally responsible for the use of all images including breaches of legislation.

Any images and audio recording should only be used for the purposes described earlier in these guidelines

Requests may be made by the police or other statutory law enforcement agencies, insurance companies/brokers/loss adjusters or exceptionally other appropriate bodies, to the “data controller” to view captured images. The data controller is responsible for responding to these requests. Police or other law enforcement agencies should produce a standard template request form, setting out the reasons why the disclosure is required. Alternatively a signed statement may be accepted.

All requests should only be accepted where they are in writing, and specify the reasons why disclosure is required.

Under the DPA, members of the public may also make a request for the disclosure of images, but only where they have been the subject of a recording. This is known as a ‘subject access request’. Such requests must only be accepted where they are in writing and include sufficient proofs of identity (which may include a photograph to confirm they are in fact the person in the recording). Data Controllers are also entitled to charge a fee for a subject access request (currently a maximum of £10) as published in the ICO CCTV Code of Practice.

**Signage**

All HCVs and PHVs with CCTV must display the sign shown overleaf. The driver may also verbally bring to the attention of the passengers that CCTV equipment is in operation within the vehicle, if it is felt appropriate.

Signage must be displayed as to be able to be observed from every passenger entrance to a vehicle and also whilst being seated within the vehicle; Signage must not compromise view through any side window and must not be impinging on the area of the vehicles front window screen, which is required to be kept clear as per MOT regulations.
In the limited circumstance where audio recording is justified, signs must make it very clear that audio recording is being or may be carried out.

CCTV cameras in operation
In the interest of the prevention of crime this vehicle is protected by a digital surveilled camera. Audio recording facility may also be installed. Any images and/or audio recordings are held in a secure format and can only be viewed upon written request to the Data Controller. Data Controller name and contact details: 

Contact details
The name and the contact telephone number of the Data Controller must be included on the sign.

Signage for external facing CCTV systems
Where a CCTV system is installed in order to record incidents outside the vehicle, it will not be practical to display a sign. Instead, when the CCTV is activated in response to an incident, the driver of the vehicle must inform the person(s) recorded that their personal data was captured - as soon as practicable after the incident. They should also be informed the purpose for which the device has been installed, for example to facilitate their insurance company’s investigation of insurance claims.

To assist individual drivers, owners, and companies who are considering installing a CCTV system please use the summary checklist below to ensure all of the approval requirements/standards have been complied with.

Please tick
☐ Notification submitted to the Information Commissioner’s Office (ICO). Telephone 08456 306060 or 01625 545745.
☐ Have the ICO provided you with documentation to evidence notification of the “data controller” associated with your system?
☐ Do you have documentary evidence regarding contractual arrangements with any data processor or service provider associated with the CCTV system? (where applicable)
☐ Do you have the recommended signage and appropriate contact details displayed?
☐ Does the installed CCTV system meet the installation standards as set out in South Lakeland District Council Hackney Carriage and Private Hire Licensing policy.

Note

Approved CCTV and Event/Incident Data Recorders

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<tr>
<th>Name</th>
<th>Type of System</th>
<th>Telephone</th>
<th>Email</th>
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<tr>
<td>Advanced Communications &amp; Security Solutions (ACSS)</td>
<td>CCTV and External Event Recorder</td>
<td>01543 573912</td>
<td><a href="http://www.acss-uk.co.uk">www.acss-uk.co.uk</a></td>
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<tr>
<td>Cygnus Automotive LTD</td>
<td>CCTV</td>
<td>0845 557 0259/0208 300 5010</td>
<td><a href="http://www.cygnus-automotive.com">www.cygnus-automotive.com</a></td>
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<tr>
<td>Exeros Technologies</td>
<td>CCTV</td>
<td>0870 803 3549</td>
<td><a href="http://www.exeros-technologies.com">www.exeros-technologies.com</a></td>
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<tr>
<td>VCCTV</td>
<td>CCTV</td>
<td>0844 947 1000</td>
<td><a href="http://www.vcctv.co.uk">www.vcctv.co.uk</a></td>
</tr>
<tr>
<td>Smart Witness Limited</td>
<td>External Event Recorder</td>
<td>0845 659 0959</td>
<td><a href="http://www.smartwitness.com">www.smartwitness.com</a></td>
</tr>
<tr>
<td>Novus Automotive LTD</td>
<td>External Event Recorder</td>
<td>0844 947 1000</td>
<td><a href="http://www.novusauto.com">www.novusauto.com</a></td>
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<tr>
<td>RoadHawk UK</td>
<td>External Event Recorder</td>
<td>+44 (0)1208 269159</td>
<td><a href="http://www.dcs-systems.ltd.uk/">www.dcs-systems.ltd.uk/</a></td>
</tr>
<tr>
<td>Taxi Witness TS810</td>
<td>CCTV &amp; External Event Recorder</td>
<td>0208 740 7444</td>
<td>Premier Cabs (Gurinder Dhillon)</td>
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<td></td>
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<td><a href="mailto:gdhillon@taalondon.com">gdhillon@taalondon.com</a></td>
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