

FAIR PROCESSING AND PRIVACY NOTICE

Body Worn Video Camera (BWVC)

[National Inter-agency Liaison Officer (NILO)]

Who we are and our contact details

Leicestershire Fire and Rescue Service (LFRS) [us/we/our] are a Public Authority and the Data Controller for determining the purpose and means of processing your personal data. Personal data means any information about a living individual who could be identified. All Body Worn Video Cameras (BWVC's) and data collection are overseen by our NILO lead who is the data owner. Data protection is monitored by our Data Protection Officer (DPO), they are responsible for carrying out compliance audits and ensuring we practice Fair, Lawful and Transparent personal data processing.

You can contact us:

Address:

The Data Protection Officer,
Information Governance Department,
Leicestershire Fire and Rescue Service Headquarters,
12, Geoff Monk Way,
Birstall,
Leicester

LE4 3BU

Email: dpo@leics-fire.gov.uk

Telephone: 0116 210 5555

Or via our **Social Media Channels – See our Website Homepage for links:** [Data Protection, Your Privacy & Website Cookies \(leics-fire.gov.uk\)](#)

Why we collect your personal data

The cameras worn by National Inter-agency Liaison Officers (NILO's) provide a record of actions and decisions made at operational incidents and training exercises, collaborate on and provide evidential data to the Fire and Rescue Service and other relevant agencies and support the Service in other Risk Management areas.

The categories of individuals

Community

Other Fire and Rescue Services

Other Blue Light Emergency Services

Our Employees

Partner Authorities/Organisations

The personal data we collect

We collect video images, audio and still images using visible (overt) non-permanent cameras attached to the outside of personal protective equipment worn by our NILO's. Recording is active when the device is turned on by the wearer. Recording stops when the device is turned off. There may be a small lag after the device is turned off where it continues to record, it will then deactivate automatically.

Any person who is within the range of a BWVC may be captured and their video images, audio or still images stored on the devices. That includes those who have a purpose or right to be within the vicinity and those who do not. There is a possibility that the cameras may record our staff when

not adhering to our policies and procedures. There is also a possibility that our cameras may record criminal activity.

The BWVC wearer will make people in the vicinity aware they are recording and the BWVC device has a light that indicates it is in operation.

How we use your personal data

The primary purpose of capturing moving and still images and audio, is to:

- Capture the decision-making process of officers and obtain and secure evidence at the scene of operations.

We may also use the captured information to:

- Assist the Police and any other agencies, with corroborating evidence for the identification and prosecution of offenders under the Emergency Workers Obstruction Act 2006 and/or any other criminal act that the perpetrator has been charged with.
- Assist with corroborating evidence for any Health & Safety event investigation.
- Assist with corroborating evidence for alleged misconduct investigation.
- Assist with the debrief process of operational incidents.
- Assist with the training of Service staff.
- Assist with defending spurious third-party liability claims against the Service and its employees.
- Assist with corroborating evidence for any complaint or concern that is generated by a member of the public.
- Assist with corroborating evidence for any complaint or concern that is generated by a member of the Service.
- Enable evidence to be captured and utilised where appropriate as part of any asset security strategy adopted by LFRS such as future upgrades of BWVC's.

Our lawful basis for processing your personal data

LFRS has due regard to:

- UK General Data Protection Regulations (UK GDPR)
- Data Protection Act 2018
- Human Rights Act 1998 – Article 8
- Freedom of Information Act 2000
- Civil Contingencies Act 2004 – Category 1 responder
- The Localism Act 2011 - ‘general power of competence’
- Regulation of Investigatory Powers Act 2000
- Protection of Freedoms Act 2012
- Surveillance Camera Code of Practice
- Information Commissioners Office (ICO) CCTV Code of Practice

Our personal data processing will be proportionate, legitimate, and necessary to the situation.

The lawful basis for processing are set out in the UK GDPR. At least one of these must apply whenever the Service is processing your personal data.

For our use of BWVC we are applying:

UK GDPR Article 6 1(f)

Legitimate Interests: processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Whilst we will try to avoid it where we can, we may also process sensitive personal data captured on BWVC, for example this may relate to a person’s race, disability or health. The lawful basis for processing are set out in Article 9 of the GDPR. In addition to the above, at least one of these must apply whenever the Service is processing your sensitive personal data. For our use of BWVC we are applying:

UK GDPR Article 9 2(d)

Substantial public interest: Processing is necessary for reasons of substantial public interest - Specifically when carrying out our Statutory purposes.

Storing, securing and managing the lifecycle of your data

Local storage of data in the cameras is limited to the memory size of the on-board storage media. All previously captured images will be removed from the device drive following a data download to secure data servers located at our Service Headquarters, or on a rolling cycle as the on-board memory becomes full when it will be overwritten.

Video images that are stored in our secure servers are kept for as long as we need them to meet our purpose of processing, they are then permanently deleted, usually this is a minimum of 30 days and a maximum of 7 years. We may retain the images for a longer period if we have legal basis or other legitimate reason to do so.

Storage devices are secured with access limited to those who have fair and lawful purpose to do so, this is closely regulated by us.

We do not know how long organisations we share your data with retain it for. This information may be obtained by contacting them on a case by case basis.

Who we share your personal data with

Only the people who need to see your personal data, will be allowed access to it as well as ICT staff managing the storage and designated NILOs with access rights.

We may share your personal data with third parties (who are not employed by us) when we need to and in accordance with the purposes published in this Notice. We will not share your personal data with persons outside of LFRS for any other purpose without first obtaining your consent unless we are legally required to do so. We regularly share video

evidence with the Police (including Counter Terrorism officers) using a legal data protection exemption to support investigation of crime and the identification, apprehension, and prosecution of offenders.

Your individual rights

In general, you have the right to request that LFRS:

- Provides you with details of your personal data held, gives access to you and where appropriate provides you with a copy of your personal information
- Corrects any errors in your personal data we find during our business processes, or are informed of and restrict processing of your personal data until completed
- Considers your objection to the processing of your personal data and depending upon the service and legal basis, stops all or some of that processing. "Processing" means the collecting, storing, amending, disclosing, sharing, archiving and destruction of your data
- Erases your personal information, depending on the service and legal basis deletes all or some of your personal data
- Withdraw your consent for us to further process your personal data, if consent is used by us as the legal basis for the service
- Informs you any of automated decision making, including profiling for the service (Note: Please be advised we do not currently use automated decision making)

Where possible we will try to meet your request, but we may need to retain or process information to comply with a legal duty or our policies and procedures.

Data Protection information, requests, and concerns

If you would like to exercise your individual rights or discuss anything in this Privacy Notice, please contact our Data Protection Officer (DPO) – See top of page 1.

If you have concerns about the use of your personal data we encourage you first to contact our DPO as concerns can often be resolved very quickly. If you remain concerned then the Information Commissioners Office is an independent body set up to uphold information rights in the UK. They can be contacted through their website: www.ico.org.uk or their helpline on 0303 123 1113, or in writing to:

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

For more information about your rights: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protectionregulation-gdpr/individual-rights/>

To complain to the Information Commissioner's Office:
<https://ico.org.uk/concerns/>

Review

Revised July 2023.

Next review July 2024.