

Charmouth Parish Council

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MINUTES OF THE VIRTUAL FORESHORE COMMITTEE MEETING HELD AT 7:30PM ON TUESDAY 27th APRIL 2021

In attendance: Cllrs Judith Sheppard (Chair); Paul Oatway (Vice Chair); Peter Noel; Maralyn Hinxman; Katie Moore, Julie Leah and the Deputy Clerk, Melissa Kirkby

FS11.21 PUBLIC QUESTIONS, COMMENTS OR REPRESENTATIONS

There were none.

FS12.21 APOLOGIES FOR ABSENCE

There were none received.

FS13.21 DISPENSATIONS

None were received.

FS14.21 DECLARATIONS OF INTEREST

There were none declared.

FS15.21 MINUTES

RESOLVED that the minutes of the meeting of the Foreshore Committee held on the 23rd February 2021 circulated to members, were a correct record and were signed by the Chair.

FS16.21 PROGRESS REPORTS

a. Shoreline Management Plan 2 –

Cllr Oatway reported that he had made FOI requests to which Teignbridge District Council had replied stating that the SMP is so old they only have limited documentation. They have said that when the current SMP is reviewed they will contact the Parish Council to arrange a meeting.

Cllr Sheppard explained to the newer members that the current SMP did not allow for any defence of the Charmouth coastal area and that some locals had made comment to the Council about this. Cllr Oatway explained that if there was large scale erosion then the sea wall would collapse and the only building to go would be the Old Cement Factory but there are no other buildings at risk. Some properties would lose part of their garden to flooding. The caravan park has already erected earth works to stop flooding. The CHCC has previously stated that they estimate they bring an economic benefit of around two million pounds to the area.

The Deputy Clerk will chase Dorset Council for their response to the FOI. It was agreed to write to the parties that originally contacted the Council when all the information is received about the SMP renewal.

b. Beach webcam

Cllr Oatway reported that he had the costs of using the Council's existing website company to provide a webcam. Information had been received from West Dorset Leisure Holidays about hosting a webcam and Cllr Sheppard questioned whether it should be hosted by charmouth.org as the traders would benefit. Cllr Oatway had concerns about control of the webcam if other parties were brought in.

Cllr Sheppard asked the members whether a webcam was still wanted. Cllr Leah thought encouraging more tourists was not a good thing but it was explained that the initial reasoning for having a webcam was so that people could see what the beach/sea conditions were before coming down to the foreshore for swimming, sailing etc. It was agreed to have a working party of Cllr Oatway, Cllr Sheppard and Cllr Noel to progress the issue and bring details back to a future meeting.

c. The Old Cement Factory – pointing works

Cllr Sheppard reported that the pointing works were almost finished with one small area to be completed at no extra cost. The members were happy with the end result. Cllr Leah asked if the bird boxes would be moved if the birds didn't nest. It was agreed that the location of the boxes would be looked at again if this was the case.

d. Shower Provision at Foreshore suggestion

Cllr Oatway stated that as the money for the feasibility study from a surveyor was in the budget that could proceed. He would send the scoping study to Cllrs Noel and Sheppard.

e. Access Steps / Deflection Steps – installation of rock armour

Cllr Sheppard reported that the new rock armour had been installed and she was very happy with it.

f. Repairs to promenade carried out and risk assessment updated

Cllr Sheppard reported that two large holes had appeared along the promenade during the February storms. They were both approximately 10cm in width and about 5cm in depth. This had been reported to Dorset Council who have now fixed them.

g. Wooden barriers to be installed between private and council car park

Deferred to 'In Committee' to discuss quotes.

FS17.21 NEW ITEMS FOR DISCUSSION

a. Levelling of area by reed bed to store blue beach huts over winter

It was agreed to have the land levelled as a back up, but to continue with the current winter storage arrangements for the time being.

b. Beach Management Plan review –

Cllr Oatway had circulated a Project Initiation Document explaining who would be responsible for which aspects of the review. He also circulated a timeline document setting out proposed dates for each aspect of the review. It was pointed out that the BM Plan would be brought back to the Council for members comments at various stages of the process. It was agreed by the members for the review to continue in line with Cllr Oatway's plan.

c. Neighbourhood Plan Steering Group supplementary comments - Alternative location for HCC in the event of loss of building

Cllr Oatway said that he knew the CHCC had plans in place to look into the issue of a new venue. It was agreed for the Clerk to reply to Jonathan and Emily Vincent on behalf of the Council stating that It is premature for the Council to be looking for alternative sites until a request is received from the CHCC.

d. Review of Guided Fossil Walks – Temporary Code of Practice (Covid-19) policy to allow for new guidance and approval given for school visits to recommence (Appendix A)

RESOLVED that the policy be amended in line with the Government regulations now, and that Cllrs Noel and Sheppard been given delegated authority to change the policy in future to reflect the changing Government rules, until all Covid restrictions are lifted.

e. Review of the Metal Detector Policy – Annual Permission (Appendix B)

RESOLVED that the Metal Detector Policy – Annual Permission was agreed without change.

f. Review of the Metal Detector Policy – Daily Permission agreed without change. (Appendix C)

RESOLVED that the Metal Detector Policy - Daily Permission was agreed without change.

g. Review of the Body Worn Camera Policy – Agreed without change. (Appendix D)

RESOLVED that the Body Worn Camera Policy was agreed without change.

h. Mowing of green areas in Charmouth and suggestion of a “No-mow May”

Cllr Sheppard said that she was aware that the Clerk was going to put an item on the agenda for the next Council meeting about having an Environmental Committee or Working Group so that it could work across the whole village. The members discussed the idea of a “No Mow May” and agreed that the Facilities Manager should adopt this where practical. The members are against any areas where people sit or children play being left uncut or high cut as there is a risk from dog poo being unseen.

i. Increase in wild campers (and complaints about these) on the beach and green

It was reported that a family were camping on east beach and they didn't see why they should move! The Clerk had also received a complaint from a resident about it and asking how such

incidents should be reports and what steps are taken to deal them. The Facilities Manager contacted the Police who said they can't take action on private land unless there is a Covid breach which there could have been in terms of public health on this occasion. The family campers left by lunch time. It was agreed to ask the Clerk to obtain legal advice.

- j. School parking permits – It was reported that eleven school parking permits had been sold for the summer term.
- k. Beach Hut Residents' draw – It was reported that this had now taken place.
- l. Rubbish bins – problem of increased rubbish over the summer and disposable barbecues

The members had a discussion about disposal barbecues and whether there was any need for a specific barbecue bin. Cllr Sheppard said that the Facilities Manager thought it was unnecessary as there was no problem over the last few years. Cllr Sheppard also had concerns that people would not read the sign and put ordinary rubbish in the bin making it more of a fire hazard.

The members discussed the issue of the bins being full in the evenings. Cllr Hinxman and her husband had been going to the beach in the evenings and emptying them last summer. The members thanked her for their efforts and felt that it should not rest on one or two councillors alone to keep the beach clean in the evenings. Cllr Leah said that the Litter Free Group had arranged meetings with local traders and organisations to encourage visitors to take their litter away from the beach and back to their holiday accommodation. Cllr Hinxman said the issue was with takeaway food wrappers. Cllr Noel had spoken to the owners of the private car park where the burger van is located about bins. The problem is people walk to the seashore to eat their food and so even if the burger van provided more bins the rubbish ends up at the beach.

It was agreed to ask the Clerk to look into providing staff cover to empty the bins in the evenings at weekends during the summer. Using existing staff or a new employee.

FS18.21 CORRESPONDENCE

- a. Boat fee reduction/free for residents –

An email had been received Clive Randall asking for a reduction in the boat licence due to the winter lockdown and abolishing the launch fee charges for residents. The members agreed that as the lockdown had occurred over the winter months there would have be minimal disruption to the use of boats. Residents of the village already receive a 50% discount to the boat storage fee and so the members agreed that no further discount was warranted.

- b. Bridport Youth Dance performance/filming request

A request had been received from Bridport Youth Dance for permission to film a short dance sequence on the beach over the summer but not at a peak time. The members agreed that this would be a nice thing for people to watch.

- c. Beach hut complaints

Two complaints had been received from green beach hut renters about damp. Cllr Sheppard pointed out that as they are wooden huts right by the sea damp is always going to be an issue. It

was agreed that there are no funds available to replace anymore huts for this season but new huts would be installed as funds allowed.

An elderly couple who rent a beach hut had also complained that the cost of parking was limiting their enjoyment of their beach hut. The members sympathised but there is no workable system that can allow for a reduced rate of parking for specific people only.

- d. Email received from Pete and Polly Wild about issues at the foreshore regarding commercial concessions, barbecues in the private car parks and public open space and dogs off lead.

It was reported that the Clerk was answering numerous questions about the foreshore, explaining the Council's policies and areas of authority. The members were happy for her to deal with these queries.

FS19.21 IN COMMITTEE

RESOLVED that under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for this item of business in view of the likely disclosure of confidential matters about information relating to an individual, and information relating to the financial or business affairs of any particular person, within the meaning of paragraphs 1 and 8 of schedule 12A to the Local Government Act 1972 (see Section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information) Act 1985), as amended by the Local Government (Access to Information) (Variation) Order 2006.

- a. Quotes for the levelling of area by reed bed and digging holes for wooden post barrier between car parks

It was agreed to accept the quote from Martins Excavation & Plant Hire and for flexibility funds for the total project up to £550 were approved.

- b. Lease 3
It was agreed make the necessary changes to facilitate trading.
- c. Lease 4
It was agreed make no changes to the current terms.
- d. Lease 5
It was agreed to renew the lease on the current terms.

The meeting closed at 9.35pm.

Signed

Dated

Proposals to Full Council

Clerk to obtain legal advice on wild camping.
Proposals for Lease 3 , Lease 4, Lease 5.

APPENDIX A

GUIDED FOSSIL WALKS – TEMPORARY CODE OF PRACTICE (COVID-19)

The Parish Council as owners of the Foreshore within the Parish of Charmouth grant permission to carry out fossil walks on and across its beaches. The beaches in question stretch from the “Vine Yard” below the head of Evans Cliff to the East (at the present fall) to Canary Ledges in the West “Black Ven”. Permission is granted subject to the following conditions set out below:

- That the Council reserves the right to withdraw its consent if the conditions set out below are not adhered to, if the policies in reference to fossil walks on its beaches are altered, or if the Council feels it necessary for any reason.
- This Code of Practice replaces the Code of Practice issued in June 2019 and will be reviewed, amended or withdrawn as the case may be in light of any guidance issued by HM Government and in any case if not previously withdrawn in April 2021 and then every 12 months thereafter.
- The walk organiser/leader must hold an insurance indemnity for public liability, proof of which must be shown to the Council.
- The Council will determine where the walk leader meets the clients when permission is granted.
- Before any walk, health and safety instructions should be given to clients along with information about the Code of Responsible Fossil Collecting within the World Heritage Site.
- That good practice should be carried out at all times in the use of appropriate tools.
- That the walk leader and his/her clients should respect other users of the beach at all times.
- That the walk leader and his/her clients should consider the status of the site.
 - From 29th March 2021 outdoor guided tours are permitted but must operate within the legal gathering limits. Tours can be provided for a single permitted group of visitors (up to 6 people, or two households), or multiple permitted groups that are kept separate throughout the activity, (with the exception of school parties who have their own staff to ensure staff to pupil ratio).
- All fossil hunting walks sessions need to start their beach activities 3 hours after high tide and finish an hour either side of low tide, unless express permission has been sought from the appropriate landowners.
- With regard to adverse weather, leaders should carefully consider the state of the sea, which can affect the height of the tide and the state of the cliffs in terms of rainwater, which causes landslides and rock falls.

Permission must be applied for in writing with proof of public liability insurance and is only valid on receipt of a confirmation letter from the Parish Council confirming meeting point etc.

Review due: 17th May 2021

APPENDIX B

Metal Detector Policy – Annual Permission

It is the Parish Council's policy that metal detectors may be deployed on the Foreshore subject to:

1. The person wishing to search the Foreshore using a Metal Detector makes a written application to the Parish Clerk for annual consent or a verbal application to the Parish Council's Beach attendant for day pass.
2. Subject to no adverse information about the applicant or application the Clerk to the Parish Council may grant permission to allow the applicant to search the Foreshore and the adjoining parish owned lands for twelve months with the following condition:
 - a. No metal detecting on or near the cliff faces or mudslides;
 - b. No digging beyond a metre depth;
 - c. No digging into the possible Jurassic forest beneath the sand and shingle on the foreshore;
 - d. No digging on the grass lands or the associated paths on Evans' Cliff and Evans' Green;
 - e. Not to cause a nuisance to other visitors to the foreshore; and
 - f. Report to be given about any notable detectors or discoveries in a timely manner to the Parish Clerk.

On granting an annual permission, the Clerk is to request a passport style photograph, so that the applicant may be more easily identified. Weekly or daily permissions can be granted upon signature of the policy by the applicant which is then retained at the Beach Office.

A list of those who have been granted permission to be maintained in the Beach Office in addition to any documents maintained in the Parish's records.

The Clerk to the Parish Council is requested to report to the Foreshore Committee each instant when an annual 'permission' has been granted.

Actions to be taken by Council Staff:

(a) In the event of a person who has received permission from the Clerk, which is in date, but who is not abiding by the conditions.

Council staff should request that the person using the metal detector, refrain from what they are doing. Then remind that person of the conditions under which they were granted permission to use a metal detector, by showing them a copy of the policy.

(b) in the event of a person found using a metal detector without in date permission on or over the Foreshore.

Council staff should inform the person metal detecting that they should have in date approval to metal detect in the appropriate area. Then request they stop what they are doing until appropriate permission, as above, has been obtained from the Parish Council.

Privacy Statement

Charmouth Parish Council are committed to respecting your privacy. Once you choose to provide us with any information by which you can be identified, then you can be assured that it will only be used in accordance with our General Privacy Notice which can be found on our website at charmouthparishcouncil.gov.uk or from the Parish Council Offices.

I agree to comply with the Council’s Policy on metal detecting

Signed

Dated

Name

Address:
.....

Telephone:

Email:

Adopted by Council: July 2018
Reviewed: February 2019, Feb 2021
Next review due: February 2023

APPENDIX C

Metal Detector Policy – Daily Permission

It is the Parish Council's policy that metal detectors may be deployed on the Foreshore subject to:

3. The person wishing to search the Foreshore using a Metal Detector makes a written application to the Parish Clerk for annual consent or a verbal application to the Parish Council's Beach attendant for day pass.
4. Subject to no adverse information about the applicant or application the Clerk to the Parish Council may grant permission to allow the applicant to search the Foreshore and the adjoining parish owned lands for twelve months with the following condition:
 - a. No metal detecting on or near the cliff faces or mudslides;
 - b. No digging beyond a metre depth;
 - c. No digging into the possible Jurassic forest beneath the sand and shingle on the foreshore;
 - d. No digging on the grass lands or the associated paths on Evans' Cliff and Evans' Green;
 - e. Not to cause a nuisance to other visitors to the foreshore; and
 - f. Report to be given about any notable detectors or discoveries in a timely manner to the Parish Clerk.

On granting an annual permission, the Clerk is to request a passport style photograph, so that the applicant may be more easily identified. Weekly or daily permissions can be granted upon signature of the policy by the applicant which is then retained at the Beach Office.

A list of those who have been granted permission to be maintained in the Beach Office in addition to any documents maintained in the Parish's records.

The Clerk to the Parish Council is requested to report to the Foreshore Committee each instant when an annual 'permission' has been granted.

Actions to be taken by Council Staff:

- (c) In the event of a person who has received permission from the Clerk, which is in date, but who is not abiding by the conditions.**

Council staff should request that the person using the metal detector, refrain from what they are doing. Then remind that person of the conditions under which they were granted permission to use a metal detector, by showing them a copy of the policy.

- (d) in the event of a person found using a metal detector without in date permission on or over the Foreshore**

Council staff should inform the person metal detecting that they should have in date approval to metal detect in the appropriate area. Then request they stop what they are doing until appropriate permission, as above, has been obtained from the Parish Council.

Dates permission granted for:
(to be completed by the Beach Attendant on duty)

I agree to comply with the Council's Policy on metal detecting

Signed

Dated

Name

Address:

.....

Telephone:

Email:

Privacy Statement

Charmouth Parish Council are committed to respecting your privacy. Once you choose to provide us with any information by which you can be identified, then you can be assured that it will only be used in accordance with our General Privacy Notice which can be found on our website at charmouthparishcouncil.gov.uk or from the Parish Council Offices.

Adopted by Council:	July 2018
Reviewed:	February 2019, April 2021
Next review due:	April 2023

Body Worn Camera Policy

1. Introduction

Charmouth Parish Council has an obligation under the Health and Safety at Work Act 1974, to ensure the Health, Safety and Welfare of its employees. It is particularly important that it helps to protect and support its workers whilst they are carrying out their duties. Unfortunately, the outside staff, through the nature of their work, are sometimes open to aggressive and/or abusive encounters.

To help mitigate the risks a body worn video camera (BWC) can be worn. This device records sound and pictures, which will help the employee gather unambiguous evidence and add an extra level of security. The system acts largely as a deterrent and the device does not record unless the employee switches it to the on position.

In addition to increasing the health & safety of the staff, the use of the device will help to make the Council's operation more transparent to the public with the evidence being available when investigating complaints. Any evidence gathered can also be used by Police to substantiate a prosecution in the event of a more serious incident of abuse.

Any recordings made should be captured, stored securely and used in accordance with the Data Protection Act and the Information Commissioner's Office (ICO) CCTV Code of Practice.

1.1 This document sets out the Body Worn Camera Policy and Procedural Guidelines for the use of body worn cameras by staff within Charmouth Parish Council. It will enable employees to comply with relevant legislation relating to video recording and outline the associated benefits to staff and the general public. It also documents best practice procedures with regard to integrity of data, images and video as well as its security and use.

1.2 The use of body worn CCTV can provide a number of benefits which include a deterrent to acts of aggression or verbal and physical abuse towards staff, in addition to providing evidence to support internal or Police investigations.

1.3 Body worn CCTV forms part of an employee Personal Protective Equipment and is provided solely for Health and Safety purposes. It will be used in an overt manner and reiterated by staff wearing clear identification that it is a CCTV device. Whenever practicable at the commencement of any recording staff will give a clear verbal instruction that recording video and audio is taking place.

1.4. Body worn CCTV will not be used to gather evidence for Parking Enforcement purposes nor will it be used as a tool to assist in the ad-hoc monitoring of staff or citizens.

2. Legislation & Statutory Guidance

2.1 The integrity of any video data recorded will be considered in accordance with the following legislation and Statutory Guidance:

- Criminal Procedure and Investigations Act 1996
- Data Protection Act 1998
- Freedom of Information Act 2000
- Human Rights Act 1998

- Protection of Freedoms Act 2012
- Home Office Surveillance Camera Code of Practice
- Information Commissioners Code of Practice

2.2 Criminal Procedure and Investigations Act 1996

The 1996 Act introduced the statutory test for disclosing material to the defence in criminal cases. We must be able to disclose both used and unused images and demonstrate that this has been done. Deleting any images prior to their respective retention periods may amount to a breach of the Act if they are not then available for disclosure. Images that are relevant to an investigation must be retained in accordance with the Code of Practice issued under Section 23 of the 1996 Act. Any generated digital images should be accompanied by a full audit trail, from the point of capture of the image throughout the whole management process – including when they are passed to the Council's legal team or the Crown Prosecution Service or the defence or if there is any supervised viewing.

2.3 Data Protection Act 1998

The Council is registered with the ICO to monitor CCTV under reference number Z2795982. The Information Commissioner's Office is the regulator for the Act and has given guidance with regard to use of body worn CCTV equipment. This legislation regulates the processing of 'personal data' or 'sensitive personal data' whether processed on computer, CCTV, still camera or any other media. Any recorded image that is aimed at or may identify a particular person is described as 'personal data' and covered by this Act and will include images and audio captured using body worn equipment.

The use of body worn CCTV in this guidance is 'overt use' meaning that equipment is not to be worn or used in a hidden or covert manner.

Where individuals ask to view footage of themselves this is called a 'Subject Access Request' (SAR). The requester is only allowed to see footage of themselves and anyone who has provided consent for their images to be viewed by them. The Council has a SAR process which is managed by the Clerk.

The police may request to view footage under Section 29 of the Data Protection Act.

2.4 Freedom of Information Act 2000

This Act grants a general right of access to information held by public bodies, which is not personal data. Information released under FOI can include statistical and other non-personal information.

2.5 Human Rights Act 1998

Article 6 provides for the right to a fair trial. All images captured through the use of a body worn device have the potential for use in court proceedings and must be safeguarded by an audit trail in the same way as any other evidence.

Article 8 of the Human Rights Act 1998 concerns the right for private and family life, home and correspondence. Recordings of persons in a public place are only public for those present at the time and can still be regarded as potentially private. Any recorded conversation between members of the public should always be considered private and users of body worn equipment should not record beyond what is necessary when recording a confrontational situation.

Charmouth Parish Council will ensure that the use of body worn CCTV equipment by its staff is widely advertised in the local press prior to commencement, in addition to publishing information on its web site.

Charmouth Parish Council will further ensure that the use of body worn CCTV is reiterated by staff wearing it in a prominent position (normally on their chest or shoulder) and that its forward facing display is visible to anyone being recorded. Additionally, employees will make a verbal announcement prior to commencement of any recording whenever possible and again once recording has commenced.

2.6 Protection of Freedoms Act 2012

Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need. Surveillance camera systems operating in public places, such as BWC cameras, must always have a clearly defined purpose or purposes in pursuit of a legitimate aim and necessary to address a pressing need (or needs). Such a legitimate aim and pressing need might include public safety and the prevention of disorder or crime. These purposes should be capable of translation into clearly articulated objectives against which the ongoing requirement for operation or use of the systems and any images or other information obtained can be assessed. In assessing whether a system will meet its objectives, and in designing the appropriate technological solution to do so, a system operator must always consider the requirements of the end user of the images.

A surveillance camera system will only be used in a public place for the specific purpose or purposes it was established to address. It must not be used for other purposes that would not have justified its establishment in the first place. Part 2 creates new regulation for, and instructs the Secretary of State to prepare a code of practice towards, closed-circuit television and automatic number plate recognition.

Chapter 1 gives the full regulatory legislation of CCTV and other surveillance camera technology which relates to a Code of Practice and interpretations.

Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use. Putting effective security safeguards in place helps ensure the integrity of images and information should they be necessary for use as evidence in legal proceedings. This also helps to foster public confidence in system operators and how they approach the handling of images and information. Under the 1998 Act, those operating surveillance camera systems or who use or process images and information obtained by such systems must have a clearly defined policy to control how images and information are stored and who has access to them.

There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published. Good practice dictates that a system operator (Clerk) should review the continued use of a surveillance camera system on a regular basis to ensure it remains necessary, proportionate and effective in meeting its stated purpose for deployment.

2.7 Home Office Surveillance Camera Code of Practice

Part 2 of the Protection of Freedoms Act 2012 deals with the regulation of CCTV and other surveillance camera technology and introduces the Code of Practice for Surveillance Camera systems. Section 29(6) of the 2012 Act provides that this code covers “any other systems for recording or viewing visual images for surveillance purposes”. This would include BWC. The integrity of any video data recorded will be considered in accordance with this Statutory Guidance.

The Home Office is the regulator for this guidance with regard to staff use of body worn CCTV equipment. This guidance is centered around “12 Guiding Principles” which Charmouth Parish Council will adopt and adhere to at all times.

2.8 Information Commissioners Code of Practice

The Information Commissioners Code of Practice is the Statutory Guidance issued that runs in conjunction with the Surveillance Camera Code of Practice issued with regard to staff use of body worn CCTV equipment.

3. Operational Guidance and Best Practice for Recording

3.1 Training

All outside staff will receive full training in the use of body worn CCTV. This training will include practical use of equipment, guidance and best practice, when to commence and cease recording and the legal implications of using such equipment.

3.2 Daily Use

Body worn CCTV will only be used in the event that an employee finds themselves in a confrontational situation where they are subject to, or feel that they are likely to be subject to, verbal or physical abuse. Employees will continue with a Zero Tolerance approach when confronted with any physical/verbal abuse or threatening behavior.

The decision to record or not to record any incident remains with the employee. It is evidentially important to record as much of an incident as possible, therefore recording should begin at the earliest opportunity from the start of an incident. Recording must be incident specific. Employees must not indiscriminately record entire duties, patrols and must only use recording to capture video and audio at specific incidents.

At the commencement of any recording the user should, where practicable, make a verbal announcement to indicate why the recording has been activated.

Specific words for this announcement have not been prescribed in this guidance, but users should use straightforward speech that can be easily understood by those present, such as, "I am wearing and using a body video camera".

If the recording has commenced prior to arrival at the scene of an incident the user should, as soon as is practicable, announce to those persons present at the incident that recording is taking place and that actions and sounds are being recorded.

It is important to note that in principle there is no requirement to obtain the express consent of the person or persons being filmed since the actions of the employee acting in accordance with the Charmouth Parish Council Policy Guidelines and Privacy Impact Assessment, are deemed to be lawful.

In general, the BWC user should record entire encounters from beginning to end without the recording being interrupted. However, the nature of some incidents may make it necessary for the user to consider the rationale for continuing to record throughout entire incidents. For example, the recording may be stopped in cases of a sensitive nature or if the incident has concluded prior to the arrival of the user. In all cases the user should exercise their professional judgement in deciding whether or not to record all or part of an incident.

Unless specific circumstances dictate otherwise (see below) recording must continue uninterrupted from commencement of recording until the conclusion of the incident or resumption of general duties.

In so far as is practicable, users should restrict recording to areas and persons necessary in order to obtain evidence and intelligence relevant to the incident and should attempt to minimise collateral intrusion to those not involved.

It is considered advisable that the user continues to record for a short period after the incident to clearly demonstrate to any subsequent viewer that the incident has concluded and the user has resumed other duties or activities.

Prior to concluding recording the user should make a verbal announcement to indicate the reason for ending the recording.

Any recorded image must not be deleted by the recording user and must be retained as required by the procedures.

Recordings will not be made for the gathering of any evidence related to a parking contravention.

All recordings will be held within a specifically designed controlled and secure database within the Charmouth Parish Council network. Access to recordings will be restricted to authorised personnel.

Start of Shift Procedure - At the commencement of each shift the employee will book out a Body Worn Video Camera and will ensure that the unit is fully functioning and that the unit is fully charged and that the date and time displayed is correct.

3.4 Playback

Employees will need to be fully aware of the legal implications once digital images and audio have been recorded. To this end playback should only be undertaken by the Clerk with use of a password. Once the employee has left the incident the footage can only be viewed by the authorised persons or through the relevant S29 procedural requests.

Any request to view captured video by a member of the public will need to be made in writing to Charmouth Parish Council in line with the 'subject access procedure'. Evidence of identity prior to viewing must also be provided.

3.5 End of Shift

The employee will advise the Clerk and/or Facilities Manager of any footage to be retained and that supporting Incident Reports have been completed.

It will be the employee's responsibility to ensure that their body worn device is placed on charge at the end of their shift.

3.6 Storage of Data

Each video has the date and time stamped on every frame, a tamper proof digital fingerprint, and encryption which prevents the videos being visible on unauthorised computers.

All recorded footage will be uploaded to the Clerk's computer by the Clerk.

For Incidents where the Police have not been in attendance the Clerk will review the recording and a decision made on whether referral to the Police is appropriate.

All retained data will be kept until all investigations have been completed or prosecution has taken place before deletion. All data not required for evidential purposes will be deleted after upload and viewing.

The recordings will only be accessible by authorised personnel and all non-evidential data will be maintained for a maximum of 3 months before it is deleted.

3.7 Transfer of data

Any footage requested by the police as part of their investigation will be copied to a memory stick, labelled as an official exhibit and handed to them. Once in their possession the memory stick will fall under the police policy and guidelines for Data Protection. The Council will store evidential data for 3 months prior to it being deleted.

Details of this process and any relevant information i.e. PC name or collar number, date, time etc. will be logged with the footage so there is a full audit trail.

Adopted by Council: 28th January 2020
Reviewed: April 2021
Due for review: April 2023