



Specific Privacy Notice:

Overt surveillance cameras in Police vehicles (Dashcam)

Introduction

This Privacy Notice has been created to make it easier for you to understand what personal data Lancashire Constabulary processes about you, how and why in respect of Dashcam Recordings

It meets the requirements placed upon the Chief Constable by the General Data Protection Regulation (Articles 13 and 14) in relation to general processing and the Data Protection Act 2018 (Section 44) in relation to law enforcement processing.

It should be read in conjunction with the force's general Privacy Notice which can be accessed from the home page of Lancashire Constabulary's internet site. This Privacy Notice provides you with complete details of the rights you have relating to the personal data we may hold about you now and any personal data we might collect about you in the future.

If you have received a hard copy of this Notice and do not have access to the internet but require a copy of the Lancashire Constabulary Privacy Notice please contact the Lancashire Constabulary Data Protection Office (contact details below) and they will provide a copy to you.

For what purpose(s) is my personal data intended to be processed by Lancashire Constabulary?

Lancashire Constabulary's liveried and non-liveried vehicles have cameras (Dashcams) installed in them. They are an in-car overt surveillance solution that provide inward and outward facing cameras. Dashcams record footage of the journey of a police vehicle and capture any incidents that may occur. Dashcams record events as they happen and therefore provide an accurate account of those events. These recordings are used by Lancashire Constabulary for a variety of reasons including:

- to support successful prosecutions by providing an efficient way of collecting and managing evidential footage by capturing a reliable version of events following a police vehicle incident or an incident inside/ around the vehicle
- ensuring complaints are handled in a timely manner ensuring victims receive an efficient service.

All vehicles are fitted with a digital video recorder (DVR) which have capacity to hold up to 72 hours' worth of footage after which the recordings are overwritten. Once overwritten the footage is no longer able to be offloaded from the DVR as overwriting the footage deletes it from the DVR. There are four instances where the footage will be protected from being overwritten; any footage that is protected will be offloaded onto Lancashire Constabulary's digital evidence management system. The four instances are:

- When Blue Lights are activated

When blue lights are activated, the footage captured will be protected, this includes the 30 seconds before the blue lights were activated; this is referred to as 'pre-record' and occurs automatically.

- Manual record

Drivers of police vehicles can manually set the DVR to protect footage when Blue Lights are not activated. The 'pre-record' function is also initiated when the manual record button is pressed.

- Record after fact

If at the time of an incident the Blue Lights of a vehicle are not activated, and the driver of the vehicle has not instigated a manual record then a review of the footage can be undertaken after the event. The driver will search and review the footage on the DVR and if it is determined that the footage is required then a recording of the footage and be made retrospectively; this will then also be protected from being overwritten.

- Manual emergency extraction

Every time a recording event is undertaken a copy of the event is automatically made on an encrypted USB that is held within secure DVR. If a vehicle is involved in an incident, then a USB can be used to offload the footage from the vehicle.

What is Lancashire Constabulary's legal basis for processing my personal data?

Lancashire Constabulary use dash cams for policing purposes, relying on common law policing powers. As such the lawful basis for the processing of dash cam is UK GDPR Article 6 (e):

'processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller'.

The public task relied upon to satisfy the Part 2, Chapter 2, Section 8 (c) condition that processing is necessary for the statutory functions of the Police are:

The Police Act 1996

Section 39A states Chief Officers are required to give “due regard” to the MoPI code of practice and the defined policing purposes. Policing purposes are defined in The Police Act as:

- protecting life and property,
- preserving order,
- preventing the commission of offences,
- bringing offenders to justice, and
- any duty or responsibility of the police arising from common or statute law

Crime and Disorder Act 1998

Under Section 17 the Relevant Authority has the duty to consider crime and disorder implications and the need to do all that it reasonably can to prevent:

- ‘crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and
- the misuse of drugs, alcohol, and other substances in its area; and
- re-offending in its area

In addition, the processing of dash cam footage may include special categories of personal data. The Article 9 condition relied upon is (g) substantial public interest (with a basis in law). The applicable Part 2 of Schedule 1 condition further relied upon is ‘preventing or detecting unlawful acts’.

An Appropriate Policy document is also in place.

What are the categories of personal data collected?

Dash cams will capture images and audio directly of police officers, members of the public, victims, and witnesses. The audio recording will only be available when an event is offloaded. Record after the fact and manual emergency extractions will not extract audio.

Who will my personal data be disclosed to by Lancashire Constabulary?

Evidential data will be shared with the Crown Prosecution Service (CPS). In the event of a complaint or internal investigation the footage will be shared internally with the relevant departments.

How long will my personal data be retained by Lancashire Constabulary?

The DVR has a recording capacity of 72hrs and captures footage on a recording loop. Footage that is not part of a recording event will be overwritten when the recording capacity of 72 hours has been reached. Footage that is held in a recording event is

deleted from the DVR as soon as it is offloaded onto Constabulary systems where it be retained in line with relevant retention schedules.

Your rights

Amongst other rights, you have a right to [request a copy](#) of personal information that Lancashire Constabulary holds about you.

Further details of all your rights can be found within the general [Privacy Notice](#) referred to above.

The person who determines the purpose and means by which your personal data is processed) is:

Chief Constable of Lancashire Constabulary
Lancashire Constabulary
HQ
Saunders Lane
Hutton
PR4 5SB

The contact details of Lancashire Constabulary's Data Protection Officer

The Data Protection Officer
Lancashire Constabulary
Police Headquarters
Saunders Lane
Hutton
PR4 5SB

Email: data.protection@lancashire.police.uk

If you wish to Complain

The Information Commissioner is the independent regulator responsible for enforcing the Data Protection Act and advising on privacy rights. The information Commissioner's Office contact details are as follows:

The Information Commissioner's Office can be contacted as follows:

Telephone: 0303 123 1113

Website: <https://ico.org.uk/make-a-complaint/>

Mail: The Information Commissioner's Office
Wycliffe House
Wilmslow
Cheshire
SK9 5AF