



## **RMT Guidance on Body Worn Video**

### **Background**

Body Worn Video (BWV) is a technology that is being increasingly used in many organisations. There are a number of uses and benefits such as evidence/record of events, deterrence, training and staff development.

Body Worn Video is covered by very little specific legislation and guidance associated with its use but in general it can be regarded as being similar to CCTV.

RMT expects employers to have policies and procedures, agreed with the trade union, detailing how BWV will be allocated to staff and detailed statements on how the equipment is to be used and in what circumstances. The policy should, as a minimum, include the following:

- There should be publicity in workplace/buildings and premises stating that BWV is in use.
- Users should, where possible/practicable, announce to the subject(s) of an encounter that video and audio recording is taking place using BWV.
- Recordings should commence at the start of any deployment to an incident and should continue uninterrupted until the incident is concluded.
- Recordings should not be made of general duties.
- All recordings must be securely held. Access to recordings must be controlled and only persons (including RMT Reps) having the 'operational need' to view specific incidents may view them.
- All footage recorded by the BWV must also be retained in accordance with personal data guidelines.

BWV must not be used to record conversations between members of the public or conversations between staff and other individuals unless a specific threat is triggered and a reliable record is needed of what was said.

There does not appear to be any specific guidance regarding recordings of children but BWV users should be aware of the increased sensitivity to collection and usage of such material.

The purpose of BWV is to prevent and/or record crime and antisocial behaviour, not to monitor the amount of work done or compliance with company procedures.

Storage of recordings should be computer (PC) based and should allow the employer to:

- download video from the body-worn camera;
- review video on the system;
- create master and working copies of evidence;
- store non-evidential material for 31 days before deletion.

## Choosing equipment

The equipment should be unobtrusive yet clearly visible to the subject, easy to wear, durable, fit for purpose and above all, easy to use.

Consideration should be given to the following issues:

**High definition (HD) images** require more storage space and longer uploading times but should give clearer quality pictures. Considering that most events captured by BWV are at close quarters, high-resolution recordings are typically unnecessary.

**Battery life:** as with any portable equipment, the device will only work if the batteries are charged. They are as essential as any other part of the device. On average it has been found that BWV is used in short bursts, seldom requiring lengthy recordings but there should be an assessment of how much recording users are likely to make before they can return the recorder for recharging or battery replacement.

**Wearability/ergonomics/ease of use.** As with all work equipment there needs to be an assessment of its suitability for the staff who will be using it. Factors to consider differ between devices:

Head worn:

- Will record the point of view of the wearer.
- All head movements are captured which can be disorientating for the later viewer.
- The apparatus to use the camera 'head mounted' can be uncomfortable to wear for users.
- Wires will pass from the camera to the recorder along the neck line, a potential hazard.
- If worn when driving BWV can be in peripheral view causing distraction.

Chest (body) worn:

- All in one device.
- Can be placed in different areas on body.
- User has to be aware to point camera at event not just look.
- No wires.
- Easily seen by the subject.
- Becomes 'just another piece of equipment' for the wearer.
- Allows user to scan event without creating disorientating footage.

Consideration should also be given as to whether BWV equipment should be either personal or pool issue as this too will have different potential outcomes.

Personal issue

- Personal responsibility for equipment.
- Familiarity with the equipment.
- Ease of identification of user.
- Potentially a shorter business process.
- No returning to base required.

Pool issue

- Less equipment required (potentially).

- Resource available to many.
- Spare available in case of malfunction.

Employers will need to consider where the equipment will be stored especially if a pool of equipment is preferred. In this situation a log of issue return and repair is recommended. The site will need to be close to the center of activity ensuring ease of access but sufficiently discreet to ensure footage is not viewed or shared inappropriately on social media.

Having secured the footage, it is essential this is uploaded straight away, stored and managed in a safe, secure, easy to access site.

Staff responsible for recorded material should have:

- Good skills and knowledge of the equipment and correct handling processes
- Single responsibility for all equipment

**Responsibility for BWV:** back office function must be assumed by an individual with appropriate skills within the organisation. If the organisation is widely dispersed it will require a network enabled solution.

**Training:** staff time must be given for training to use the equipment and really understand how to use it. Staff using BWV will often be working in challenging circumstances and need to develop new skills to cover many scenarios.

Objectives for training should include:

- Legislation and its implications.
- Understanding the concept and technology
- Use and practical exercises
- Uploading and continuity of evidence
- Unique requirements of the organisation

## **Model Body Worn Video Policy**

### **About This Policy**

This document explains <Organisation Name>'s approach and use of Body Worn Video (BWV) technology. This is for the attention of all staff and is a public document.

The intention is for BWV to;

- Raise standards of service.
- Reduce incident escalation.
- Augment opportunities for evidence capture.
- Reduce complaints.

[These are for illustration purposes and individual organisations may wish to replace or add their own.]

Staff should comply with the Policy when dealing with members of the public and when gathering evidence/information to ensure the quality and integrity of that evidence/information. This document and associated procedures must be followed at any incident where BWV is / has been used.

<Organisation Name>'s has a Body-Worn Video evidence management system which ensures compliance with all relevant legislation and provides a full audit trail for maintaining evidential continuity.

### **General Principles**

<Organisation Name>'s appreciates the use of BWV must be justifiable and proportionate to the issue at hand.

<Organisation Name> recognises the concerns that trade unions and workers have about data/data protection, tracking and when data is used to progress disciplinary charges. To this end <Organisation Name> will establish a BWV joint working group of management and trade union representatives to oversee the introduction of BWV and to conduct a thorough review into the first three months of gathering BWV data. At the end of this review the processes in this document will be reviewed and amended as necessary.

The BWV joint working group will continue to assess the suitability of these processes with an annual review. The group will also review and disseminate recordings and best practice which will lead any further user training that is identified.

### **Declaration of Policy**

[Describe the current situation within your organisation re BWV. This document and associated procedure will standardise the use of BWV and the evidential product produced.]

<Organisation Name> is committed to maximising its effectiveness in tackling [include objective for use of BWV]. To this end it will explore the use of BWV to positively effect these areas.

<Organisation Name> will develop procedures that clearly demonstrate how to use BWV, to improve the quality of the service this organisation delivers.

Staff are required to use the equipment in line with this document, with procedure/SOP, and local organisation strategies. They should receive full instruction in its use and the relevant legislation. All staff will use equipment in line with organisation risk assessments. These risk assessments will be developed jointly with the RMT.

<Organisation Name> will develop a professional standards approach to BWV e.g. management will not be allowed to trawl the system for misdemeanours or unlawful acts committed by users, but if a complaint is received interrogation of the system is an appropriate line of enquiry within the guidelines set out elsewhere in this policy.

All staff identified as suitable to use BWV equipment must have full instruction from competent trainers before using BWV.

Guidance will be given wherever possible to reduce the necessity for local procedures to be overly complex.

Corporate risk assessments carried out with full support of the RMT will be produced to give guidance on the use of BWV and associated equipment. These must be used in conjunction with other generic risk assessments. All staff will use equipment in line with published risk assessments.

<Organisation Name> will monitor the use of BWV to ensure the equipment is an appropriate tactic and that the use is in line with policy and procedure.

## **Tracking and Appraisal**

This document is to be reviewed by the BWV joint working party in the light of legal and procedural changes to ensure that the use of BWV is continues to be appropriate and adds value to <Organisation Name> objectives. <Organisation Name> will establish a joint management/union group to oversee BWV which shall at a minimum conduct a review of the first month of operation and then further reviews at intervals as agreed after initial set up to ascertain the value of BWV use to <Organisation Name> the staff who use it and the customers it serves. The RMT nominated observers will have the same access to recordings as held by management.

## **Sample Operating Procedure**

### **Introduction**

Body Worn Video (BWV) is an overt method by which staff can obtain and secure evidence at incidents. This document is intended to enable staff to comply with legislation and guidance to create evidence suitable for use ultimately in court proceedings if required. In addition to providing compelling supportive evidence for court it has been found that BWV can furnish other benefits such as;

- Raise standards of service.
- Reduce incident escalation.
- Augment opportunities for evidence capture.

- Reduce complaints.

BWV equipment provided for users should be compliant with the recommendations in the 'Technical specifications' section of the Guidance for the Police use of Body-Worn Video Devices published July 2007 by the Police and Crime Standards Directorate.

[library.college.police.uk/docs/homeoffice/guidance-body-worn-devices.pdf](http://library.college.police.uk/docs/homeoffice/guidance-body-worn-devices.pdf)

This document explains the process by which <Organisation Name> will utilise BWV devices. It will ensure a consistent and effective system is adopted throughout the organisation, benefiting both members of the public and staff.

BWV devices will only be used by staff covered by this agreement. It has the potential to significantly prevent, stop escalation, and record events involving conflict. In cases which involve legal redress it can improve the quality of evidence provided by members of the organisation. It will also raise standards of service providing a good reference for staff development.

BWV can be used across a wide range of operations and in all cases users and supervisors must use professional judgment with regard to the use of this equipment.

At an individual case level the use of BWV must be made clear by staff making a verbal announcement to those persons who may be recorded. In some cases it will not be practical to make such an announcement, on these occasions this announcement must be made as soon as practicable. Staff may also wear a sign/symbol in order to ensure fair processing is achieved in compliance with the Data Protection Act.

BWV cameras might be small, but they are not to be worn or used in a hidden or covert manner ensuring maximum impact on prevention and escalation of an incident.

The decision to record or not to record any incident remains with the user. The user must be mindful that failing to record an incident may require explanation. Therefore, if the user is present at an encounter where BWV can be used the user should record the incident.

Recording should be incident-specific: users should not indiscriminately record entire duties and only use recording to capture video and audio at incidents that would normally require reporting, whether or not these are ultimately required for use in evidence.

### **Risk Assessments / Health and Safety Considerations**

Each incident should be subjected to a dynamic risk assessment on its own merits. When using BWV the decision to record or not record forms part of this risk assessment. The assessment should include consideration of the health and safety, human rights and welfare of all those involved.

### **Booking Out Equipment**

All cameras should be stored in a secure area, in a suitable location along with any batteries and media cards. A supervisor will be responsible for maintaining the security of the cameras and the allocation to

staff who have been instructed in its use. They should ensure that a suitable issue and returns log is available in order to show continuity if required.

When issued with the equipment the user should ensure that it is working correctly. This process should include the following basic checks:

- Unit is correctly assembled;
- Recording picture is the right way up;
- Sound recording level is appropriate to use;
- Date and time stamp is accurate.

Only specifically instructed personnel should be permitted to use BWV devices. On completion of instruction they will be locally authorised to use the equipment. Local trainers will carry out this instruction package. A record of instruction will be maintained at local level and added to the skills list of the individual.

### **Recording Events**

Recordings should only be made in situations where the BWV wearer decides to take some form of action, or make an intervention e.g. violence prevention. All recordings have the potential to be used in evidence even if it appears at the time that this is unlikely.

It is important to record as much of an incident as possible. Recording should begin at the earliest opportunity at the start of an event.

### **Image Capture**

At the start of any recording, the user should, where possible, make a verbal announcement to indicate why the recording has been activated. If possible, this should include:

- the date, time and location;
- the nature of the incident;
- confirmation to those present that the incident is now being recorded using both video and audio recording;

If the recording has started prior to arrival at the scene of an incident, the user should, as soon as possible announce to those present that recording is taking place and that actions and sounds are being recorded. Users should use straightforward speech that can be easily understood by those present, such as "I am video recording you", "I am video recording this incident" or "everything you say and do is being recorded on video".

Users should attempt to minimise intrusion of privacy on those persons who are present but not involved in the incident, by keeping the camera focused on the incident and not bystanders.

Unless circumstances dictate otherwise, recording must continue uninterrupted from the start of recording until the conclusion of the incident. It is advisable that the member of staff continues to record for a short period after any incident to clearly demonstrate to any subsequent viewer that the incident has concluded and that the user has resumed other activities.

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

- the date, time and location; and
- the reason for concluding recording.

### **Selective Capture and Bookmarking**

Selective capture is the user making a choice of when to record and when not to record. The nature of some incidents may make it necessary for the user to consider the justification for continuing to record throughout an entire incident. In cases where the user does interrupt or cease recording, they should record the decision including the grounds for making such a decision.

In recording an incident, it is likely that BWV users will encounter different people, as well as recording the visual evidence at the incident itself. Selective capture is a means by which users may separate encounters with each person in order to allow for easier retrieval at a later time. It is recognised that bookmarking (temporarily stopping and restarting recording) is not always practicable due to the nature of incidents; therefore it should only be attempted if the situation is calm and the operator is easily able to undertake this action.

Prior to any temporary suspension for the purpose of bookmarking, the user should make a verbal announcement clearly stating the reason for suspending recording. Following the pause at the start of recording the user should also announce that they have recommenced recording. The bookmarking process will be demonstrated on the final whole recording of the incident by a missing section of a few seconds.

### **Transfer of images to BWV Evidence Management Software**

Before completion of duty the BWV user will transfer all data from the camera or removable media card to the BWV Evidence Management software system for storage and retention.

All recordings will be transferred to the organisation's chosen BWV Evidence Management Software only. Any transfer to unauthorised storage facilities may result in legal or disciplinary proceedings. Any recordings that require retention for evidence in court proceedings will be evidence and as such should be recorded as evidence through the BWV Evidence Management software. This footage will be retained in accordance with the organisations requirements and in line with current legislation. Non-evidential footage will be erased after 31 days in accordance with legislation.

### **Deletion of Images**

There are no circumstances in which the unauthorised deletion by the user or other person of any images that have already been recorded can be justified, and any such action may result in legal or disciplinary proceedings.

All non-evidential data will be retained on BWV Evidence Management software for 31 days and then deleted through the system.



Once transfer of the images has been completed all footage stored on a recording device or similar media will be deleted through the correct use of BWV Evidence Management software.

### **Return of Equipment**

When the BWV equipment is no longer required it will be returned to the appropriate storage facility. The user will ensure that all equipment is in working order and suitable for re issue. Any damage or malfunctions must be reported to the supervisor responsible for the equipment. Care should be taken to ensure that the device and any batteries are placed on charge for the next user.

### **Responsibilities**

#### **User**

The User of the BWV will have received basic instruction in the use and legislation surrounding BWV prior to any use.

It is the responsibility of the BWV user to ensure that:

- Equipment is checked prior to deployment to ensure it is working correctly.
- That the batteries are charged prior to use (consider taking spare batteries) and immediately recharged on return.
- That the time and date settings are accurate.
- That camera lenses are clean and the picture quality is suitable.
- The camera lens is aimed and focused appropriately to capture evidence.
- Compliance with legislation and guidance.
- View only footage they have a bona-fide reason for viewing.

#### **Administrator**

Administrators will be responsible for ensuring the BWV Evidence Management software is maintained and being used correctly. They will dip sample entries within the system to ensure standards are maintained. Findings will be reported to the BWV joint working group.

They will also ensure that all documents associated with BWV use, such as booking in/out, viewing of footage, deletion and production of evidence conforms to this procedure and the policy document.

Ensuring viewing of footage is appropriate and controlled in line with guidance and legislation.

Responsible for fault reporting and seeing it is actioned at the earliest opportunity ensuring the equipment is available for use at all times.

#### **Managers**

Identified managers are responsible for the implementation of this document within their own area of business. They will ensure the use of BWV is ethical and correct in all areas of business.

Review of procedure

**BWV Joint Working Group**

This document will be reviewed annually, commencing one year from the date of publication unless a change in procedure is identified earlier. The review will take account of changes in legislation and working practices, as well as the outcome of consultation with relevant internal departments and external agencies and any evaluation. This review will be carried out by <Organisation Name>.