

Hackney Carriage and Private Hire CCTV

Standard Operating Procedure

1. Licensed hackney carriages and private hire vehicles licensed by South Cambridgeshire District Council are required from 1 April 2023, unless an exception is granted, to be fitted with an approved CCTV system (See separate CCTV Specification document).
2. The cameras are to be set up to activate and record visual data when the ignition is turned on and remain on for a period of 30 minutes after the ignition is turned off. Audio data will only be activated by means of a button available to the driver and passenger.
3. The cameras must be operational **at all times when the vehicle is acting as a hackney carriage or private hire vehicle – this includes when going to collect a fare and there are no passengers in the vehicle or returning from a drop off.**
4. All passengers are made aware of the fact that they are being recorded by notices clearly displayed in the vehicles.
5. Data will **only** ever be retrieved from the vehicle CCTV unit and downloaded on one of four occasions
 - (i) where a crime report has been made involving the specific vehicle and the Police have formally requested that data or,
 - (ii) when a substantive complaint has been made to the licensing authority regarding a specific vehicle / driver and that complaint is evidenced in writing (and cannot be resolved in any other way),
 - (iii) where a data request is received from an applicant e.g. police or social services, that has a legitimate requirement to have access to the data requested to assist them in an investigation that involves a licensed vehicle or driver.
 - (iv) Subject Access Request compliant with the General Data Protection Regulation.
6. To safeguard the data all downloads will be conducted in the presence of at least two relevant people. Relevant people are a member of the South Cambridgeshire District Council (SCDC) Commercial and Licensing Team or a serving police employee.

7. All requests must be in an appropriate format detailing the powers that allow the release of the data and providing all the information required. The request form for download must state the approximate time of the event/occurrence and only the timescale relevant to the specific incident will be downloaded, decrypted and thereafter stored.
8. On receipt of a download request, the Commercial and Licensing Manager or Principal Officer for Licensing will initially confirm it is a legitimate request. Arrangements will be made with the owner of the licensed vehicle for the vehicle to attend the Council Offices. If it is not practical (for example the vehicle has been impounded), then a member of the Commercial and Licensing Team will attend the location of the vehicle or data box to facilitate the download.
9. Any download will be carried out in the presence of at least one other person if at the Council Offices. All Officers downloading the data would have received suitable training prior to undertaking any downloading of data.
10. If the download is taking place away from the Council offices, then either an additional member of Council staff or a member of the requesting organisation i.e. police officer will be present in addition to the member of staff conducting the download.
11. A dedicated computer will be used to facilitate the download from the data box. This computer will copy the downloaded footage onto its files. A master copy will be created from this computer and placed onto disc or a dedicated external hard drive and retained by SCDC Licensing Team.
12. This disc and/or hard drive will be kept secure in a locked, restricted access cupboard to prevent loss of data. A working copy will be produced and either given to the requesting authority or subject or retained by the investigating officer, and a register of all data obtained will be retained.
13. Data retained by SCDC Licensing Team will only be retained for the following periods:
 - a. Cases leading to prosecution 10 years from date of trial
 - b. Formal caution 3 years from date of caution
 - c. Written warning or no formal action 3 years from date of decision
 - d. Subject Access request 6 years from date of request.
14. Only authorised officers will have access to the CCTV, the data is recorded in a highly secure encrypted manner, and hard drive or the caddy housing the CCTV hard drive unit may only be physically accessed by the Council Officer as keyholder, and data encryption is exclusively password protected for SCDC. The encrypted data can therefore not be decrypted by the driver or passenger.
15. As the policy requires all vehicles must have CCTV installed (unless exempted), the driver cannot override this request, and therefore cannot undertake any fare paying journey without CCTV being recorded, even if the passenger insists.