
Body Worn Video Policy

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Body Worn Video Policy

1. Introduction and Purpose

- 1.1. This document sets out Rykneld Homes Ltd (RHL) Policy on the use of overt surveillance CCTV cameras in the form of body worn video (BWV).
- 1.2. A surveillance camera is a broad term to describe close circuit television (CCVT), body worn linked equipment used for capturing, recording and viewing images for overt surveillance purposes.
- 1.3. Rykneld Homes use overt surveillance cameras for the purposes of public safety, crime prevention, detection and prosecution of offenders, monitoring RHL assets to protect the public, staff, approved contractors and visitor, and its property.
- 1.4. Rykneld Homes fully recognise that the use of overt surveillance cameras needs to comply with a legal framework notably the General Data Protection Regulation (GDPR) and Data Protection Act 2018, and Article 8 of the European Convention on Human Rights (the right to respect for private and family life).
- 1.5. The Policy covers the use of surveillance camera systems and processing of images and information obtained from BWV. The Policy takes on board guidance provided in the Surveillance Commissioner's CCTV Code of Practice.
- 1.6. This Policy, together with the RHL Data Protection Policy and operational training guidance, will support surveillance system owners, managers and users on the management, administration and operation of BWV for overt use.

2. Code of Practice and Principles

- 2.1. The Surveillance Camera Code of Practice (the Code) was issued in 2013 following the introduction of the Protection of Freedoms Act 2012 and further updated in 2014 and 2021. The Code provides guidance on the appropriate and effective use of surveillance camera systems.
- 2.2. Local Authorities are relevant authorities as defined by section 33 of the Protection of Freedoms Act and, therefore, must have regard to the Code.
- 2.3. The Code provides 12 guiding principles of which RHL have adopted. These are:
 - (1) Use of BWV must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
 - (2) The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
 - (3) There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.

- (4) There must be clear responsibility and accountability for all surveillance camera system activities, including images and information collected, held and used.
- (5) Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
- (6) No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
- (7) Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose of for law enforcement purposes.
- (8) Surveillance camera system, operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
- (9) Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
- (10) 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.
- (11) When the use of a surveillance cameras system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
- (12) Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

3. User Guidance and Principles

- 3.1. This Guidance and Code of Practice will underpin oversight and day-to-day practice by all those managing and operating BWV. Everyone connected with BWV operated by RHL will ensure that the principles and purposes outlined in this Code of Practice are always upheld. This Code of Practice should be read in conjunction with relevant legislation.
- 3.2. This Policy is applicable to all employees and service areas which operate any form of overt surveillance BWV.
- 3.3. This Policy does not apply to covert surveillance for investigation purposes which must only be carried out in accordance with the Regulation of Investigatory Powers Act 2000 (RIPA).

- 3.4. The RHL use of BWV is for the purpose of:
- To protect staff, approved contractors, visitors and customers
 - To protect its premises and other assets
 - Collection of evidence for enforcement action, including tenancy management, repairs, property inspections to support prosecution
 - To increase personal safety and reduce the fear of crime
 - To deter and reduce incidents of violence and aggression to staff members
 - To support the Police in reducing and detecting crime
 - To assist in identifying, apprehending and prosecuting offenders
 - To provide a deterrent effect and reduce criminal and anti-social behaviour
 - Use of BWV is encouraged but a voluntary choice.
- 3.5. The BWV is operated by the user and is not recording unless switched on by the Officer. The device has a prerecord function, this will buffer recordings which enables the user to capture some footage prior to activation.
- 3.6. The user must consider whether activation of the BWV is necessary, proportionate and addressing a need such as those listed within this Policy on the circumstance presented to them. The user must ensure the BWV is functioning correctly and has the correct date and time prior to any duty commencing.
- 3.7. When activating the device users MUST inform those being captured that they are being recorded for visual and audio purposes. This ensures the user and RHL are in compliance with the Data Protection Act 2018. This verbal announcement compliments the visible signage on the user's person. If it is not immediately possible to provide this announcement, recorded parties must be made aware at the earliest opportunity.
- 3.8. Once the device has been activated, users must ensure that recording is continuous throughout the interaction until it has reached a close. It is not acceptable for a user to switch the device on and off intermittently during an interaction.
- 3.9. Where physical contact is made to a user, the device MUST be activated.
- 3.10. Playback directly from the device will not be available to the user. However, a passcode known to Management and the Digital Services team can provide playback from the device, should a Police Officer require at the scene.
- 3.11. Direct recording of children and/or vulnerable people should be avoided. In extreme circumstances there may be a justifiable use of BWV in these circumstances.
- 3.12. If children and/or vulnerable adults are captured in the background of any recording, this can be blurred to ensure anonymity at a later date if the footage is to be used as evidence.
- 3.13. The user is responsible for ensuring any footage captured is downloaded.

- 3.14. Assigned Officers will be responsible for identifying any footage that is classed as evidential and, therefore, requires retaining.

4. Data and Retention

- 4.1. Data captured by the BWV will be encrypted and only accessible via the use of specific software. Within RHL there will be limited devices which have the functionality to use this software.
- 4.2. Any captured data will be deleted automatically unless marked evidential by the assigned Officers.
- 4.3. Data marked as evidential will be retained for a period of 28 days. Once 28 days has elapsed the data will automatically delete from the system.
- 4.4. Data Marked as non-evidential, will be retained for 7 days. After this point the data will be deleted from the system
- 4.5. On occasions, RHL may need to retain images for a longer period, for example, where RHL require the footage as evidence in an active tenancy enforcement case or a law enforcement body is investigating a crime, to give them the opportunity to view the images as part of an active investigation.
- 4.6. The device is self-contained and access cannot be obtained to the memory function. The device has built in memory storage and not a removable card to ensure security of data.
- 4.7. Storage of data will be via kept within the licenced software for a maximum of 28 days. Data required as evidence will be saved as part of the case file and stored in compliance with Data protection and GDPR legislation.
- 4.8. In the likely event of a device becoming lost or stolen, users need to immediately report this in accordance with the Data Breach Policy. Access to any recorded data on the device is very unlikely, however, it is still considered a data breach and the relevant RHL Policies need to be followed in relation to this.

5. Accountability and Governance

- 5.1. Rykneld Homes are the system operators and data controllers for each surveillance system device. A system owner (lead Officer) will be established, and they are responsible for the system as a whole and its compliance with this Policy and associated documentation. Other roles, as required, will be assigned for each device with clearly documented responsibilities in operational procedures or guidance supporting this Policy.
- 5.2. All system users will undertake training and be issued with guidance before they use the BWV. This will ensure that Officers have the necessary skills and knowledge on the operational, technical and privacy requirements and fully understand the Policies and procedures.
- 5.3. Employees should ensure that they always demonstrate professional conduct and act in line with RHL'S Policy and procedures. Failure to follow RHL Policy and procedures, including the Code of Conduct and Behaviour Policy, may lead to disciplinary action.

6. Privacy

- 6.1. The right to respect for private and family life is set out in Article 8 of the European Convention on Human Rights. The use of any form of surveillance may impact on an individual's privacy and rights under the Human Rights Act and data protection legislation (General Data Protection Regulation (GDPR) and Data Protection Act (DPA) 2018).

Further to this, the footage is restricted and cannot be disclosed to 3rd parties without their permission unless prescribed by law and that recorded data can be accessed on request in writing in accordance with Section 7 of the Data Protection Act 2018 and/or Section 8 of the freedom of Information Act.

- 6.2. BWV cameras are likely to be more intrusive than CCTV style surveillance systems because of its mobility. BWV cameras have the ability to be switched on or off. Rykneld Homes recognise that continuous recording will require strong justification as it is likely to be excessive.
- 6.3. Rykneld Homes note the Code statements on surveillance on camera systems use on recording general conversations between members of the public as highly intrusive and requiring a strong justification of necessity to establish its proportionality.
- 6.4. Rykneld Homes will prescribe guidance to Officers covering the use of surveillance cameras, especially in situations where a higher level of privacy is expected, for example, use of BWV cameras in tenant dwellings. This guidance will also cover use with vulnerable individuals and sensitivities around religious or cultural beliefs and practices.

7. Relevant Legislation

- 7.1. This integrity of any video data recorded will be considered in accordance with the following legislation:
- The Human Rights Act 1989
 - Data Protection Act 2018
 - UK General Data Protection Regulations (GDPR)
 - Regulation of Investigatory Powers Act 2000
 - The Protection of Freedoms Act 2012
 - Information Commissioners CCTV Code of Practice
 - Surveillance Commissioners Surveillance Camera Code of Practice
 - Criminal Procedure and Investigations Act 1996
 - Criminal and Disorder Act 1998
 - The Anti-Social Behaviour Crime and Policing Act 2014.

8. Rykneld Homes Related Policies/Documents

- ASB Policy
- Safeguarding Policies (Adult and Children)
- Domestic Recording Systems Policy (CCTV and Smart Doorbell)
- Domestic Abuse Policy
- HSE Policy
- HR Policy
- Data Retention Policy
- Data Protection Policy
- Data Breach Policy
- Complaints Policy.

9. Application by Individual Data Subjects (SARS)

- 9.1. Individuals can request images and information about themselves through a Subject Access Request (SAR) under GDPR. Rykneld Homes have a centralised team which handles requests. Rykneld Homes publish information on its website on how to make a request. Data subjects' rights and RHL processes for handling requests are covered in the corporate Data Protection training which is mandatory for all new employees with regular refresher training provided.
- 9.2. The disclosure of images to data subjects is done securely to ensure that they are only seen by the intended recipient. Consideration is also given to whether images of other individuals need to be observed to prevent unwarranted identification.

10. Contact

Rykneld Homes Ltd
2013 Mill Lane
Wingerworth
Derbyshire
S42 6NG

Tel: 01246 217670

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V0.2	Neighbourhood Manager	20.04.26	2nd Draft of new Policy – changes made by JW, paginated. HS to take to SMT, with covering report, for approval
V0.2	Neighbourhood Manager	11.05.26	Final Draft approved by SMT. This document sets out Rykneld Homes Ltd Policy on the use of overt surveillance CCTV cameras in the form of body worn vide, these are devices not used before by staff members and sets out a clear framework for use and how we can operate the equipment and use the evidence whilst complying with legislation and guidance
V1.0	Neighbourhood Manager	15.07.26	New Policy finalised – version number and information page updated. Uploaded to public and staff website

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