

MANDATORY CCTV IN TAXIS:
SUPPLEMENTAL INFORMATION

Legal Basis for Processing

CCTV is considered beneficial to promoting enforcement of hackney carriage and private hire vehicles under the Local Government (Miscellaneous Provisions) Acts 1976 and Town Police Clauses Act.

The Council is subject to a variety of duties prescribed by legislation, Government Guidance and circulars to protect the public and to prevent and detect crime and to keep children and vulnerable adults safe . Examples are the Children Act 2004 which requires the Council to carry out its functions with regard to the need to safeguard and promote the welfare of children and the Care Act 2014 which prescribes a general duty to protect vulnerable adults from abuse and neglect.

Legislation setting out the duties and powers requiring the council to have regard to safety, crime and disorder, antisocial behaviour etc includes (but is not limited to):

- Local Government Act 1972
- Local Government Act 2000
- Local Government (Miscellaneous Provisions) Acts 1976 and 1982
- Children Act 2004
- Care Act 2014
- Crime and Disorder Act 1998
- Criminal Justice and Public Order Act 1998
- Equality Act 2010

Evidence can be provided to the Police under the provisions of the Police and Criminal Evidence Act 1984. Other Law Enforcement agencies such as HM Revenue & Customs and services within the Council such as Planning and Environmental Health would also have the necessary criminal investigatory powers to request CCTV footage as under statutory legislation or via the gateway under Data Protection Act 2018.

Statutory Taxi & Private Hire Vehicle Standards issued by the Government in July 2020 provides a series of recommendations which local authorities are expected to implement “unless there is a compelling local reason not to”. One recommendation is the adoption of a policy requiring the installation of CCTV monitoring in taxis. While it is acknowledged that there is limited evidence of

There is a legitimate need to protect drivers and the travelling public and to deter and detect crime. The Council considers it necessary to process data when the vehicle is being used in a licensed capacity under the Local Government (Miscellaneous Provisions) Act, and that it cannot achieve the same level of public protection without CCTV being operational.

Conditions for Processing: Details

The use of CCTV in a licensed capacity is considered to be necessary and proportionate, in order to perform a task in the public interest or for official functions, and the task or function has a clear basis in law:

Processing necessary for the purposes of:-

- Protecting drivers when working in a licensed capacity.
- Performing the local authority function of determining the safety and suitability of licensed drivers
- Protection and reassurance of the travelling public
- Protection of vulnerable people who rely on taxis as an essential means of transport
- Preventing and detecting crime.

Alternatives considered / rejected

NB To be completed in conjunction with Committee report following RMBC advice on reasoning.