

How your personal Information is used by Body Worn Video (BWV) cameras operated by Waste Services staff.

Here at Midlothian Council, we take your privacy seriously. Under the Data Protection Act 2018, you have a right to know how we collect, use and share your personal data.

This privacy notice explains the information we need in order to carry out Body Worn Video (BWV) operations. This activity is part of the Waste Services provided by Midlothian Council. More information about the Waste Service privacy notice can be found on our [Commercial Service privacy notice webpage](#).

More information on Midlothian Council's overall approach to managing personal data is in our [Privacy Policy](#).

We will continually review and update this privacy notice to reflect changes in our services, and to comply with changes in law.

Midlothian Council use of BWV cameras follow guidance from the Information Commissioner's Office (ICO) to ensure the lawful and appropriate handling of personal data.

Our Privacy Promise

We promise to collect, process, store and share your data safely and securely.

What lets us collect your information?

We collect personal data under the lawful basis of public task as outlined in Article 6(1)(e) of the UK GDPR, which permits processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority. Additionally, where special categories of personal data are processed (e.g., criminal activity captured in footage), this is done under Article 9(2)(g) of the UK GDPR in accordance with safeguarding and public interest requirements.

What kinds of personal data do we collect?

The personal data we collect through the BWV cameras might include images and voices of individuals present in the area of the recording, or other information that identifies you. If necessary, we might also collect what is called 'special category' data – that is, sensitive information such as medical/health information.

How do we collect your personal data?

Personal data is collected through BWV cameras operated by our Waste Services staff at:

- Home Waste Recycling Centres.
- During visits or patrols by Community/Trade Waste Officers.

BWV cameras are only activated when necessary, and staff wearing the cameras display clear signs notifying the public that recording (audio and video) is taking place.

If we share information regularly with another organisation, the conditions for sharing your personal data are set out in an Information Sharing Agreement.

How do we use your personal data?

We use the information collected through Body Worn Video (BWV) cameras to:

- Enhance safety: Protect both staff and members of the public during interactions at Home Waste Recycling Centres or during the duties of Community/Trade Waste Officers.
- Prevent and deter incidents: Reduce the likelihood of threatening, abusive, or criminal behaviour by creating an additional layer of accountability.
- Support crime prevention and detection: Provide clear and accurate evidence to assist law enforcement in investigating and prosecuting criminal activity.
- Resolve disputes or complaints: Use recordings to clarify events and ensure accurate handling of any complaints or disputes involving staff or members of the public.

Sharing your personal data

We may share your data with other organizations when necessary, including:

- Police or law enforcement agencies: To assist in investigations, support criminal prosecutions, or ensure public safety.
- Courts or legal representatives: For use as evidence in legal proceedings.
- Other statutory or regulatory bodies: When required by law or to fulfil our legal obligations.

What can happen as a result?

- Increased safety and accountability: Your interactions with staff will be documented, ensuring fairness and security for all parties involved.
- Potential legal action: If the data shows evidence of criminal or unlawful behaviour, it may be used in investigations or prosecutions.
- Dispute resolution: Recordings can provide a factual record of events, aiding in resolving complaints or disputes.

We ensure all sharing and use of data complies with the **UK GDPR** and the **Data Protection Act 2018** to protect your privacy and rights.

Why do we share your personal data?

We may share personal data in specific circumstances, such as:

- Law enforcement purposes: Sharing with Police Scotland or other legal authorities for crime prevention or investigation.
- Legal Proceedings: Providing evidence in support of criminal or civil cases.

With whom do we share your personal data?

If necessary, we might share your personal data with other agencies and authorities, depending on the service being provided. We will only share your personal data if it is necessary to do so, and the appropriate conditions have been met.

The external bodies with whom we share Body Worn Video (BWV) cameras information might include (organisations with a star are mandatory):

- Police Scotland or law enforcement agencies
- Legal representatives and courts, if required
- Other regulatory or statutory authorities, where legally mandated

Personal data also might be shared between Midlothian Council services, including Schools.

How long do we keep your personal data?

Your personal data is kept in line with Midlothian Council's Retention Schedule. The retention schedule sets out the kinds of information the Council creates and uses, how long it should be kept, and what should be done with it at the end of its 'life.'

[Our Retention Schedule](#)

Recordings are retained for no longer than is necessary to fulfil the purpose for which they are collected. Footage is deleted once it is no longer needed for safety, incident resolution or legal purposes. If footage is required for crime investigation, it may be retained for longer periods in line with legal requirements.

Further Information

You can find out more about our [Commercial Services privacy notice](#) on our website.

You can also find out more about how we use your information to detect and prevent fraud or crime, information collected through our website, recorded telephone calls, CCTV, the rights you have under the Data Protection Act, and how to contact us by referring to the overarching [Midlothian Privacy Notice](#).