

Our ref: 683740
18 January 2018

Lucy Johnson

Freedom of Information Act 2000

Dear Sir/Madam

I am pleased to provide some of the information you have requested from the Regulation and Enforcement Division. Please find below the answers to those questions that we can supply

Request

The details of your use of body cameras in your organisation '

Does anyone (staff or contractors) in your organisation use/wear body cameras or body worn video recording devices while performing their duties?

Yes

If yes, please detail:

Who provides the body cameras and footage/evidence management used by your organisation?

Please note this information varies within different areas of Regulation and Enforcement.

The cameras and software used by our Markets Division were provided in conjunction with West Midlands Police by Edesix Ltd, 16 Forth Street, Edinburgh.

Those used by our Trading Standards Division are not strictly body cameras but are in fact action/sports cameras that have a clip on them to allow them be worn on a stab vest. They were a one off purchase and no footage/evidence management is provided. The footage is controlled by our own internal digital evidence procedure should it be required as evidence.

The cameras used in relation to our Environmental Health Activities were supplied via the Birmingham City Council contractor for IT. All information

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relating to this contract is Exempt under Section 43(2) of the Freedom of Information Act. (There are a number of Sec 43(2) exemptions in this response. To make the letter clearer the exemption is explained once below rather than repeatedly where it is used.)

How many staff members use body cameras and what capacities/teams do they work in? Are they staff or contractors (for e.g. outsourced security personnel)

How many body cameras in all are currently owned and/or used by your organisation?

This figure would depend on the work being undertaken within each team on a daily basis. The cameras are therefore available to use by staff within individual teams as and when necessary.

In the Markets Division there are 8 cameras which are used by 8 Market Enforcement Officers and 1 Assistant Market Officer. They use the cameras as an operational tool and may be used for example to record instances of Anti-Social Behaviour.

In the Trading Standards Team there are 4 cameras and depending upon operational requirements they would be assigned to staff members involved in specific operations.

Cameras in Environmental Health are used for various aspects of work. Primarily for the Dog Warden Service which has 4 cameras available for use as and where necessary. This may be on dog fouling operations or where ASB is suspected in the wider Env' Health team. 7 Cameras are available for officers involved in evictions from unauthorised encampments. At other times the cameras may be used for evidence e.g. filming fly-tipped waste to show its impact if it is better than using still photography.

For the issue of Fixed Penalty Notice Enforcement (litter exercises) there are an additional 7 cameras which are used by contract staff. These cameras are owned by the contractor not BCC.

Were the cameras bought as a one off purchase and if so, how much did they cost your organisation?

Trading Standards Division – one off purchase – approximately £150 each
Markets Division – one off purchase – approximately £450 each

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Environmental Health – S43(2) Exemption applies.

If they are part of an ongoing contract - what is the current contract term (how long is it and when does it expire) and what is the value of said contract?

S43(2) Exemption applies

Where is the data recorded stored ' on premises locally or on cloud?

Our data is stored locally

Who is the point of contact for your body camera programme?

Trading Standards – Mr V Ahluwalia
Environmental Health – Mr Mark Croxford
Markets Division – West Midlands Police

I can confirm that the remainder of the information you have requested is held by Birmingham City Council, by law. However, I'm unable to give this to you.

We consider that the qualified exemption set out in Section 43 (Prejudicial to commercial interests) subsection(2) applies to parts of the information requested.

Section 43(2) of the Act states that:

(2)Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it)..." .

We believe if information relating to this contract is released it would be likely to prejudice the commercial interests of the IT company who hold the contract and Birmingham City Council and may result in the Company's position within the market being weakened placing them at disadvantage when bidding for further contracts.

The Council's interests in the future could also be prejudiced when tendering for other similar contracts and seeking to achieve best value.

This exemption is not absolute and, therefore, we have to balance the public interest in maintaining the exception against the public interest in disclosure of the information.

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Factors in favour of disclosure of the information

The Council accepts that there is a general public interest in transparency and
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The Council accepts that there is a general public interest in transparency and
accountability in respect of the workings of local government.

Factors in favour of withholding the information

The Council considers that there is a very strong public interest in protecting
sensitive information when disclosure would upset the current level playing field
on tenders. Competitors could amend their own prices to be more competitive
across the board in future tendering exercises against the contractor. The general costs
for the councils IT contract is in the public domain and specific parts should not be
disclosed.

In all the circumstances of the case, the public interest in maintaining the
exemption outweighs the public interest in disclosing the information.

Please quote the reference number 683740 in any future communications.

If you are dissatisfied with the handling of your request, you have the right to
ask for an internal review. Internal review requests should be submitted within
two months of the date of receipt of the response to your original letter and
should be addressed to:

Corporate Information Governance Team
PO Box 16366
Birmingham
B2 2YY
Email: xxxxxxxxxxxxxx@xxxxxxxxxx.xxx.xx

If you are still dissatisfied with the Council's response after the internal review
you have a right of appeal to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow

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Cheshire SK9 5AF.
Telephone: 01625 545 700
Website: www.ico.gov.uk

I will now close your request as of this date.

Yours faithfully

Regulation and Enforcement FOI Team.

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