



Policy on Trail Cameras (Environmental Inspectors/Technicians/Engineers)

1. BACKGROUND

The role of Waterford City & County Council's Environmental Inspectors/Technicians/Engineers is to enforce the Litter Pollution Act 1997 as amended and Waste Management Act 1996 as amended. A trail camera is a portable camouflaged battery operated device, which has PIR movement sensors, a digital 12MP camera, HD video capability and 42no. IR (infrared) lights for taking photographs/video during the hours of darkness. The camera/video is triggered when any movement occurs within the range of the PIR sensor, whether this is in daytime or nighttime and then either, photographs, video or both can be taken by the camera. They are primarily used by Environmental Inspectors/Technicians/Engineers in areas where illegal dumping of waste is taking place (i.e gateways, forest tracks etc) to try and provide evidence for prosecutions/issuing of fines.

2. PURPOSE

This policy is intended to provide each Environmental Inspector/Technician/Engineer with instructions on how to use the trail cameras.

3. POLICY

It is the policy of WCCC that capturing of images and video footage on the trail cameras, is only for the intention of use under Environmental Enforcement Legislation.

WCCC has adopted the use of the trail cameras to accomplish several objectives. The primary objectives are as follows:

- To record images and video footage of offences under Waste/Litter Enforcement Legislation.
- To allow WCCC to use this material to identify the persons responsible

4. When and How to Use the Trail Camera

4.1 The Trail Camera is set up covertly in the area where the illegal dumping is taking place, so that it will not be seen by members of the general public. The Trail Camera records data to an SD card (4-32GB's) when triggered. The camera/video will record images/video footage of any movements in the area and will continue to do so until the batteries run out or the device is removed by the Environmental Inspectors/Technicians/Engineers.

4.2 Environmental Inspectors/Technicians/Engineers shall download footage from the SD card from the trail camera to see if any incidents of littering or waste offences are committed. This data will be saved on the Environment Blob storage area.

4.3 Following the download of the relevant footage, the SD cards shall be formatted to remove any footage from them.

- 4.4 The Environmental Inspectors/Technicians/Engineers may use their own discretion on deciding whether to use the trail camera footage as evidence, depending on the quality- all incidents should be considered on a case by case basis.
- 4.5 Trail cameras have a functionality to allow viewing of the recordings at the scene.

5. Procedures for Trail Camera Use

- 5.1 The council has 8no. trail cameras (HT-002LIG) at present for use in the City and County by Environmental Inspectors/Technician/Engineers at various illegal dumping hotspots.
- 5.2 Environmental Inspectors/Technician/Engineers shall only use the trail cameras for council business. The trail camera equipment and all data, images, video, and metadata captured, recorded, or otherwise produced by the equipment is the sole property of the Council.
- 5.3 Environmental Inspectors/Technician/Engineers who use trail cameras will receive training to ensure proper use and operation of the equipment as well as understanding the Council's policy in relation to use.
- 5.4 Trail camera equipment is the responsibility of individual Environmental Inspectors/Technician/Engineers and will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the Environmental Inspectors Supervisor as soon as possible so that a replacement unit may be repaired or replaced.
- 5.5 The trail cameras should be securely stored in the Environment offices when not in use.
- 5.6 The use of the Trail camera shall require approval of either the executive engineer, or Senior Executive Engineer prior to its use. The use shall only be approved where there is evidence of ongoing illegal dumping or other unlawful waste activity.
- 5.7 Every deployment of the trail camera shall be logged in the logbook, and signed by both the EI and approver.
- 5.8 The Environmental Inspectors/Technician/Engineer shall ensure that the date and time are set correctly on the trail cameras, each time they are deployed.
- 5.9 The SD card should be formatted before each deployment of the device, which can be done on the users PC.
- 5.10 The trail camera has a built in microphone function which can be used or disabled.
- 5.11 Environmental Inspectors/Technician/Engineers can set the device for camera, video footage or both recordings. The number of photos can be set for between 1-9 and the video times can be set at 10/30/60/90 seconds accordingly. The time lapse between recordings can also be set 1/5/10/30. All these settings can be changed depending on the location of the device and the frequency of visitors in the location.
- 5.12 Environmental Inspectors/Technician/Engineers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.
- 5.13 Any loss or theft of a Trail Camera should be reported immediately to Senior Executive Engineer and the Council's Data Protection Officer who will then decide if a Data Breach Notification to the Data Commissioner is required.

6. Restrictions on Using the Trail Cameras

Trail cameras shall be used only in conjunction with official Environmental Inspectors/Technician/Engineers duties. The trail cameras, shall not generally be used to record:

- Encounters with members of the public unrelated to Environmental breaches;

- In any location where individuals have a reasonable expectation of privacy or private property

7. Storage of Data

7.1 Any recordings shall be securely downloaded. Each file shall contain information related to the date, trail camera identifier number, and assigned Environmental Inspector/Technician/Engineer.

7.2 All images and sounds recorded by the trail cameras are the exclusive property of the Council. Accessing, copying, or releasing files for non-Environmental Enforcement related offences is strictly prohibited.

7.3 All access to trail camera data (images, sounds, and metadata) must be specifically authorized by the Engineers, and access can be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.

7.4 Files should be securely stored and no longer than useful for purposes for use in an investigation or prosecution. Standard retention period will be 6 months or longer if required for a specific purpose.

7.5 Footage shall be deleted as soon as practicable after a litter fine issued has been paid, or a prosecution has been completed (allowing for the appropriate appeal period). A review of retained footage shall occur at least once a month to delete any footage from the servers that is no longer required to be retained.

8. Supervisory Responsibilities

8.1 Senior Executive Engineer shall ensure that Environmental Inspectors/Technician/Engineers who use the trail camera devices utilize them in accordance with policy and procedures defined herein.

8.2 Supervisor and Engineers will have responsibility for ensuring appropriate retention periods are complied with.

9. Sharing of Trail Camera recordings

Evidence gathered by Environmental Inspectors/Technicians/Engineers on trail camera devices will only be shared or viewed by authorised parties such as the offender of the litter/waste incident, Gardai, the Council's legal adviser or staff within the Environmental Enforcement Section. All access to the data shall be in accordance with the Council's Data Protection policy.

10. Data protection, Access Requests and Complaints

10.1 All staff using Trail cameras will receive general data protection awareness training

10.2 At all times, employees using Trail cameras in the course of their work will take every precaution to ensure incidental personal data of individuals is not captured.

10.3 Any subject access requests or complaints about the use of the trail camera devices should be forwarded immediately to the Council's Data Protection Officer.

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