

**Policy on CCTV Usage within the home**

Updated: February 2020

**Policy Statement**

This policy will outline how our organisation uses CCTV within the nursing home to comply with the Data Protection Act 1998 and the General Data Protection Regulations

* Considering:
  + The CCTV Code Of Practice produced by the Information Commissioner;
  + The Human Rights Act 1998
  + The Regulation Of Investigatory Powers Act 2000;
  + Caldicott Report 1997.

**Scope**

This policy will cover all employees of the company persons providing a service (voluntary or paid) to the organisation, Service Users, visitors and all other persons whose image(s) may be captured by the system at the companies care home premises.

**Policy**

The company will, before deploying any CCTV system, modifying an existing system, or on first introduction of this Policy, conduct a written impact assessment which will include:

* An examination of the effects which the deployment has on the privacy of employees of Banbury Heights Nursing Home, persons providing a service (voluntary or paid) to the organisation, Service Users, visitors and all other persons whose image(s) may be captured by the system
* Who will be using the CCTV images?
* What is the organisation's purpose for using CCTV
* What are the benefits to be gained from its use?
* How Images will be stored and accessed.
* The impact assessment will be written, and stored for future reference, including auditing the system to ensure that it meets the assessed parameters.

**Policy application**

The Registered Provider of the company takes the legal responsibility for the operation and compliance of the CCTV system and resulting data. The nominated individual for any queries regarding the systems use is Charles Taylor.

**Procedure**

**Usage of the Cameras**

Cameras will record images and audio continuously. These cameras as sited slightly differently in each of the homes within the group:

* Banbury heights – Internally in corridor areas of the homes and externally to cover the entrances to the buildings
* Julie Richardson – Internally in the corridors and lounges of the nursing home and externally to cover the front and rear entrances
* Shipston Lodge - Internally in the corridors and lounges of the nursing home and externally to cover the external gardens and entrances to the site.

**Siting the cameras**

All cameras will be located on the ceilings in non-disguised camera housings within Service User, public, and staff view and do not infringe on personal bedrooms, bathrooms or toilets where the majority of personal care is carried out. All CCTV surveillance is to be automatically recorded and any breach of these Codes of Practice will be detected via controlled access to the system and auditing of the system.

Signs will be erected on all entrance points to the Nursing Home premises and doorways to each floor of the site to ensure staff and visitors are aware they are entering an area that is covered by CCTV surveillance equipment. A Notice will be placed on the entrance notice board explaining the use of the CCTV cameras and reference made to this policy, which will be provided upon request.

Use of Covert CCTV (Directed) surveillance will only be considered with consultation with the Police or Local Authority Safeguarding Team, where criminal or abusive acts are suspected.

**Quality of the images**

It is important that the images produced by the equipment are as clear as possible in order that they can identify individuals. The primary use of the system is to investigate safeguarding/ neglect concerns that have been officially raised with ourselves and we will therefore need to adequately identify individuals involved so that appropriate investigations can occur. Upon installation, all equipment has been tested to ensure that private rooms are not visible to protect residents.

The system will consist of cameras recording to a digital recorder that is stored securely.

**Processing the images**

All images are digitally recorded and stored securely within the system's hard drives for up to 90 days, when they are then automatically erased. We are required to keep images for 90 days as it has taken this amount of time for safeguarding concerns to be raised to us in the past and that is the primary reason for the recordings.

Where the images are required for evidential purposes in legal or disciplinary proceedings, an electronic recording will be made and stored securely in a password protected archive until the investigation has been completed. Viewing of images is controlled by the owners of the nursing home and can only be accessed by those given password access.

**Usage of the CCTV images**

These cameras will be used to assist in dealing with any whistleblowing, complaint and safeguarding issues raised witihn the home as a method of investigating the allegations being made. They may also be used to carry out spot audits to check that patients are receiving required levels of support to ensure that patients are not being neglected.

**Access to and disclosure of images to third parties**

It is important that access to, and disclosure of, the images recorded by CCTV and similar surveillance equipment is restricted and carefully controlled. This will ensure that the rights of individuals are preserved, but also to ensure that the continuity of evidence remains intact should the images be required for evidential purposes e.g. a Police enquiry or an investigation being under taken as part of the disciplinary procedure.

Access to the medium on which the images are displayed and recorded is restricted to authorised Nursing Home staff and investigating police officers. Authorisation to access the CCTV images will be as restricted as possible so that the images cannot be misused.

Any external access to CCTV footage will be closely controlled. Where possible we will try to avoid giving out recordings from the CCTV system, as many requests from investigating individuals can be satisfied by just viewing footage in a controlled environment. Access to images will only be granted to third party individuals for investigation of neglect, safeguarding concern or criminal investigations, and not for other purposes.

**Access to images by individuals**

Section 7 of the 1998 Data Protection Act gives any individual the right to request access to CCTV images. Individuals who request access to images must do so in writing to the owners of the nursing home and this will be given due consideration.

A written response will be made to the individual, giving the decision (and if the request has been refused, giving reasons) within 28 days of receipt of the enquiry. When requesting information individuals should be as specific as possible about what information they require, as this will assist us in dealing with any data requests.

**Enforcement / Complaints**

The information Commissioner has the power to issue Enforcement Notices where they consider that there has been a breach of one or more of the Data Protection Principles. An Enforcement Notice would set out the remedial action that the Commissioner requires of the care home to ensure future compliance with the requirements of the Act.

If individuals wish to complain about any aspect of our CCTV policy or usage then these complaints can be made to Charles Taylor on [charles@banburyheightsnursing.co.uk](mailto:charles@banburyheightsnursing.co.uk). If individuals believe that we are not carrying out our duties effectively then the Information Commissioners Office can be contacted, details are available on the website at: www.ico.org.uk

**Auditing of CCTV usage**

The usage and effectiveness of the CCTV system will be audited on an annual basis to ensure that the system is still meeting need and being used appropriately. The Checklist Attached in Appendix 1 will be used for this purpose.

**Attachments - Appendix 1 overleaf – Audit Checklist**

**Appendix 1 overleaf – CCTV notice BH**

**Appendix 2 overleaf – CCTV notice JR and SL**

# Appendix 1

## Checklist for users of limited CCTV systems monitoring small retail and business premises

This CCTV system and the images produced by it are controlled by Charles Taylor

who is responsible for how the system is used and for notifying the Information Commissioner about the CCTV system and its purpose (which is a legal requirement of the Data Protection Act 1998.1

We have considered the need for using CCTV and have decided it is required for the prevention and detection of crime and for protecting the safety of residents, including protecting them from neglect. It will not be used for other purposes. We conduct an annual review of our use of CCTV.

|  |  |  |  |
| --- | --- | --- | --- |
|  | Checked (Date) | By | Date of next review |
| Notification has been submitted to the Information Commissioner and the next renewal date recorded. |  |  |  |
| There is a named individual who is responsible for the operation of the system. |  |  |  |
| The problem we are trying to address has been clearly defined and installing cameras is the best solution. This decision should be reviewed on a regular basis. |  |  |  |
| A system has been chosen which produces clear images which the law enforcement bodies (usually the police) can use to investigate crime and these can easily be taken from the system when required. |  |  |  |
| Cameras have been sited so that they provide clear images. |  |  |  |
| Cameras have been positioned to avoid capturing the images of persons not visiting the premises. |  |  |  |

1Not all small businesses need to notify. Current notification requirements can be found [here](https://ico.org.uk/for-organisations/register/).

|  |  |  |  |
| --- | --- | --- | --- |
| There are visible signs showing that CCTV is in operation. |  |  |  |
| Images from this CCTV system are securely stored, where only a limited number of authorised persons may have access to them. |  |  |  |
| The recorded images will only be retained long enough for any incident to come to light (eg for a theft to be noticed) and the incident to be investigated. |  |  |  |
| Except for law enforcement bodies, images will not be provided to third parties. |  |  |  |
| The potential impact on individuals’ privacy has been identified and taken into account in the use of the system. |  |  |  |
| The organisation knows how to respond to individuals making requests for copies of their own images. If unsure the controller knows to seek advice from the Information Commissioner as soon as such a request is made. |  |  |  |
| Regular checks are carried out to ensure that the system is working properly and produces high quality images. |  |  |  |
| Camera footage has been checked to ensure that it is showing the correct date and time. |  |  |  |

**Please keep this checklist in a safe place until the date of the next review.**



**CCTV Notice Banbury Heights**

**We have taken the decision to utilise CCTV in or nursing home. The CCTV is in operation in the corridor areas of the home and records images and audio, these are kept for 90 days on our system, after which they are automatically deleted.**

**We have taken the decision to utilise CCTV within the building to provide additional protection to our staff and company by allowing more thorough investigation if any allegations of neglect or misconduct are made about the services that we provide. This footage can only be accessed by senior managers within the organisation and can only be used for the investigation of complaints or neglect. All data is automatically deleted after 3 months to protect the privacy of any individuals coming through the home**

**We have a more comprehensive policy on CCTV usage that can be provided upon request if you have any queries about our usage of the CCTV system.**



**CCTV Notice Julie Richardson**

**We have taken the decision to utilise CCTV in or nursing home. The CCTV is in operation in the corridor areas, lounges and external garden and car park areas of the home and records images and audio, these are kept for 90 days on our system, after which they are automatically deleted.**

**We have taken the decision to utilise CCTV within the building to provide additional protection to our staff and company by allowing more thorough investigation if any allegations of neglect or misconduct are made about the services that we provide. This footage can only be accessed by senior managers within the organisation and can only be used for the investigation of complaints or neglect. All data is automatically deleted after 3 months to protect the privacy of any individuals coming through the home**

**We have a more comprehensive policy on CCTV usage that can be provided upon request if you have any queries about our usage of the CCTV system.**



**CCTV Notice Shipston Lodge**

**We have taken the decision to utilise CCTV in or nursing home. The CCTV is in operation in the corridor areas, lounges and external garden and car park areas of the home and records images, these are kept for 90 days on our system, after which they are automatically deleted.**

**We have taken the decision to utilise CCTV within the building to provide additional protection to our staff and company by allowing more thorough investigation if any allegations of neglect or misconduct are made about the services that we provide. This footage can only be accessed by senior managers within the organisation and can only be used for the investigation of complaints or neglect. All data is automatically deleted after 3 months to protect the privacy of any individuals coming through the home**

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