

Canford Heath Group Practice			
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## **1. INTRODUCTION**

- 1.1 This policy and the accompanying procedures explain the purpose, use, and management of the Closed Circuit Television (CCTV) installation at the premises owned by Drs Richardson, Aizpitarte, Jack & McLoughlin
- 1.2 The Practice prioritises the safety and security of all patients, staff and visitors and aims to provide environments that are safe and secure.

## **2. POLICY STATEMENT**

- 2.1 The purpose of the CCTV installation is for:

- The protection of staff, patients, visitors, and the assets of the Canford Heath Group Practice.
- The prevention, investigation and detection of crime and disciplinary offences in accordance with the Practice disciplinary procedures.
- The apprehension and prosecution of offenders (including the use of images/data as evidence in criminal / civil proceedings).
- The monitoring of the security of premises.
- Investigation into a missing or vulnerable person.

- 2.2 The principles of the policy are that:

- Individuals' rights are respected and protected.
- The installations are operated fairly and within the law.
- The CCTV system is operated for the purposes for which it was set up.
- The recorded material/data stored is fairly and lawfully processed.
- The recorded material/data is adequate, relevant and not excessive for the purposes.
- That recorded material/data is accurate, securely stored, and not kept for longer than is necessary.

- 2.3 The aim of this policy is to ensure (so far as is reasonably practicable) that any system installed and operated on its premises complies with regulatory requirements, national standards and codes of practice. The Organisation's Digital Recording systems form part of the overall security management measures aimed at achieving compliance and delivering best practice in the interests of delivering safe services and providing a safe and secure environment.

- 2.4 The Canford Heath Group Practice Health and Safety policy sets out the roles and responsibilities of all staff.
- 2.5 To assist in the provision of safe and secure environments at the Canford Heath Group Practice the use of CCTV is used across its services.

This policy applies to all members of staff employed by Canford Heath Group Practice, locum/bank staff and agency staff, volunteers as well as contractors and any others working on behalf of the Canford Heath Group Practice.

### **3. DEFINITIONS**

#### **3.1 CCTV**

Closed-circuit television (CCTV), also known as video surveillance, is the use of video cameras to transmit a signal to a specific place, on a limited set of monitors. They are primarily for surveillance and security purposes.

#### **GDPR**

General Data Protection Regulations 2016 is a regulation in EU law on data protection and privacy for all individuals within the European Union and the European Economic Area.

#### **Senior Information Risk Owner (SIRO)**

The SIRO is the Senior Partner and they are familiar with information risk and the organisations response to risk. The SIRO takes ownership of the organisation's information governance policy including all information risk and acts on behalf of the Partnership and Practice.

### **4. Purposes of the CCTV system**

- 4.1 In accordance with the legislative requirements the registered purpose of CCTV is for the prevention and detection of crime, the safety and security of public, patients, visitors and staff.
- 4.2 The use of a CCTV system must take into account its effects on individuals and their privacy, with regular reviews to ensure its use remains justified. The CCTV system is not installed for the purposes of recording conversations.

The Canford Heath Group Practice will ensure that CCTV is sited in areas where it is only monitoring for the purposes outlined above and not positioned in areas where it would be considered private e.g. changing rooms and toilets.

- 4.3 The system will be operated in accordance with the requirements and articles of the Human Rights Act 1998 and the GDPR 2016. The system will be operated fairly, within the law, and only for the purposes for which it has been established and are identified within this policy. The operation of the system will also recognise the need for formal authorisation of surveillance as

required by the Regulation of Investigatory Powers Act 2000, in particular part 2 of this Act.

- 4.4 The system will be maintained on behalf of Canford Heath Group Practice by the Melanie Dobson/James Leyland Practice Manager to ensure compliance with the General Data Protection Regulations 2016. The CCTV surveillance system is owned by Canford Heath Group Practice.
- 4.5 The CCTV system includes cameras inside and outside the practice. The system will be operated 24 hours per day, 365 days of the year.
- 4.6 The CCTV installation comprises of fixed cameras, signs, recording and playing equipment and data. Recorded material/data means any material recorded by the installation. It should be noted that all recorded material/data are the property of Canford Heath Group Practice.
- 4.7 Staff, patients and any visitors to Canford Heath Group Practice premises are informed about the use of CCTV.
- 4.8 All release of information will be in accordance with legislative requirements.

A data protection exemption relates to the disclosure of information for the purposes of:

- The prevention, investigation, detection or prosecution of criminal offences.
- The execution of criminal penalties, including the safeguarding against and the prevention of threats to public security.
- A serious or significant nature such as safeguarding or a missing vulnerable person.

#### 4.9 **CCTV footage retention and viewing**

- 4.10 Footage that is not required for the purpose for which the equipment is being use must not be retained in an identifiable form for longer than necessary, in compliance with GDPR principles 5 (Article 5 e)).
- 4.11 In order to ensure compliance with data protection principles the data controller (i.e. Canford Heath Group Practice) and system operators will ensure that footage is not retained for longer than 30 days, unless it is required for evidential purposes in legal or other investigation proceedings.

Footage retained for evidential purposes will be removed from the system and retained in a secure place to which access is controlled. It is important to ensure that access to and security of the images is controlled in accordance with the requirements of the GDPR and for law enforcement purposes (Data Protection Act 2018 – and Law Enforcement Directive 2017).

It should be noted that a full risk assessment will be carried out if footage is retained outside of the 30 day retention period.

Canford Heath Group Practice's standard retention period is 30 days unless the footage is justifiably marked and retained as 'EVIDENCE.'

The Practice Manager must ensure that each site has a stock of blank write once DVD's and the facility for playback if required.

- 4.12 The ability to review recorded and live images at both sites is limited to authorised staff personnel only, namely:

Practice Managers & Senior Partners at the Canford Heath Group Practice  
CCTV maintenance engineers – Secure Alarms.

- 4.13 Once the image retention period has expired, the footage itself is removed or erased.

4.14 **Disclosure of images to third parties**

- 4.15 It is important to ensure that access and disclosure of CCTV footage is restricted or carefully controlled not only to ensure that the rights of individuals are preserved, but also to ensure that the chain of evidence remains intact, should they be required for evidential purposes.

- 4.16 If disclosure is requested for any of the registered purposes in 4.8, Canford Heath Group Practice as the data controller must satisfy themselves that:

- The reason(s) or purposes(s) for the disclosure are compatible with the reason(s) or purpose(s) for which the footage was originally obtained.
- Access is restricted to authorised persons who need to have access in order to achieve the purpose(s) of using the equipment.
- All access to images must be documented.
- Access to images must only be allowed for a lawful purpose and prescribed circumstances and must be authorised by the Practice Manager, with notification sent to the SIRO.

- 4.17 Disclosure as per 4.16 will be considered if the third party is either:

- A law enforcement agency, such as the police, where the images recorded would assist in a specific criminal enquiry, or where the images are to be used to assist law enforcement agencies in the return of patients who take unauthorised leave of absence under the Mental Health Act 1983, or relevant criminal justice legislation.
- Prosecution agencies.
- Relevant legal representatives.

- 4.18 Under chapter 3, Article 23, GDPR 2018 the Data Controller may grant relevant authorities as indicated in 4.17 access to personal CCTV data without the consent of the data subject.

This is not an automatic right of access to information. The data controller can assess the merits of requests and decide whether or not to apply chapter 3 requests.

- 4.19 If footage meets the criteria for release, then the Practice Manager will ensure that it is burned onto a DVD. Two copies will be made (one for the third party and one for Canford Heath Group Practice) and then sent to the Senior Partner who will release it to the requestor.

- 4.20 All requests for disclosure to a third party must be made in writing.

*Please note that this form must be signed off by someone of inspector rank or above if it is being submitted by the Police.*

- 4.21 **Access to images as part of a Subject Access Request (SAR)**

- 4.22 Access to personal data as part of a SAR will be handled by the Canford Heath Group Practice and all such requests must be submitted in writing.

- 4.23 Due to the cost implication of editing footage (to ensure redaction of third party data) the Canford Heath Group Practice will be unable to release CCTV footage as part of a SAR. The requestor will be informed of this in writing within the 30 day time limit by the Canford Heath Group Practice.

- 4.24 A viewing of CCTV footage will be offered instead if within the time limit in an area made private for the purposes of viewing footage.

If the requestor refuses the offer of viewing the footage then the Canford Heath Group Practice may produce a report or transcript of the recording. However this should not be offered instead of viewing.

- 4.25 The Canford Heath Group Practice will ensure a log is kept of all requests and the resulting decision.

- 4.26 All authorised releases of footage will be retained on a log kept by the Practice Manager. This must include the following information:

- Date and time access was requested.
- Date of disclosure.
- Identification of third party.
- Reason for allowing or declining disclosure.
- Extent of information disclosed.

- 4.27 In addition to the right of access, an individual also has the right to ask Canford Heath Group Practice to stop processing personal data where this is likely to cause substantial and unwarranted damage to him or her. Any such requests should be submitted in writing to the Canford Heath Group Practice SIRO.

Upon receipt of such a request THE PRACTICE has 21 days in which to respond with its decision. All decisions should be documented and a record should be kept of all requests and the response to those requests.

## **5. REPORTING**

- 5.1 All requests to access CCTV will be monitored and reported by the Practice Manager.
- 5.2 Spot check audits may be carried out to ensure that erasure of images are being carried out in accordance with this policy.

## **6. ROLES AND RESPONSIBILITIES**

### **6.1 THE PRACTICE**

The Canford Heath Group Practice Partnership has overall accountability for the organisation's ability to meet the policy requirements. Canford Heath Group Practice is the identified Data Controller for all systems operating on its premises and Canford Heath Group Practice act on behalf to process any requests made under this policy. Canford Heath Group Practice is responsible for all cameras, monitors and data collection and retention processes.

### **6.2 Practice Managers**

The Practice Managers are the responsible persons for the management and operation of the system, with nominated individuals given authority to operate the system in strict compliance with this policy. The Practice Manager will ensure that the CCTV equipment performs properly, that images are as clear as possible and that time and date stamps are accurate and checked regularly.

### **6.3 Line Managers**

Line Managers are responsible for ensuring that their staff are aware of and adhere to this policy.

### **6.4 All Staff**

All staff are responsible for ensuring that they are aware of the requirements of this policy and for ensuring that they comply with these on a day to day basis. All staff are accountable under the Office of the Information Commissioner's Code of Conduct.

## **7. TRAINING REQUIREMENTS**

- 7.1 The Practice Manager will receive training on how to utilise the CCTV system.

- 7.2 Canford Heath Group Practice will provide appropriate training for all staff to cover awareness of data protection and information security matters, the CCTV policy and any associated operational procedures.

## **8. MONITORING**

- 8.1 This policy and its operations will be subject to regular reviews and audits, no less than every two years.

## **9. REFERENCES**

General Data Protection Regulations 2016  
The Freedom of Information Act 2000  
Data Protection Act 2018  
The Common Law Duty of Confidentiality  
The NHS Confidentiality Code of Practice  
Human Rights Act 1998  
Regulation of Investigatory Powers Act 2000

## **10. RELATED POLICIES/DOCUMENTS**

Access to Medical Records Policy

## **11. EQUALITY IMPACT ASSESSMENT**

<b>EQUALITY IMPACT ASSESSMENT</b>		
<b>Name of document:</b>	CCTV Policy and Code of Practice	
<b>Equality Impact Assessment completed by:</b>	Practice Manager	
<b>Document Type:</b>	Policy <input checked="" type="checkbox"/>	Guideline <input type="checkbox"/>
<b>Document status:</b>	New/proposed <input type="checkbox"/>	Reviewed <input checked="" type="checkbox"/>
<b>What is the aim of the policy/guideline?</b>	To set out Canford Heath Group Practice's policy surrounding CCTV.	



<b>What is the intended outcome of the policy/guideline?</b>	There is a requirement to have a policy for CCTV systems.	
<b>How will the outcome be measured?</b>	The number of requests will be recorded and monitored by the Practice Manager.	
<b>Who is intended to benefit from the policy/guideline?</b>	All Canford Heath Group Practice staff, service users and others.	
<b>Does the policy/guideline affect one group more or less favourably than another on the basis of the following:</b>	<b>Yes/No or N/A</b>	<b>Comments</b>
Race	No	
Ethnic origins (including gypsies and travellers)	No	
Nationality	No	
Gender	No	
Age	No	
Culture	No	
Religion or belief	No	
Sexual orientation	No	
Disability (including learning disabilities, physical disability, sensory impairment and mental health problems)	No	
	N/A	

<b>If an impact has been identified for any of the groups listed above is there any evidence that they may be affected differently by this policy/guideline?</b>		
<b>Is the impact of the policy/guideline likely to be negative?</b>	No	
<b>If so, can the impact be avoided?</b>	N/A	
<b>Can the impact be reduced by taking different action?</b>	N/A	
<b>What alternatives are available so that the policy/guideline could be achieved without impact?</b>	N/A	
<b>If any potential discrimination has been identified, are the exceptions valid, legal and/or justifiable?</b>	N/A	

## 12. APPENDICES

### Application for access to digitally recorded footage (Law Enforcement Form)

<b><u>Full name of person making the request:</u></b>	
<b><u>Organisation:</u></b>	
<b><u>Address:</u></b>	
<b><u>Telephone number:</u></b>	
<b><u>Email address:</u></b>	

### DETAILS OF CCTV FOOTAGE TO BE VIEWED

<b><u>Date of CCTV footage:</u></b>	
<b><u>Time of CCTV footage:</u></b>	

<b><u>Location of CCTV footage:</u></b>			
<b><u>Reason:</u></b> <b><u>(For Police only)</u></b> Do not simply cite chapter 3 GDPR)			
<b><u>Signed:</u></b>		<b><u>Date:</u></b>	

**The authorising officer must be of the rank of police inspector or higher, or for other 'relevant bodies' a senior officer/manger. We will notify you if we do not hold information or your request for disclosure is refused.**

Completed forms should be returned to:

Canford Heath Group Practice

*THE PRACTICE is committed to the principles defined in the GDPR 2016. As such, information collected in this document will be used only for the purposes described above. We may, however, store the data in manual or electronic form, but only for as long as we are required to do so by law. By submitting this form you consent to these conditions.*

## **APPENDIX 2**

### **Application for access to digitally recorded footage (SAR Form)**

**PLEASE NOTE THAT RECORDED DATA IS ONLY HELD FOR 30 DAYS BEFORE IT IS DELETED**

<b><u>Full name of person making the request:</u></b>	
<b><u>Address:</u></b>	
<b><u>Telephone number:</u></b>	
<b><u>Email address:</u></b>	

### **DETAILS OF CCTV FOOTAGE REQUESTED**

<b><u>Date of CCTV footage:</u></b>	
<b><u>Approximate time of CCTV footage:</u></b>	Start time: Finish time:

<b><u>Location of CCTV footage:</u></b>			
<b><u>Additional details to assist in locating footage required:</u></b>			
<b><u>Please indicate your preference regarding the footage:</u></b> <i><b><u>Tick one box only</u></b></i>	I would like to come into THE PRACTICE to view the footage <input type="checkbox"/>		
	I would like a copy of the footage <input type="checkbox"/>		
<b>Declaration:</b> I declare that the information given to me is correct to the best of my knowledge and that I am entitled to apply for this footage. <i>You are advised that the making of false or misleading statements in order to obtain personal information to which you are not entitled is a criminal offence which could lead to prosecution.</i>			
<b><u>Signed:</u></b>		<b><u>Date:</u></b>	

We will notify you if we do not hold information or your request is refused.

Completed forms should be returned to:

Canford Heath Group Practice

### **APPENDIX 3**

**These forms should only be completed by an authorised member of Canford Heath Group Practice staff.**

- Part 1 should be completed for **ALL** requests.
- Part 2A should be completed for footage that is disclosed.
- Part 3 should be completed for viewing of footage only (this also forms part of the CCTV footage viewing log).

**THE PRACTICE REFERENCE: .....**

#### **PART 1**

<b><u>Requestor name:</u></b>			
<b><u>Requestor organisation (if applicable):</u></b>			
<b><u>Decision made:</u></b>	Request granted	<input type="checkbox"/>	Request denied <input type="checkbox"/>
<b><u>If denied please state why:</u></b>			

<b><u>Form completed by</u></b>			
<b><u>Name:</u></b>		<b><u>Job title:</u></b>	
<b><u>Signed:</u></b>		<b><u>Date:</u></b>	

## PART 2A

<b>Disc no:</b>	
<b>Issued to:</b>	
<b>Date issued:</b>	
<b>Issued by:</b>	
<b>Return date:</b>	

**PART 2B – please send with DVD and covering letter to the recipient.**

<b>I acknowledge receipt of the above disc:</b>	
<b>Organisation and title (if applicable):</b>	
<b>Name:</b>	
<b>Signed:</b>	
<b>Date:</b>	

## PART 3

<b><u>CCTV reviewed on (date):</u></b>	
<b><u>CCTV reviewed by (name and position):</u></b>	
<b><u>Camera number viewed:</u></b>	
<b><u>Time period of footage viewed:</u></b>	
<b><u>Action taken/findings:</u></b>	
<b><u>Name:</u></b>	
<b><u>Signature:</u></b>	

