



THE VALE OF NEATH PRACTICE CCTV/SURVEILLANCE POLICY

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I. Definitions

The terms that appear throughout the policy are subject to the predefined definitions that appear below:

‘The practice’ or ‘practice’ refers to The Vale Of Neath Practice in its capacity as a health care provider, business and its facilities and premises.

‘The DPA’, ‘DPA’, ‘DPA 2018’ or ‘The Act’ refers to the Data Protection Act 2018.

‘The GDPR’ or ‘GDPR’ refers to the General Data Protection Regulation 2016.

‘The FOI Act’ refers to the Freedom of Information Act 2000.

‘CCTV’ means Closed Circuit Television, but refers in this capacity to Surveillance Camera Systems as a whole.

‘SCC’ refers to the Surveillance Camera Commissioner.

‘System Operator’ - person or persons that take a decision to deploy a surveillance camera system, and/or are responsible for defining its purpose, and/or are responsible for the control of the use or processing of images or other information obtained by virtue of such system.

‘System User’ – person or persons who may be employed or contracted by the system operator who have access to live or recorded images or other information obtained by virtue of such system.

II. Introduction

This template has been created to be adopted by the practice with assistance from the NHS Wales Informatics Services’ DPO Support Service. CCTV Surveillance can be an effective tool in helping provide a safe and secure environment for the practice to operate within.

The purpose of this policy is to ensure that the Practice’s CCTV operations comply with the law and the scope and responsibilities for the systems are clearly defined.

This use of CCTV in safeguarding people and property is an essential and valuable tool. The use of CCTV across the practice property is established and systems are in place in a number of locations. In seeking to use CCTV systems, the practice is required both by law and in good practice to have appropriate policies that govern the need for, as well as the installation, and monitoring of, CCTV.

This policy governs the installation and operation of CCTV cameras and systems by the practice or on practice premises. If at any time mobile cameras are employed, their use will also be governed by this policy.

The policy applies to all practice employees and all employees of any contracted services. It also applies to all other person on Practice property. It is issued in compliance with the 12 Principles as stated in the Surveillance Camera Code of Practice.

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III. The Policy

The key principle for this Policy is to ensure that any and all CCTV/Surveillance system used on Practice premises must be operated with due regard for the privacy of the individual and the Practices legal obligations, particularly under the Data Protection Act 2018 and the General Data Protection Regulation 2016.

Purpose of the policy

The Practice uses CCTV for the following purposes:

- To detect, prevent or reduce the incidence of crime and support the apprehension and prosecution of offenders.
- To prevent and respond effectively to all forms of harassment and disorder on Practice property.
- To reduce the fear of crime.
- To create a safer staff and patient community and environment.
- To gather evidence by a fair and accountable method.
- To provide emergency services assistance.
- To assist with Health and Safety.
- To support insurance claims.
- To protect the physical environment.
- To investigate complaints and disciplinary issues, only as part of a formal complaint investigation.

The use of CCTV for any other purpose must be approved by the Practice Manager/Senior Partner.

Installation

Before installing a CCTV system or camera, the Practice should conduct a Data Privacy Impact Assessment (DPIA) to assess the impact and risks associated with installing the new system and its impact on the rights and freedoms of any individual who may be affected by the new system.

This DPIA should then be used to decide whether or not the Practice proceeds with the installation of the CCTV system or camera and a documented record of this decision process should be kept by the Practice.

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Signage

Signs must be clearly and appropriately displayed within the area of the CCTV cameras indicating both:

- The presence of monitoring and recording systems and,
- The ownership of the system.

Audio Recording

Any camera with the ability to make audio recordings will normally have this facility switched off.

Covert Surveillance

Any covert surveillance must be authorised in advance and in writing by the Senior Partner or their nominee. Covert surveillance may only be used if all of the following criteria are met:

- Its use is part of a specific investigation.
- There are ground for suspecting criminal activity or equivalent malpractice.
- The use of CCTV is the only reasonable way to investigate the matter.
- Informing people about the monitoring would impede the effectiveness of the monitoring.
- The cameras are not located in 'private areas' such as toilets or individual offices (except in the case of a suspected serious crime with the intention of involving the police).
- The covert surveillance must cease as soon as the investigation is complete.

Access to CCTV materials

Live footage must only be monitored in a self-contained and secure area. Remote access to live images must be approved in advance by the Practice Manager/Senior Partner. Storage devices for CCTV images must have a physical and electronic security arrangements in place.

Only designated staff and their management shall have direct access to live or recorded CCTV footage. Other requests to access CCTV footage, including from the subject of the image, should be dealt with in line with the Practices policies and procedures and in compliance with Data Protection legislation, including:

<https://www.valeofneathgps.org/website/W98046/files/The%20Vale%20of%20Neath%20Information%20Governance%20Policy%202022.pdf>

<https://www.valeofneathgps.org/info.aspx?p=20>

https://www.valeofneathgps.org/website/W98046/files/SKM_C30818082808250.pdf

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There must be a clear audit trail to show who has accessed recorded footage and why. Recorded data may not be copied, sold or otherwise release or used for commercial purposes, or for the provision of entertainment.

Staff Training

The nominated officer, designated staff and anyone else with access to a CCTV room or CCTV recordings, must receive appropriate training in the operation of the system, the legal requirements associated with it, and any relevant procedures and policies.

Systems Maintenance

An appropriate maintenance programme must be established and implemented for all CCTV systems. This must include arrangements for prompt fault identification and repair.

Retention and Disposal of Record Materials

CCTV recordings and other materials produced from CCTV systems shall be retained for a minimum of 14 days and kept as long as is required to meet operational, business and legal needs, as set out in the Practices Records Retention Schedule. If an incident is recorded that could give rise to claims against the Practice, the recordings must be kept for a period of 6 years from the date of the recording.

Footage that has been requested for any other reason must be kept for a minimum of six months from the closure of the case. Unused Hard Drives and other media storage devices must be destroyed securely as confidential waste.

Practice Manager Name: Mr Alex Davies

Practice Manager Signature: *A.W. Davies*

Date: 22nd September 2022