

# Cedar Lodge CCTV Policy

## 1. Policy Statement

- 1.1. This policy sets out the use and management of the CCTV equipment and images in compliance with the UK GDPR, the Data Protection Act 2018, the Protection of Freedoms Act 2012, and the Human Rights Act 1998. This policy has also been informed by the linked Information Commissioner's Office (ICO) guidance on video surveillance, CCTV and data protection and the Home Office's Surveillance Camera Code of Practice.
- 1.2. The CCTV system will have an affiliated Data Protection Impact Assessment (DPIA), which must be put in place before a new system is implemented and will be reviewed annually. The DPIA will consider how individuals' privacy may be adversely impacted by Cedar Lodge's CCTV system, what alternatives could be used and what measures should be put in place to mitigate adverse impacts on privacy.
- 1.3. Cedar Lodge will comply with any applicable ICO requirements, including payment of the Data Protection Fee and maintaining appropriate records of processing activities.

## 2. Scope of the Policy

- 2.1. This policy applies to all staff of Cedar Lodge who manage the implementation of CCTV systems, oversee the operational maintenance and maintenance contracts for CCTV and anyone operating CCTV systems either on an active day-by-day basis or purely for the purposes of reviewing and retrieving recorded activity, on those CCTV systems
- 2.2. This policy applies to external suppliers who supply, maintain, operate and remove CCTV systems on behalf of Cedar Lodge acting as a 'Data Processor'.
- 2.3. It will cover all the Cedar Lodge site. No CCTV footage will capture images of private property beyond the Cedar Lodge site.

- 2.4. This policy will cover Cedar Lodge's use of Overt CCTV.
- 2.5. Cedar Lodge's CCTV facility records images only. There is no audio recording i.e. conversations are not recorded on CCTV.
- 2.6. The Home does not use General Covert CCTV.
- 2.7. The Home does not use unmanned aerial systems, automatic number plate recognition, body worn video, biometric characteristic recognition or facial recognition.
- 2.8. Directed Covert CCTV may be deemed necessary in rare circumstances. For Cedar Lodge's specific procedure in relation to Directed Covert CCTV, please refer to section 9 of this policy.

### 3. Responsibility

- 3.1. The Registered Manager has overall responsibility to ensure compliance across the Home with this policy and legislation relating to CCTV.
- 3.2. The Data Security and Protection Lead is responsible for the implementation, maintenance and dissemination of this policy. Cedar Lodge's Data Security and Protection Lead is **James Hunt**. His contact details can be found at the bottom of this policy.
- 3.3. Managers and operational staff are responsible for ensuring they and their colleagues comply with this policy in the day-to-day execution of their roles, ensuring the requirements of this policy are explained and complied with by suppliers and contractors.
- 3.4. Suppliers and contractors must also comply with the current Data Protection legislation where they are implementing, operating or managing CCTV systems on behalf of the Home. The terms of this policy, where appropriate, should be translated into the supplier contracts and our requirements, ensuring they're aware of their obligations under the legislation and specifying them as a Data Processor. This must include the ability to evidence their compliance and allow for auditing of their legal compliance.
- 3.5. Any complaints about Cedar Lodge's CCTV system can be directed to Cedar Lodge's Data Security and Protection Lead **James Hunt**. His contact details can be found in section 8.8 of this policy.

## **4. Purposes of CCTV**

- 4.1. The purposes of installing and using CCTV systems at Cedar Lodge are each in pursuit of a legitimate aim and to meet a pressing need. These purposes include:
  - 4.1.1. prevention and detection of fire and fire-related risks.
  - 4.1.2. the interests of public and employee health and safety.
  - 4.1.3. the interests of resident health and safety.
  - 4.1.4. to assist in the prevention or detection of crime or equivalent malpractice.
  - 4.1.5. to monitor the security of the Cedar Lodge premises.
  - 4.1.6. to protect Cedar Lodge's property and assets.
  - 4.1.7. to ensure that health and safety rules and company procedures are being complied with.
  - 4.1.8. to assist with the identification of unauthorised actions or unsafe working practices that might result in disciplinary proceedings being instituted against employees and to assist in providing relevant evidence.

## **5. Location of cameras**

- 5.1. Cameras are located at strategic points throughout Cedar Lodge Care Home. They have been sited so that they provide clear images and are confined to areas deemed of risk, and of where expectations of privacy are low – for instance corridors, communal areas. CCTV cameras have been situated so they are not easily accessible to mitigate the risk of tampering.
- 5.2. Cedar Lodge has positioned the cameras so that they only cover communal or public areas in the care home. No camera focuses, or will focus, on personal care areas such as toilets, bathroom facilities and private bedrooms.
- 5.3. All cameras (with the exception of any that may be temporarily set up for covert recording) are also clearly visible.
- 5.4. Appropriate signs are prominently displayed at all entrance points to the premises and throughout the site so that employees, clients, customers and other visitors are aware they are entering an area covered by CCTV. Anyone entering Cedar Lodge Care Home is,

by virtue of the appropriate signage displayed, aware that their image will be captured.

- 5.5. The CCTV system will have signage defining who is operating the CCTV system (including a contact point for access to information and complaints) together with the listed purpose(s) for the CCTV system.

## **6. Recording and retention of images**

- 6.1. Images produced by the CCTV equipment are intended to be as clear as possible so that they are effective for the purposes set out in section 4 of this policy.
- 6.2. All camera installations and service contracts should be undertaken by the home's regular electrician or any of his delegates. Upon installation all equipment is tested to ensure that only designated areas are monitored and high-quality pictures are available in live and play back mode.
- 6.3. All CCTV equipment should be serviced and maintained as and when required.
- 6.4. Images may be recorded either in constant real-time (24 hours a day throughout the year), or only at certain times, as the needs of the business dictate.
- 6.5. As the recording system records digital images, any CCTV images that are held on the hard drive of a PC or server are deleted and overwritten on a recycling basis and, in any event, are not held for more than one month. Once a hard drive has reached the end of its use, it will be erased prior to disposal.
- 6.6. Images that are stored on, or transferred on to, removable media such as CDs are erased or destroyed once the purpose of the recording is no longer relevant. In normal circumstances, this will be a period of one month, However, where a law enforcement agency is investigating a crime, images may need to be retained for a longer period.

## **7. Access to and disclosure of images**

- 7.1. Access to, and disclosure of, images recorded on CCTV is restricted. This ensures that the rights of individuals are retained.
- 7.2. Images can only be disclosed in accordance with the purposes for which they were originally collected.
- 7.3. The images that are filmed are recorded centrally and held in a secure location in the Manager's office. Access to recorded images is restricted to the operators of the CCTV system and to staff who are authorised to view them in accordance with the purposes of the CCTV system.
- 7.4. Livestream of CCTV footage and the viewing of recorded images will take place in the Manager's Office. The office is restricted to authorised personnel and secured by a locked door. If media on which images are recorded are removed for viewing purposes, this will be documented in the CCTV folder.
- 7.5. Disclosure of images to other third parties will only be made in accordance with the purposes for which the system is used and will be limited to:
  - 7.5.1. The police and other law enforcement agencies, where the images recorded could assist in the prevention or detection of a crime or the identification and prosecution of an offender or the identification of a victim or witness.
  - 7.5.2. Prosecution agencies.
  - 7.5.3. Relevant legal representatives.
  - 7.5.4. Managers involved with Company disciplinary and performance management processes.
  - 7.5.5. Individuals whose images have been recorded and retained (unless disclosure would prejudice the prevention or detection of crime or the apprehension or prosecution of offenders).
- 7.6. The Directors of the Company are the only people who are permitted to authorise disclosure of images to external third parties such as law enforcement agencies.
- 7.7. All requests for disclosure and access to images will be documented, including the date of the disclosure, to whom the images have been provided and the reasons why they are required. If disclosure is denied, the reason will be recorded.

## **8. Individuals' access rights**

- 8.1. Individuals may request a copy of their personal data free of charge. Cedar Lodge may charge a reasonable fee where requests are manifestly unfounded, excessive or for additional copies in accordance with UK GDPR.
- 8.2. If you wish to access any CCTV images relating to you, you must make a written request to Cedar Lodge's Data Security and Protection Lead.
- 8.3. Your request must include the date and approximate time when the images were recorded and the location of the particular CCTV camera, so that the images can be easily located and your identity can be established as the person in the images.
- 8.4. Cedar Lodge will respond without undue delay and in any event within 1 calendar month of receipt of a valid request. Where permitted by law, this period may be extended by up to a further two months, in which case individuals will be informed of the reason for the extension.
- 8.5. Cedar Lodge will always check the identity of the individual making the request before disclosing any data.
- 8.6. The Data Security and Protection Lead will first determine whether disclosure of your images will reveal third party information, as you have no right to access CCTV images relating to other people. In this case, the images of third parties may need to be obscured if it would otherwise involve an unfair intrusion into their privacy.
- 8.7. If Cedar Lodge is unable to comply with your request because access could prejudice the prevention or detection of crime or the apprehension or prosecution of offenders, you will be advised accordingly.
- 8.8. The contact details for Cedar Lodge's Data Security and Protection Lead are as follows:-

James Hunt  
01386 446 871  
info@cedarlodgecarehome.com

## **9. Directed Covert CCTV**

- 9.1.1. Directed Covert CCTV is when a camera is secretly put in place and hidden from view. There are no signs displayed to inform residents, employees or the public that cameras are in operation, so as not to prejudice the purpose of the camera installation. It is usually carried out in response to a serious or ongoing problem of criminal or anti-social behaviour activity.
- 9.2. The Company will only undertake directed covert recording in exceptional circumstances with the written authorisation of a Director, where there are reasonable grounds to suspect criminal activity, serious misconduct, abuse, neglect or safeguarding concerns and where informing the individuals concerned that the recording is taking place would seriously prejudice the prevention or detection of that activity. Prior to implementation, a documented Data Protection Impact Assessment (DPIA) must be completed.
- 9.3. Directed covert monitoring may include both video and audio recording.
- 9.4. Any use of directed covert monitoring will be necessary, proportionate, targeted time-limited and subject to regular review.
- 9.5. Surveillance will cease immediately once the purpose for which it was authorised has been achieved or is no longer justified.
- 9.6. Information obtained through directed covert monitoring will only be used for the prevention or detection of criminal activity, serious misconduct, abuse, neglect or safeguarding concerns. All other information collected in the course of directed covert monitoring will be deleted or destroyed unless it reveals information which the Company cannot reasonably be expected to ignore.

## **10. Training**

- 10.1. The Company will ensure that all employees handling CCTV images or recordings are trained in the operation and administration of the CCTV system and on the impact of the data protection legislation in force with regard to that system.