Closed Circuit Television Monitoring Policy

<table>
<thead>
<tr>
<th>Version</th>
<th>Review date</th>
<th>Edited by</th>
<th>Approved by</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>25.6.19</td>
<td></td>
<td>Issue date 28.6.18</td>
<td></td>
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<tr>
<td></td>
<td>25.6.22</td>
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</tbody>
</table>
Our Mission
Harborne Medical continually strives to provide excellent patient care. Our Mission Statement is: “Best Care, Best Place, Best Time”

We achieve this by having great leadership and skilled medical, nursing and administrative staff. We monitor our care to ensure this is of the highest quality and ask for feedback from our patients and staff so we know how this is received.

Values
Our values, as set out below are integral to everything we do:
Aiming for the highest – “Best Care, Best Place, Best Time”
Honest and Trustworthy – “Building high quality relationships”
Empathic – “Putting yourself in the other person’s shoes”
Fair and Ethical – “Doing the right thing”
Compassionate and Caring – “Kindness in all that we do”
Courageous – “Having the strength of our convictions”

Learning and Working Together – “Let’s work it out”

1. Introduction

1.1 Policy statement

The safety and security of staff, patients, contractors and visitors at Harborne Medical is of paramount importance. To support the management team in maintaining a safe and secure environment, a Closed Circuit Television system (CCTV) is used within the practice, both internally in communal areas and externally. This system has been installed and is used in accordance with the extant legislation referenced throughout this policy.

1.2 Status

The practice aims to design and implement policies and procedures that meet the diverse needs of our service and workforce, ensuring that none are placed at a disadvantage over others, in accordance with the Equality Act 2010. Consideration has been given to the impact this policy might have in regard to the individual protected characteristics of those to whom it applies.

This document and any procedures contained within it are non-contractual and may be modified or withdrawn at any time. For the avoidance of doubt, it does not form part of staff contracts of employment.

1.3 Training and support

The practice will provide guidance and support to help those to whom it applies understand their rights and responsibilities under this policy.
Additional support will be provided to managers where required to enable them to deal more effectively with matters arising from this policy.

2 Scope

2.1 Who it applies to

This document applies to all employees and users of the practice. Other individuals performing functions in relation to the practice, such as agency workers, locums and contractors, are encouraged to use it.

2.2 Why and how it applies to them

This document has been produced to provide all staff and patients at Harborne Medical with the necessary level of information regarding the rationale for the use of CCTV systems in general practice and how to respond to patients who make enquiries as to the use of such systems, whilst also explaining how to respond to access requests for data generated by CCTV systems.

3 Definition of terms

3.1 Closed Circuit Television (CCTV)

CCTV (also referred to as “surveillance camera system”) is a system used for the recording and viewing of visual images for surveillance purposes.

3.2 Undirected surveillance

The gathering of images and information which is not targeted at any one individual.

3.3 General Data Protection Regulation (GDPR)

A legal framework that sets guidelines for the collection and processing of personal information of individuals within the EU. The GDPR comes into effect on 25th May 2018.

3.4 Surveillance Camera Code of Practice 2013

The code details twelve guiding principles, which strike a balance between protecting the public and upholding civil liberties, as follows:\(^1\)

\(^1\) Surveillance Camera Code of Practice 2013
1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.

2. The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.

3. There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.

4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.

5. Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.

6. No more information and images should be stored than are strictly necessary for the stated purpose of a surveillance camera system, and such information and images should be deleted once their purposes have been discharged.

7. Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement reasons.

8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose, and work to meet and maintain those standards.

9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.

10. There should be effective review and audit mechanisms to ensure that legal requirements, policies and standards are complied with in practice, and regular reports should be published.

11. When a surveillance camera system is used in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the objective of processing images and information of evidential value.
12. Any information used to support a surveillance camera system which is compared against a reference database for matching purposes should be accurate and kept up to date.

4 Code of practice and the GDPR

4.1 Complying with the GDPR

With effect from 25 May 2018, Harborne Medical will ensure compliance with the GDPR and that personal data will be:

- Processed lawfully, fairly and in a transparent manner in relation to the data subject (“lawfulness, fairness and transparency”)

- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes

- Adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed

- Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the purposes for which it is processed, is erased or rectified without delay

- Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed

- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures

5 Use of CCTV

5.1 Purpose

The purpose of CCTV at Harborne Medical is to:

- Protect the safety, security and well-being of staff, patients, visitors and contractors

- Prevent and detect crime within the practice, and may be used to support the prosecution of offenders
Facilitate learning through reflection as a result of incidents occurring within the monitored areas.

CCTV will not be used for any purpose other than those specified above.

5.2 Location

CCTV cameras are positioned in the following locations:

- 10 external locations
- 3 internal locations

All cameras are overtly positioned and do not impede on any clinical areas within the practice. Appropriate signage is positioned throughout the practice in the following locations:

- 3 external locations
- 2 internal locations

5.3 Retention of images and information

A proportionate approach is used to inform retention periods; however, images and information acquired from the surveillance system at Harborne Medical will not be kept for longer than is necessary. There may, however, be occasions where it is necessary to retain images for a longer period, i.e. when a crime is being investigated and this will be based on the circumstances and decision taken by the Business Manager and Data Controller.

The agreed retention period for CCTV images at Harborne Medical is 4 weeks. All information is saved on the Harborne Medical encrypted hard drive.

5.4 Accessing live and retained images

Access to live or retained images is restricted to the following Harborne Medical staff:

- All Partners - live
- Dr Rory Meade, Data Controller – live and stored
- Lilian Sayers, Business Manager - live and stored
- Leigh-Ann Coggins, Team Leader - live and stored (following BM / Data Controller permission)
- Natalie Hatfield, Team Leader - live and stored (following BM / Data Controller permission)

Permission to access stored images will be sought from Dr Rory Meade or Lilian Sayers by the Team Leaders before accessing.

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2 Surveillance Camera Code of Practice – Principle 6
There may be, on occasion, requests by data subjects (individuals) to access images and information that is held about them. In accordance with the GDPR, all data subjects have a right to access their data and any supplementary information held by Harborne Medical. Data subjects have a right to receive:

- Confirmation that their data is being processed
- Access to their personal data
- Access to any other supplementary information held about them

The purpose for granting access to data subjects is to enable them to verify the lawfulness of the processing of data held about them.

When a request to access images and information is received, the data subject is to be advised to complete the practice’s subject access request form (SAR). As of 25th May 2018, no fee can be charged for processing such requests. Data controllers must respond to all data subject access requests within one month of receiving the request.

**Third-party requests for access to images and information**

Requests may be received from third parties to access images and information. Such instances include requests from solicitors to support either a claimant or defendant where a crime has been alleged. The Data Controller must be able to satisfy themselves that the person requesting the data has the authority of the data subject. The responsibility for providing the required authority rests with the third party and is usually in the form of a written statement or consent form, signed by the data subject.

5.5 **Disposal of images and information**

As stated in paragraph 5.3, images and information are stored for Harborne Medical, after which they are deleted. The deletion process is automatic.

5.6 **Complaints**

Should a patient, visitor or contractor have cause to complain about the practice CCTV system, the Data Controller should be contacted. Patients, visitors and contractors are to be advised that complaints will be processed in accordance with Harborne Medical’s complaints policy.

5.7 **Access requests**

The template at Annex A is to be used to record all access requests to the CCTV system.
5.8 Access request outcome
The template at Annex B is to be used to record the outcome from all access requests.

5.9 Audit
Audits will be undertaken annually. The template at Annex C is to be used to audit the CCTV system at Harborne Medical.

6 Summary

CCTV systems are valuable tools which enhance the safety and well-being of services users at Harborne Medical and are an increasingly common sight in GP practices. With the introduction of the GDPR in May 2018, it is essential that the use of such systems and the staff who use them are compliant with the Regulation as well as complying with the Surveillance Camera Code of Practice 2013.
Harborne Medical

Annex A – Access register

Harborne Medical                    Data controller: Dr Rory Meade
CCTV system access register              Date:

Data Protection Act - Application for CCTV Data Access

_ALL Sections must be fully completed._
Attach a separate sheet if needed.

<table>
<thead>
<tr>
<th>Name and address of Applicant</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name and address of “Data Subject” – i.e. the person whose image is recorded</td>
<td></td>
</tr>
<tr>
<td>If the data subject is not the person making the application, please obtain a signed consent from the data subject opposite</td>
<td>Data Subject signature………………………………</td>
</tr>
<tr>
<td>If it is not possible to obtain the signature of the data subject, please state the reasons</td>
<td></td>
</tr>
<tr>
<td>Please state the reasons for requesting the image</td>
<td></td>
</tr>
<tr>
<td>Date on which the requested image was taken</td>
<td></td>
</tr>
<tr>
<td>Time at which the requested image was taken</td>
<td></td>
</tr>
<tr>
<td>Location of the data subject at time image was taken (i.e. which camera or cameras)</td>
<td></td>
</tr>
<tr>
<td>Full description of the individual, or alternatively, attach to this application a range of photographs to enable the data subject to be identified by the operator</td>
<td></td>
</tr>
<tr>
<td>Please indicate whether you (the applicant) will be satisfied by viewing the image only. If no, give reasons why</td>
<td></td>
</tr>
</tbody>
</table>
A response will be provided as soon as possible and in any event within 30 days.

The Practice may charge a reasonable fee to provide the footage if the request to see a copy of your personal information is deemed unfounded or excessive.

<table>
<thead>
<tr>
<th>PRACTICE USE ONLY</th>
<th>PRACTICE USE ONLY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access granted (tick)</td>
<td></td>
</tr>
<tr>
<td>Access <strong>not</strong> granted (tick)</td>
<td>Reason for not granting access:</td>
</tr>
<tr>
<td>Data Controller's name:</td>
<td></td>
</tr>
<tr>
<td>Signature:</td>
<td></td>
</tr>
<tr>
<td>Date:</td>
<td></td>
</tr>
</tbody>
</table>
# Annex B – Access request outcome

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Reason for access</th>
<th>Outcome</th>
<th>Individual</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.19</td>
<td>14:30</td>
<td>Deletion of images in accordance with practice policy</td>
<td>All images deleted successfully</td>
<td>L Sayers (Business Manager)</td>
</tr>
<tr>
<td>21.3.19</td>
<td>12:30</td>
<td>SAR request</td>
<td>Granted</td>
<td>R Meade</td>
</tr>
</tbody>
</table>
## Annex C – CCTV system audit

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the appropriate signage displayed throughout the practice, advising individuals that CCTV surveillance is taking place?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do the signs include who is responsible for operating the system and who to contact for further information?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the system fit for purpose, i.e. does it capture quality images?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are all clinical areas excluded from CCTV surveillance?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the system require regular maintenance or calibration? If so, is there an appropriate contract in place to facilitate this?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are images stored using encryption?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is access restricted to the information and images which are collected?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is there a subject access request form available for individuals and third parties to use to request access to images and information?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Who can access images and information?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is 4 weeks retention period complied with? Comments / observations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the disposal process complied with? Comments / observations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the practice have a CCTV or surveillance policy?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the policy reflect the GDPR (effective from 25&lt;sup&gt;th&lt;/sup&gt; May 2018)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are staff aware of the practice policy and how to deal with requests and complaints?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All key staff are aware of and comply with the policy?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is the CCTV system included on the practice asset register?</td>
<td></td>
<td></td>
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<tr>
<td>Is there a log to record access and disposal?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>What training have staff received in relation to the use of the CCTV surveillance system?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional comments:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Signed:**

**Name:**