



CCTV POLICY

Introduction

Closed circuit television (CCTV) is installed at the Practice premises for the purpose of staff, patient and premises security. The CCTV system is regularly serviced and maintained. Cameras are located at various places on the premises, and images from the cameras are recorded. The CCTV camera behind the reception desk also has an audio facility.

The use of CCTV falls within the scope of the General Data Protection Regulation (GDPR) of May 2018. Signs are displayed prominently to inform individuals that CCTV is in use and a copy of this policy is on the Practice website.

In order to comply with the requirements of GDPR data must be:

- Fairly, lawfully and transparently processed
- Processed for limited purposes and not in any manner incompatible with those purposes
- Adequate, relevant and not excessive
- Accurate
- Not kept for longer than is necessary
- Processed in accordance with individuals' rights
- Secure
- Accountable

Data Protection Statement

1. The Practice Partners are the Data Controllers in accordance with the GDPR regulation.
2. CCTV is installed for the purpose of staff, patient and premises security.
3. Access to stored images will be controlled on a restricted basis within the practice.
4. Use of images, including the provision of images to a third party, will be in accordance with the practice's Data Protection registration.
5. CCTV may be used to monitor the movements and activities of staff and visitors whilst on the premises.
6. CCTV images may be used where appropriate as part of staff counselling or disciplinary procedures.
7. Signs are displayed on the premises stating the presence of CCTV, and indicating the names of the Data Controllers and a contact number during office hours for enquiries.



Retention of Images

In order to ensure compliance with data protection principles the data controllers (Practice Partners) 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.

Access to Images

It is important that access to, and disclosure of, images recorded by CCTV and similar surveillance equipment is restricted and 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 the images be required for evidential purposes.

Access to Images by Practice Staff

Access to recorded images is restricted to the Data Controllers, who will decide whether to allow requests for access by data subjects and/or third parties (see below).

Viewing of images must be documented as follows:

- The name of the person removing from secure storage, or otherwise accessing, the recordings
- The date and time of removal of the recordings
- The name(s) of the person(s) viewing the images (including the names and organisations of any third parties)
- The reason for the viewing
- The outcome, if any, of the viewing

Removal of Images for Use in Legal Proceedings

In cases where recordings are removed from secure storage for use in legal proceedings, the following must be documented:



- The name of the person removing from secure storage, or otherwise accessing, the recordings
- The date and time of removal of the recordings
- The reason for removal
- Specific authorisation of removal and provision to a third party
- Any crime incident number to which the images may be relevant
- The place to which the recordings will be taken
- The signature of the collecting police officer, where appropriate

Access to Images by Third Parties

Requests for access to images will be made using the 'Application to access to CCTV images' form (which is at **Appendix 1**).

The Data Controller will assess applications and decide whether the requested access will be permitted. Release will be specifically authorised. Disclosure of recorded images to third parties will only be made in limited and prescribed circumstances. For example, in cases of the prevention and detection of crime, disclosure to third parties will be limited to the following:

- Law enforcement agencies where the images recorded would assist in a specific criminal enquiry
- Prosecution agencies
- Relevant legal representatives
- People whose images have been recorded and retained (unless disclosure to the individual would prejudice criminal enquiries or criminal proceedings)

All requests for access or for disclosure should be recorded. If access or disclosure is denied, the reason should be documented as above.

Access by Data Subjects

This is a right of access is provided by the Data Protection Act 2018. Requests for access to images will be made using the 'Application to access to CCTV images' form (which is at **Appendix 1**). The requestor needs to provide enough information so that they can be identified in the footage, such as a specific date and time, proof of their identity and a description of themselves. Any footage provided may be edited to protect the identities of any other people.

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



Procedures for Dealing with an Access Request

All requests for access by Data Subjects will be dealt with by the Practice Manager. The Data Controller will locate the images requested. The Data Controller will determine whether disclosure to the data subject would entail disclosing images of third parties.

The Data Controller will need to determine whether the images of third parties are held under a duty of confidence. In all circumstances the Practice's indemnity insurers will be asked to advise on the desirability of releasing any information.

If third party images are not to be disclosed, the Data Controllers will arrange for the third party images to be disguised or blurred. If the CCTV system does not have the facilities to carry out that type of editing, an editing company may need to be used to carry it out. If an editing company is used, then the Data Controller must ensure that there is a contractual relationship between them and the editing company, and:

- That the editing company has given appropriate guarantees regarding the security measures they take in relation to the images
- The written contract makes it explicit that the editing company can only use the images in accordance with the instructions of the Data Controllers
- The written contract makes the security guarantees provided by the editing company explicit

The Practice Manager will provide a written response to the data subject within **40** days of receiving the request setting out the Data Controllers' decision on the request.

A copy of the request and response should be retained.

Complaints

Complaints must be in writing, and addressed to the Practice Manager. Where the complainant is a third party, and the complaint or enquiry relates to someone else, the written consent of the patient or data subject is required. All complaints will be acknowledged within three days and your complaint investigated within 10 days.



Appendix 1 Data Protection Act - Application for CCTV Data Access

ALL Sections must be fully completed.

Attach a separate sheet if needed.

Name and address of Applicant	
Name and address of "Data Subject" – i.e. the person whose image is recorded	
If the data subject is not the person making the application, please obtain a signed consent from the data subject opposite	Data Subject signature.....
If it is not possible to obtain the signature of the data subject, please state your reasons	
Please state your reasons for requesting the image	
Date on which the requested image was taken	
Time at which the requested image was taken	
Location of the data subject at time image was taken (i.e. which camera or cameras)	
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	
Please indicate whether you (the applicant) will be satisfied by viewing the image only	



Headcorn Surgery

Date of next review: February 2022

A response will be provided as soon as possible and in any event within 40 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.

PRACTICE USE ONLY	PRACTICE USE ONLY
Access granted (tick)	
Access not granted (tick)	Reason for not granting access:
Data Controller's name: Signature: Date:	