

**Title of Policy:-**

**Use of CCTV**

**The Village Residence**

<b>Document reference number</b>		<b>Document developed by</b>	<b>Person in charge</b>
<b>Revision number</b>	2	<b>Document approved by</b>	<b>Louth Older Person's services</b>
<b>Approval date</b>		<b>Responsibility for implementation</b>	<b>Assistant Director of Nursing All clinical Nurse Managers All staff</b>
<b>Revision date</b>		<b>Responsibility for review and audit</b>	<b>Person in charge</b>

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## **1.0 Policy Statement**

The aim of this policy is to standardise the use of Closed Circuit Television (CCTV) and associated technology in the monitoring of external and internal environments of The Village Residence and The Village St Mary's.

## **2.0 Purpose**

CCTV monitoring systems are installed externally and internally in some areas of The Village Residence for the purpose of enhancing security of the building and its associated equipment as well as creating a mindfulness that a surveillance security system is in operation externally during the daylight and night hours each day.

The main purpose of CCTV is

- To ensure the safety and well being of all residents, visitors and staff at all times.
- To assist staff in identifying individuals calling to the centre.
- To provide security

## **3.0 Scope**

This policy is applicable to all residents, visitors, and staff in The Village Residence and The Village St Mary's and relates to the location and use of CCTV, the monitoring, recording and subsequent use of such recorded material.

## **4.0 Legislation and other related policies**

This policy was developed with due regard to the

- National Standards for Residential Care Settings for Older Person's
- HSE Dignity @ Work policy
- Dealing with Complaints
- It has been developed in accordance with the General Data Protection Regulation (GDPR) 2016 - which came into effect on the 25th May 2018
- Data Protection Acts, 1988 to 2018.

## **5.0 Glossary of Terms and Definitions**

## Glossary of Terms

PIC – Person in Charge

CNM – Clinical Nurse Manager

CCTV – Closed Circuit Television

## Definitions

CCTV – Closed Circuit television is the use of video cameras to transmit a signal to a specific place, on a limited set of monitors. These images may then be recorded on video tapes or DVD or other digital recording mechanism.

The Data Protection Acts – The Data Protection Acts confer rights on individuals as well as responsibilities on those persons handling, processing, managing and controlling personal data.

## **6.0 Roles and Responsibilities**

All staff working within The Village Residence and The Village St Marys is responsible for familiarising themselves and complying with this policy.

The Responsibility for revision and audit of this policy lies with the Person in Charge.

## **7.0 Responsibility of the PIC and Administrator**

The Person in Charge will

- Ensure that the use of CCTV systems is implemented in accordance with this policy
- Oversee and co ordinate the use of CCTV monitoring for safety and security purposes within the centre
- Ensure that the CCTV monitoring at the centre is consistent with the highest standards and protections
- Review camera locations and be responsible for the release of any information or stored material within the system in compliance with this policy
- Maintain a record of the release of any material recorded or stored in the system
- Ensure that monitoring recordings are not duplicated for release unless required as part of a criminal investigation or court proceedings.

- Ensure that all areas being monitored are not in breach of an enhanced expectation of the privacy of individuals within the centre and be mindful that no such infringement is likely to take place
- Ensure that external cameras are non intrusive in terms of their positions and views of neighbouring residential housing and comply with the principle of “reasonable expectation of privacy”
- Ensure that recordings are stored in a secure place with access by authorised personnel only
- Ensure that camera control is solely to monitor suspicious behaviour and not individual characteristics
- Ensure that camera control is not in breach of the intrusion on intimate behaviour by persons in public areas

## **8.0 General Principles**

The HSE has a statutory responsibility for the protection of its property and equipment as well as providing a sense of security to its Staff, Residents and invitees to The Village Residence and The Village St Marys

The HSE owes a duty of care under the provision of the Health Safety and Welfare legislation and utilises CCTV systems and their associated monitoring and recording equipment as an added mode of security and surveillance for the purpose of enhancing the safety of those living in, working in and visiting the centre.

The primary aim of CCTV monitoring in the centre is to deter crime and vandalism and to assist in the protection and safety of residents, staff and visitors, the property and its associated equipment and materials.

Monitoring for security purposes will be conducted in a professional, ethical and legal manner and any diversion of the use of CCTV security technologies for other purposes is prohibited by this policy.

Information obtained through video monitoring may only be released when authorised by the Person in Charge following consultation with the Registered Provider.

Access Requests by the Garda Síochána

When investigating a crime, which may or may not have occurred on The Village Residence and The Village St Mary's premises, the Garda Síochána may wish to view CCTV footage to see if it is of assistance. Where the Garda Síochána views the footage on The Village Residence and The Village St Marys, no data protection concerns arise provided it is accordance with GDPR. If the Garda Síochána wish to take away a copy of CCTV footage, they must provide a formal written request, which:

- States that the Garda Síochána is investigating a criminal matter;
- Is written on Garda Síochána headed stationery;
- Is signed by a supervising officer of the requesting member;
- Sets out the details (dates, times and durations) of the CCTV footage required; and
- Cites the legal basis for the request.

For practical purposes, and to expedite a request speedily in urgent situations, a verbal request may be sufficient to allow for the release of the footage sought. However, any such verbal request must be followed up with a formal written request.

#### Requests for Personal CCTV coverage

Any person whose image is recorded on a CCTV system has a right to seek and be supplied with a copy of their own personal data from the footage as part of a Data Subject Request (DSARs). To exercise the right to view personal data, an application must be made in writing. The PIC will respond within one month.

When making an access request for CCTV footage, an individual should provide the PIC with:

- A reasonable indication of the timeframe of the recording being sought - i.e. details of the approximate time and the specific date(s) on which their image was recorded. While an individual is entitled to a copy of footage in which they appear, they are not entitled to any footage which identifies any other Data Subjects, including identifiable vehicles or clothing. If any other individuals are visible in the footage, a footage redaction service will be provided to pixilate the faces of other individuals.

Data Subject Access Requests (DSARs) can be made to the PIC – [seamus.mccaul@hse.ie](mailto:seamus.mccaul@hse.ie)

CCTV monitoring of public areas, for security purposes will be conducted in a manner consistent with all existing policies including Dignity at Work, Equality and Diversity, Dealing with complaints and any other related policy.

This policy prohibits monitoring based on the characteristics and classifications contained in equality and other related legislation e.g. gender, race, age, sexual orientation etc.

Video monitoring of public areas, for security purposes, within HSE premises, is limited to uses that do not violate the reasonable expectation to privacy as defined by law.

Recognisable images captured by CCTV systems are “Personal Data”. They are therefore subject to the provisions of the Data Protection Acts.

## **9.0 Justification for the use of CCTV**

Section 2(1)(c)(iii) of the Data Protection Acts require that data is "adequate, relevant and not excessive" for the purpose for which it is obtained. The Person in Charge needs to be able to justify the obtaining and use of such personal data by means of a CCTV system.

A system used to control the perimeter of a unit for security purposes is easily justifiable. Such a system will typically be intended to capture images of intruders or of individuals damaging property or removing goods without authorization.

A system used internally is in position to ensure the safety and wellbeing of residents especially in the evenings and night time when there is reduced staffing present. This decision was made following risk assessment of the building.

Cameras in external and internal areas of The Village Residence and The Village St Marys are placed and positioned in such a way as to prevent or minimize recording of passers-by or of another person's private property.

## **10.0 Location of Cameras**

Details Specific to The Village Residence	
Monitoring is recorded on a recording system which is located:	

## **11.0 Covert Surveillance**

Covert surveillance is only permitted on a case by case basis where the data are kept for the purposes of preventing, detecting or investigating offences, or apprehending or prosecuting offenders. This provision automatically implies an actual involvement of An Garda Siochana or an intention to involve An Garda Siochana.

Covert surveillance must be focused and of short duration. Only specific and relevant locations or individuals should be recorded. If no evidence is obtained within a reasonable period, the surveillance should cease.

If the surveillance is intended to prevent crime, covert cameras may be considered to be a more appropriate measure, and less invasive of individual privacy.

Permission of the Person in Charge and of the Registered Provider must be obtained in writing before considering covert surveillance

## 12.0 Notification/Signage

The Person in Charge will provide written notifications describing the purpose and location of CCTV monitoring. This sign is located at the front entrance of The Village Residence and The Village St Marys

All that need be placed on the sign is a statement that CCTV is in operation. Should any further information be sought then please request information from the PIC. Similarly, if the purpose of CCTV is also for health and safety reasons, this should be clearly stated and made known.



## 13.0 Complaints

If an individual is not satisfied with the outcome of the response from The Village Residence and The Village St Marys in relation to a request, they are entitled to make a complaint to the Data Protection Commissioner who may investigate the matter.



The Data Protection Commissioner's website is [www.dataprotection.ie](http://www.dataprotection.ie) or you can contact their Office at:

Lo Call Number: 1890 252 231

E-mail: [info@dataprotection.ie](mailto:info@dataprotection.ie)

Postal Address: Data Protection Commissioner

Canal House, Station Road, Portarlinton, R32 AP23, Co. Laois.

#### **14.0 Implementation Plan**

The Person in Charge in The Village Residence and The Village St Mary's will be responsible for the implementation of this policy in conjunction with the Assistant Director of Nursing, CNM2s, CNM1s and the all staff.

This Policy on data protection and CCTV will be communicated to each member of staff within The Village Residence and The Village St Marys by the PIC, Assistant Director of Nursing and Clinical Nurse Managers. Each Staff member will sign the signature sheet in Appendix 1 to indicate that he/she has read, understands and agrees to adhere to this policy.

#### **15.0 Revision and Audit**

A review of this policy will be conducted by Person in charge by the date indicated on the front cover or sooner if deemed necessary.

### **Signature Sheet**

I have read and understand the contents of this Policy.

Name	Signature	Grade	Date

