

# KARE

Promoting Inclusion for People with Intellectual Disabilities



## ***Use of CCTV & Monitors Policy***

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KARE POLICY DOCUMENT				
<i>Policy Owner: CEO</i>				
<i>Rev. No.</i>	<i>Approved by OMT</i>	<i>Approved by KARE Board</i>	<i>Launched Heads of Units</i>	<i>Operational Period</i>
Rev 1	Oct 2014	Nov 2014	Nov 2014	Nov 2014 – Oct 2015
Rev 2	Oct 2015	Nov 2015	Nov 2015	Nov 2015 – Feb 2018
Rev 2.1	January 2018	March 2018	March 2018	Mar 2018 -
Rev 2.2	July 2021	N/A	September 2021	September 2021-

## **Section 1: Policy**

### **1.1 Background to this Policy**

KARE may install Closed Circuit Television (CCTV) in the grounds of its premises for security purposes or may use it within its buildings to assist in providing appropriate care and support to individuals who use the service. It is important that monitoring by Closed Circuit Television (CCTV) is carried out in an ethical manner which respects the dignity, privacy and rights of individuals who may appear on Closed Circuit Television (CCTV).

This policy is in compliance with the Health Act 2007 (Care and support of residents in designated centres for persons (Children and Adults) with disabilities Regulations 2013 and is underpinned by the Data Protection Acts 1988 and 2003.

### **1.2 Aim of this Policy**

The aim of this policy is to provide clear direction for staff in the use of Closed Circuit Television (CCTV) and Monitors and to ensure that any monitoring is carried out in an ethical manner which respects the dignity, privacy and rights of all individuals.

### **1.3 Scope of this Policy**

This policy applies to all KARE staff including CE and LTI participants, students on placement and volunteers.

CCTV is an abbreviation for Closed Circuit Television, which is the use of video cameras to monitor/record activity in a particular area.

Monitors include baby/child monitors.

### **1.4 Policy Statements**

#### **1.4.1 General Statements**

- 1.4.1.1 KARE may use CCTV in its premises for security purposes and to deter crime and vandalism or in exceptional circumstances it may be used to monitor the safety of an individual using the service when it is deemed to be the most acceptable method of observation.
- 1.4.1.2 The use of CCTV for any purpose other than described in this policy i.e. for monitoring security of a premises or the safety of an individual should only be undertaken with the approval of the Chief Executive Officer.
- 1.4.1.3 Any use of CCTV by KARE will be carried out in line with current legislation, regulation and best practice.
- 1.4.1.4 All CCTV monitoring will be conducted in an ethical manner, respecting the dignity and privacy of individuals.

- 1.4.1.5 The use of CCTV to monitor an individual who uses the service is considered a restrictive practice and therefore any such use must be carried out in line with KARE's restraint/Restrictive Practices Policy
- 1.4.1.6 KARE will not use CCTV to monitor staff conduct or performance, except where approved by the CEO and the Gardaí to investigate an alleged crime.
- 1.4.1.7 Where a CCTV monitoring system is in place the Line Manager will ensure there are protocols in place for the use of the system including:
- When it will be used
  - How the footage/information gathered will be reviewed
  - Regular checking to confirm that the equipment is recording properly and that cameras are functional.
- 1.4.1.8 Where a CCTV monitoring system is in place the Line Manager will ensure that people using the premises, including staff and people who use the service, are informed of the protocols in place for its use.
- 1.4.1.9 Where a CCTV system is controlled by a Security Company contracted by KARE, there will be a written contract with the security company which details:
- the areas to be monitored
  - how long data is to be stored
  - what the security company may do with the data
  - what security standards should be in place
  - what verification procedures may apply
  - that the security company will give KARE all reasonable assistance to deal with any data subject access requests made.
- 1.4.1.10 Any employee who uses the CCTV system or CCTV images in an unauthorised manner may be subject to disciplinary action up to and including dismissal. Unauthorised use is any use of the system or the images recorded which is not in line with the agreed plan including, but not limited to:
- disclosure of images to an unauthorised third party, including other employees
  - unauthorised processing of images in the form of copying the images on to a disk, website or print format
  - circulation of images recorded by email
  - posting of images recorded on the internet

## **1.4.2 Use of CCTV for security purposes**

- 1.4.2.1 Where CCTV is installed for security purposes it may be used to monitor the premises with the intention of capturing images of intruders or of individuals damaging property or removing goods without authorisation.
- 1.4.2.2 A CCTV system installed for security purposes may be placed in a position where they monitor the perimeter of the premises, car park, external surrounds and entrances to the building.

- 1.4.2.3 KARE's Facility Manager will be involved in the planning of the location of CCTV cameras and monitors in a property for security purposes. Cameras installed to record external areas should be positioned in such a way as to prevent or minimise recording of passers-by or of another person's private property.
- 1.4.2.4 Where CCTV is installed in a property for security purposes signage will be placed on the outside of the building indicating that the premises is monitored by CCTV. The signage will also include the name and contact details of the company responsible for managing the use of the system, as well as the specific purpose for which the CCTV system is in place.
- 1.4.2.5 KARE's CEO may give approval for specific targeted surveillance to be undertaken in a particular location using CCTV for the purpose of detecting and investigating offences, such approval should have the prior agreement of the Gardaí. Any such surveillance will be time limited and the protocol for use will be documented and the outcome recorded.
- 1.4.2.6 CCTV footage recorded for security purposes will be stored for a maximum of four weeks. However the organisation reserves the right to retain images for a longer period where there are objective reasons for doing so e.g. it is required as evidence in the investigation of a crime.

### **1.4.3 Use of CCTV for care purposes**

- 1.4.3.1 Line Managers will ensure that any decision to use CCTV to monitor the safety of an individual using the service is carried out in line with the Restraint/Restrictive Practices Policy and is:
- only made following a comprehensive risk assessment and Restraint/Restrictive Practices Assessment .
  - after all other less intrusive options have been explored and ruled out.
  - made in consultation with the individual and/or their family/representative and relevant clinicians and frontline staff.
  - made having considered any potential adverse impact on the individual and others e.g. dignity and privacy
- 1.4.3.2 Line Managers will ensure that where a decision to use CCTV to monitor an individual is made, agreement is sought from the individual and/or their family/representative, and a plan is drawn up for its use in the form of a Restraint Management Plan, this plan will include:
- The specific purpose of CCTV monitoring and/or recording
  - Where the CCTV camera/s and monitor/s will be placed
  - When footage will be monitored/recorded
  - When footage cannot be monitored/recorded e.g. during personal/intimate care or intimate activities.
  - How the specific use e.g. dates and times will be documented
  - Who can view the footage
  - How long the footage will be stored for and how it will be destroyed
  - When the plan will be reviewed

- 1.4.3.3 The relevant Operations Manager will approve of the proposed plan for the use of CCTV to monitor an individual prior to its use and this will be recorded on the plan.
- 1.4.3.4 Line Managers will ensure that the proposed plan for the use of CCTV monitoring is signed by the individual and/or their family/representative prior to commencing CCTV monitoring.
- 1.4.3.5 Line Managers will ensure any use of CCTV to monitor an individual is time limited, that the plan is reviewed on a regular basis, at least annually and that it is replaced with a less intrusive alternative at the earliest possible opportunity.

#### **1.4.4 Storage and Access to CCTV footage**

- 1.4.4.1 Line Managers will ensure CCTV tapes/dvds are stored in a secure location and are only kept for the agreed length of time.
- 1.4.4.2 Line Managers will ensure access to CCTV footage is restricted and is only viewed for the purpose for which it was recorded.
- 1.4.4.3 Staff who are assigned the responsibility of processing/monitoring CCTV images must only do so in line with the agreed procedures and must ensure the security of the data at all times.
- 1.4.4.4 Information obtained through CCTV monitoring may only be released to a 3<sup>rd</sup> party with the authorisation of the Department Manager following agreement by the CEO. Any release of such information should be in compliance with Data Protection legislation.
- 1.4.4.5 Any person whose image has been recorded on CCTV has a right to be given a copy of the information recorded in accordance with KARE's Data Protection Policy