



Acacium Group Community Management of CCTV in Client's Home Policy

Policy Reference | ORG 37

Version | V2.0

Policy Name	Management of CCTV in Client's Home Policy
Purpose of Document	To set out Acacium Group's approach to the management of CCTV within community packages
Target Audience	All Acacium Group workers based in the community and those involved with complex care
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Author	Kate Nicholson-Florence
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Risk And Resource Implications	Reducing risk of poor care/harm to the service user Reducing risk of unfounded allegations
Associated Strategies and SOPs	CLIN 05 Privacy and Dignity Policy CLIN 06 Consent Policy IG 01 Data Protection Policy CORP 14 Complaints Policy ORG 04 Incident Reporting Policy
Equality Impact Assessment (EIA) Form	Acacium Group is committed to Equality, Diversity and Inclusion and in line with our values, we strive to ensure that everyone that is part of the Acacium community is not disadvantaged or discriminated against given their individual need or characteristics. To support this, an Equality Impact Assessment has been undertaken on this policy/procedure. This information is held centrally and can be requested from the Clinical Governance Team.
About Acacium Group	Details of all Acacium Group trading companies that this policy applies to are detailed within Appendix A
Legislation	Legislation and Guidance pertinent to this policy can be found within Appendix B

Document History			
Version	Date	Changes made/comments	By whom
Draft v 1	Apr 2013	First Draft	K. Nicholson-Florence
V1	May 2015	Review	KNF/SJ
V1	May 2017	Review	KNF/VM
V1	Sep 2017	Implementation of new document history page	KMS/SJ
V1	Feb 2018	Updated front sheet to include new review frequency date. Added new EIA Form	KMS/MS
V1.1	Jun 2018	Update and early review in line with GDPR	KMS/SJ
V1.2	Jul 2020	Updated to new template	CC
V1.3	Jul 2020	Updated code from ORG 22 to ORG 37	CC
V1.4	Oct 2020	Updated re Rebrand	CC
V1.5	Apr 2021	4 yearly Review	Clinical Advisory Group
V2	Jan 2024	Rebrand	Clinical Advisory Group

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1. Introduction

- 1.1 CCTV surveillance has become a common feature of our daily lives. We are caught on numerous CCTV cameras every day as we move around towns and cities, visit offices and shops, and travel on the road or other transport networks.
- 1.2 Some service users (inclusive of client/patient) use CCTV in their homes, it offers the service user comfort and protection.
- 1.3 We recognise that the use of CCTV may raise concerns about the effect on individuals and their privacy. This policy is intended to address such concerns.

2. Purpose and Policy Statement

- 2.1 To ensure that Acacium Group provide a uniformed approach to the management of CCTV in a service user's home.
- 2.2 To ensure that Acacium Group protects their employees as much as possible with the potential breaches of their privacy in the workplace.

3. Scope of Policy

- 3.1 This Policy aims to cover all Acacium Group employees working within community packages for Acacium Group.

4. Definitions

Definition	Explanation
Overt CCTV	CCTV monitoring is not hidden, clearly visible and not intended or designed to monitor any specific activity or individual(s). It is designed to allow observation of an area for the recognition of any activity which may or may not occur. Overt CCTV is allowed without permission as long as certain rules on what is visible on the monitor are complied with.
Covert CCTV	Covert CCTV is where the camera is hidden or purposefully not clearly visible.

5. Obligations to Acacium Group

- 5.1 Acacium Group has a duty to protect the welfare of all its employees. However, according to the United Kingdom Homecare Association (UKHCA), "the duty to protect employees does not however extend to asking service users whether they have CCTV installed".
- 5.2 Acacium Group will, insofar as possible, inform an Acacium Group employee of CCTV prior to the employee visiting the service user's home.
- 5.3 If the service user informs Acacium Group, as the provider, that they are using CCTV but insist that the care workers should not be told, this situation may be a breach of confidentiality. In this situation, please discuss with the Clinical Director who will decide if legal advice should be sought before taking any action.

- 5.4 Acacium Group must ensure that if CCTV is used within a paediatric care package, that the social worker is informed and the safeguarding team, as appropriate.
- 5.5 Acacium Group must ensure that if CCTV is used within the client's homes, that the Multi-Professionals' teams with direct contact with the client are informed as appropriate. In the case where the client lacks capacity to give consent a 'best interest' process must be carried out before agreeing to its installation and use. The utilization to which the equipment will be put must be clearly spelled out and recorded in the accompanying agreement.
- 5.6 Acacium group also recognises that it might need to make its information on and from its utilization of any CCTV accessible for inspection by the Care Quality Commission.
- 5.7 Acacium Group believe that any service user should not be filmed whilst having personal care / toileting, this will be reflected in the service user's care plan. Recording of personal care / toileting is very intrusive and should only be recorded in limited circumstances and with consent from the service user, as appropriate.

6. Roles & Responsibilities

- 6.1 The overall organisational roles and responsibilities are set out in the policy document, CORP10 Policy on Policies for drafting, approval and review of policies, procedures, guidelines and protocols. Roles and responsibilities specific to this Policy include the Governance Committee, Clinical Director, line managers / appropriate others and Acacium Group clinical workers.

Job Title	Responsibilities
Global Clinical Director/Group Chief Nurses	Responsible for ensuring that all policies, standard operating procedures (SOPs), protocols, training, and competencies, are in place to support the Pulse nurse or care in the safe delivery of safe and effective care provision. The Global Clinical Director/Group Chief Nurses is responsible for: ensuring that systems are in place to continually improve the quality of all commissioned services
Line managers / appropriate others	The Line Manager / appropriate other is operationally responsible for ensuring compliance with this Policy within the area of their responsibility. This includes: - ensuring that workers are notified prior to commencement in a care package that CCTV is present within the house - to discuss the use of CCTV with the service user and family - ensuring that all workers are aware of this Policy and adhere to it at all times.
Acacium Group workers	All Acacium Group workers: - must have an understanding regarding the use of CCTV and the potential intrusion of their privacy. - must make their own informed decision about caring for a service user with CCTV in place

	• must be aware that they have a duty, under legislation, to take reasonable care for their own safety and the safety of all others who may be affected by Acacium Group' business • must report back to Acacium Group if they believe that the family are covertly filming the service user and / or themselves • must at all times act only in accordance with Acacium Group approved policies, procedures, and guidelines. Where a Line Manager or an Acacium Group worker identifies that a given policy, procedure or guideline is not in place that they believe is required, they should refer to Acacium Group Policy on Policies for drafting, approval and review of policies, procedures, guidelines and protocols.
Clinical Advisory Group (CAG)	Are responsible for review of policies and clinical documents for the Group in order to safeguard and improve quality in line with the Groups vision, strategic aims and in a context in which diversity is recognised and widely celebrated.

7. What Acacium Group workers should expect

- 7.1 Acacium Group will have discussions with all service users' using CCTV, including audio recordings, to ask them to adhere to the following:
- the CCTV owner must let people know that they are using CCTV. Signs are the most used way of letting people know. However, they need to be clearly visible and readable
 - CCTV will not be used in areas where privacy is required, such as changing rooms or toilets other than in exceptional circumstances and when permission has been provided
- 7.2 Acacium Group expects their employees to report any covert filming that they believe to be happening, or any changes in the positioning of the cameras.
- 7.3 CCTV footage may be used a proof of an incident, please refer to the Incidents and Complaints Policy

8. Implementation Plan

- 8.1 For consultation, ratification and dissemination of this Policy, see the CORP 10 Policy on Policies for drafting, approval and review of policies, procedures, guidelines and protocols.
- 8.2 This Policy will be implemented through:
- communication of the Policy to all relevant Acacium Group workers
 - communication of the policy to Acacium Group stakeholders
 - raising awareness and understanding of the Policy and related risk management processes throughout the organisation through committee meetings, Acacium Group workers' meetings, the PCH Knowledge Room, the website and general communication.
- 8.3 **Audit and monitoring**
- 8.3.1 The audit and monitoring process of the effectiveness of the Policy is done through the auditing process and the Group Clinical Director who review this Policy every three years, or more frequently if there are legislative, procedural, or best practice changes.

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9. Associated Policies / SOPs

Policies

CLIN 05 Privacy and Dignity Policy

CLIN 06 Consent Policy

IG 01 Data Protection Policy

CORP 14 Complaints Policy

ORG 04 Incident Reporting Policy

10. References

- United Kingdom Homecare Association, 2013. *Closed circuit TV and the law*. UKHCA.
- Information Commissioner's Office, Updated Dec 2014. *CCTV Code of Practice*. ICO.
- Care Quality Commission <https://www.cqc.org.uk/guidance-providers/all-services/using-surveillance-your-care-service>

Appendix A: About Acacium Group

Acacium Group consists of a number of trading companies, each providing services within core niche areas of the health and social care industries. Therefore, as this document is a Group Policy, the Policy herein applies to all trading companies detailed below:

 Part of Acacium Group	 Part of Acacium Group
 Part of Acacium Group	 Part of Acacium Group

Appendix B: Legislation

1. This Policy is supported by legislation and national guidance as set out in the table below.

National policies, guidance, and legislation, supporting reporting and managing incidents.

Act, policy, guidance	Explanation
Health & Safety at Work Act 1974	The Health & Safety at Work Act 1974 requires that all organisations with more than three staff have in place processes to promote the health and safety of their staff.
Control of Substances Hazardous to Health (COSHH) Regulations 2002	Latex is classed as a hazardous substance which is covered by the Health and Safety Executive's Control of Substances Hazardous to Health (COSHH) Regulations 2002. Under the regulations, organisations have a duty to assess the risk, eliminate, substitute, and limit and control exposure to latex, unless there is a need to use it.
RIDDOR (The Reporting of Injuries, Diseases and Dangerous Occurrences) Regulations 1995	There is a requirement to report diagnosed cases of Occupational dermatitis (schedule 3) to RIDDOR (The Reporting of Injuries, Diseases and Dangerous Occurrences) Regulations 1995.

2. There is legislation that governs CCTV, such as the Human Rights Act, the Data Protection Act 2018 and The General Data Protection Regulation (Regulation (EU) 2016/679).
3. The Data Protection Act is relevant to the use of CCTV. However, it does not apply for the purposes of a service user's purely personal or household affairs including the use of CCTV within their own home, as long as there is no connection to a professional or commercial activity.
4. The Data Protection Act 2018 applies to surveillance but does not make CCTV illegal. If a service user's use of CCTV is to monitor care given by staff, this may fall within the Data Protection Act 2018 as the monitoring will have a connection to a professional or commercial activity and it is the service user's responsibility to ensure they comply with the data protection legalisation.
5. If an Acacium Group employee is monitored by CCTV within a service user's home which is controlled by the service user and only monitors their home, there is little an Acacium Group employee can do apart from refuse to work in that particular package of care.
6. If any member of staff has questions about this policy or any concerns about the use of CCTV, then they should speak to their manager in the first instance.
7. **Equality and diversity**
Under the Race Relation (Amendment) Act 2000 Acacium Group has a statutory duty to 'set out arrangements to assess and consult on how their policies and functions impact on race equality', in effect to undertake Equality Impact Assessments (EIA) on all policies and SOPs. The Equality Act October 2010 demands a similar process of Equality Impact Assessment in relation to disability. An EAI must be completed by the author of this policy using the checklist provided in Appendix A. See also Acacium Group Equality and Diversity policy.