**West Sussex – Practice Guidance**

IROs are qualified social workers with at least five years’ experience, and who have acquired the right skills to carry out this role.

**The Use of Closed Circuit Television (CCTV)**

* The purpose of this Code of Practice is to regulate the management, operation and use of the closed circuit television (CCTV) system in West Sussex County Council children’s homes.
* All cameras are monitored from the main staff office, which are locked and have regular access by staff.
* The Code follows guidelines set out by the Home Office Surveillance Code of Practice.
* This Code of Practice will be subject to an annual review to include consultation, as appropriate, with interested parties.
* The CCTV system is owned by West Sussex Children’s Services.
* So far as reasonably practicable in the light of the child’s age and understanding, the child is informed in advance of the monitoring and surveillance procedures.
* The placing authority for any child is required to consent in writing to the monitoring and surveillance.
* Consent in writing will also be sought from those who have parental responsibility for the child.
* Within the CCTV Code of Practice, the following individuals are identified and referred to as the management team: Registered Manager, Assistant Residential Team Manager and the Principal Residential Child Care Worker (or equivalent roles).

**Objectives of the CCTV**

* To support the home’s purpose as a residential unit by enabling remote monitoring of key strategic areas, including doorways, walkways and rooms.
* As an extra security precaution, the CCTV footage is protected by a password which is held by the Registered Manager, Assistant Manager, and Principal Residential Child Care Worker/s.
* To safeguard and promote the welfare of the children living in the home
* To increase the personal safety of staff and the young people accessing the service.
* To protect the building, equipment and assets.
* To support management (and the Police if appropriate) in deterring and detecting crime or other unwanted incidents.
* To assist in clarifying and resolving an incident.
* To protect visitors and private property.
* For training purposes.

**Statement of Intent**

* The CCTV Scheme will be registered with the Information Commissioner’s Office (ICO) in accordance with the notification requirements under the Data Protection Act 1998 and will seek to comply with the requirements both of the Data Protection Act and the Commissioner’s CCTV Code of Practice.
* West Sussex Children’s Services will treat the system and all information, documents and recordings obtained from the CCTV in accordance with the Data Protection Principles set out in Schedule 1 of the Data Protection Act 1998.
* Cameras will be used to monitor activities within the home for the purpose of securing the safety and well-being of the young people, staff and visitors.
* Staff have been instructed that cameras are not to focus on the young person’s bedrooms or communal bathrooms/toilets.
* Material or knowledge secured as a result of CCTV will not be used for any commercial purpose. Footage will only be shared where it is fair and lawful to do so and may also be used in the investigation of a criminal offence.
* Footage will never be released to the media for purposes of entertainment.
* The planning and design has endeavoured to ensure that the system will give maximum effectiveness and efficiency. However despite cameras being fitted throughout the house there are still areas of the house which are not covered and are not guaranteed to cover every single incident.
* Warning signs, as required by the ICO CCTV Code of Practice have been placed at all access routes to areas covered by the home’s CCTV. These are in accordance with West Sussex Children’s Service’s policy relating to signing.

**Operation of the System**

* The Scheme will be administered and managed by the home’s Registered Manager in accordance with the principles and objectives expressed in this Code of Practice and in accordance with the obligations imposed under the Data Protection Act 1998.
* The day to day management will be the responsibility of the Shift Leader & Management Team.
* The CCTV will only be viewed by persons authorised by the Registered Manager, usually only CCTV personnel who have been trained to operate the system and who have signed a confidentially agreement.
* The CCTV system will be in operation 24 hours each day, every day of the year and will digitally record and store data for 30 days. After 30 days the system overwrites itself.

**Closed Circuit Television (CCTV)**

* The Registered Manager, or designated member of the CCTV team, will check and confirm the efficiency of the system daily and in particular that the equipment is properly recording and that the cameras are functional. This will be recorded on each shift de-brief.
* The CCTV footage will remain secured at all times within the Manager’s office, in a secure cupboard.
* Operators must satisfy themselves over the identity of any person who has access to the system. Where any doubts exist, access to the system will be refused.
* Access to footage of the CCTV system is restricted to the management team, only reviewing footage where deemed necessary and for lawful reasons, ensuring that the necessary paperwork e.g. Footage reviewing forms, are completed.
* Administrative functions will include maintaining CCTV footage, filing and maintaining occurrence and system maintenance logs as well as having control over the security and fire systems.

**Closed Circuit Television – Coverage**

* WSCC Children’s Homes, are only covered by CCTV externally to monitor the safety and activity of people arriving and leaving the home. No other interior areas of the home are covered by CCTV.

**Monitoring Procedures**

* Camera surveillance will be maintained at all times.
* All cameras will be continuously recording. Monitoring screens will be split into separate windows, depending on the number of cameras installed, and screens will display all areas covered.

**Footage Procedures**

* In order to maintain and preserve the integrity of the footage and the facilitythe following procedures for their use and retention must be strictly adhered to:
1. All saved footage must be identified by a unique mark.
2. If footage is required and a hard copy made for evidential purposes it must be sealed, witnessed, signed by the user, dated and stored in a separate secure store. If data is not copied for the police before it is sealed, a copy may be made at a later date providing that it is then resealed, witnessed, signed by the user, dated and returned to the secure store.
3. If footage is archived the reference must be noted and must be assigned to a member of the management team. Archived footage will be kept until any investigation progress is completed with the responsibility of the assigned member of the management team to ensure its destruction.
4. Should an incident occur which requires to be reviewed using the recordings, the Registered Manager or Management Team **only** will have access to the recordings and will complete a form detailing the reasons for the footage being reviewed. The Registered Manager or Management Team has the right to use the recording of an incident to review with the staff involved.
5. Any member of staff involved in an incident which involved the use of physical restraint or injury to self can request to review the footage of the incident within 30 days of its happening. Any requests need to be addressed to a member of the leadership team. All parties involved in the incident shall be invited to also review the footage, however this is at their refusal. All footage reviewed must be in accordance with this Code of Practice. A Footage Review form must be completed detailing the footage and reasons for reviewing it.
6. Incidents requiring review will include violent incidents, any incidents of the use of Physical Intervention or allegations made by staff, young people or a visitor.
7. Footage may be viewed to assist in the investigation of complaints under direction of the Registered Manager.
8. Footage will be retained for 30 days from the date of the recording then erased unless it is to be used as part of an ongoing investigation.
* Footage may be viewed by the Police, authorised Officers of West Sussex Children’s Services for supervisory purposes, authorised demonstration and training.
* A record will be maintained of the release of footage to the Police or other authorised applicants. A register will be available for this purpose.
* Viewing of footage by the Police must be recorded in writing.
* Should footage be required as evidence, a copy may be released to the Police under the procedures described in section **8.1** of this Code. Footage will only be released to the Police where it is lawful to do so and on the Clear understanding that the footage remains the property of West Sussex Children’s Services. Both the footage and information contained in it are to be treated in accordance with this Code of Practice and in accordance with the obligations imposed by the Data Protection Act 1998. The Council also retains the right to refuse permission for the Police to pass to any other person the footage or any part of the information contained thereon.
* The Police may require the Council to retain the stored footage for possible use as evidence in the future. Such footage will be properly indexed and securely stored until they are needed by the police. Archived footage will be kept until any investigation progress is completed with the responsibility of the assigned member from the management team to ensure its destruction.
* Applications received from outside bodies to view and release footage will be referred to the Data Protection and Freedom of Information Solicitors, Caroline Pegg and Linda Spanner. Footage will only be shared where it is fair and lawful to do. A fee of up to £10.00 will be charged in such circumstances.

**Breaches of the Code (Including breaches of Security)**

* Any breach of this **Code of Practice** will be initially investigated by the Registered Manager in order for them to take the appropriate disciplinary action.
* Any serious breach of the **Code of Practice** will be immediately investigated and an independent investigation carried out to make recommendations on how to remedy the breach.

**Assessment of the Scheme and Code of Practice**

* Performance monitoring, including random operating checks will be carried out by the Registered Manager.

**Complaints**

* Any complaints about the home’s CCTV system should be addressed to the Registered Manager.

**Access by the Data Subject**

* The Data Protection Act provides Data Subjects (Individuals to whom ‘personal data’ relates) with a right to Data held about themselves, including those obtained by CCTV. West Sussex County Council reserve the right to charge administration fees of up to £10.00. This is in accordance with the Information Commissioner’s Office. Requests for Data Subject Access should be made to Registered Manager.

**Summary of Key Points**

* The CCTV system is owned and operated by West Sussex Children’s Services
* Recording footage will be used properly, ensuring that the footage is indexed, stored and destroyed after appropriate use.
* Footage may only be viewed by Authorised Council Officers & Management Team.
* Footage required as evidence will be properly recorded, witnessed and stored before copies are released to the Police.
* Footage will not be made available to the media for commercial or entertainment purposes.
* Any breaches of this Code of Practice will be investigated by the County Council. An independent Investigation will be carried out for serious breaches.

**Links to related documents:**