



# CCTV Procedure

## *Fostering & Adoption Services*

This procedure facilitates the appropriate use of CCTV by fostering and adoption households.

An individual has the right to use a CCTV system and/or camera doorbell as a security measure in a domestic dwelling for crime prevention and to discourage anti-social behaviour. It is an accepted security measure to have CCTV installed for external use on a domestic property.

Foster/Adoptive Parents who are considering use of CCTV inside their home need to be aware of the need to balance the right to privacy and dignity for any children or young people in the household. For this reason, they will need to seek consent from the agency and child or young person's placing authority or trust prior to internal use. Consent will only be granted in exceptional circumstances.

While there are no specific laws or legislations directly involving the use of CCTV in a foster/adoptive home, there is related legislation such as GDPR, the Data Protection Act and for Fostering -Standard 26 of the National Minimum Standards that set out how recorded information can be used and stored. Polaris have further procedures that also link with the CCTV procedure as stated below. We should also consider the basic Human Rights laws for the child, especially regarding article 8 of the European Convention of Human Rights. Foster/adoptive parents should have sight of and understand the procedures around CCTV as part of their foster parent agreement.

As part of Polaris community, the term foster parent is preferred but it is recognised that foster carer is also used in legislation and within the community. This procedure also applies to prospective foster parents who are going through the process of approval.

This Procedure forms part of the Group Quality Management system ISO 9001.

Procedure Owner:	QA & Safeguarding Team
Approved by:	Operations Board
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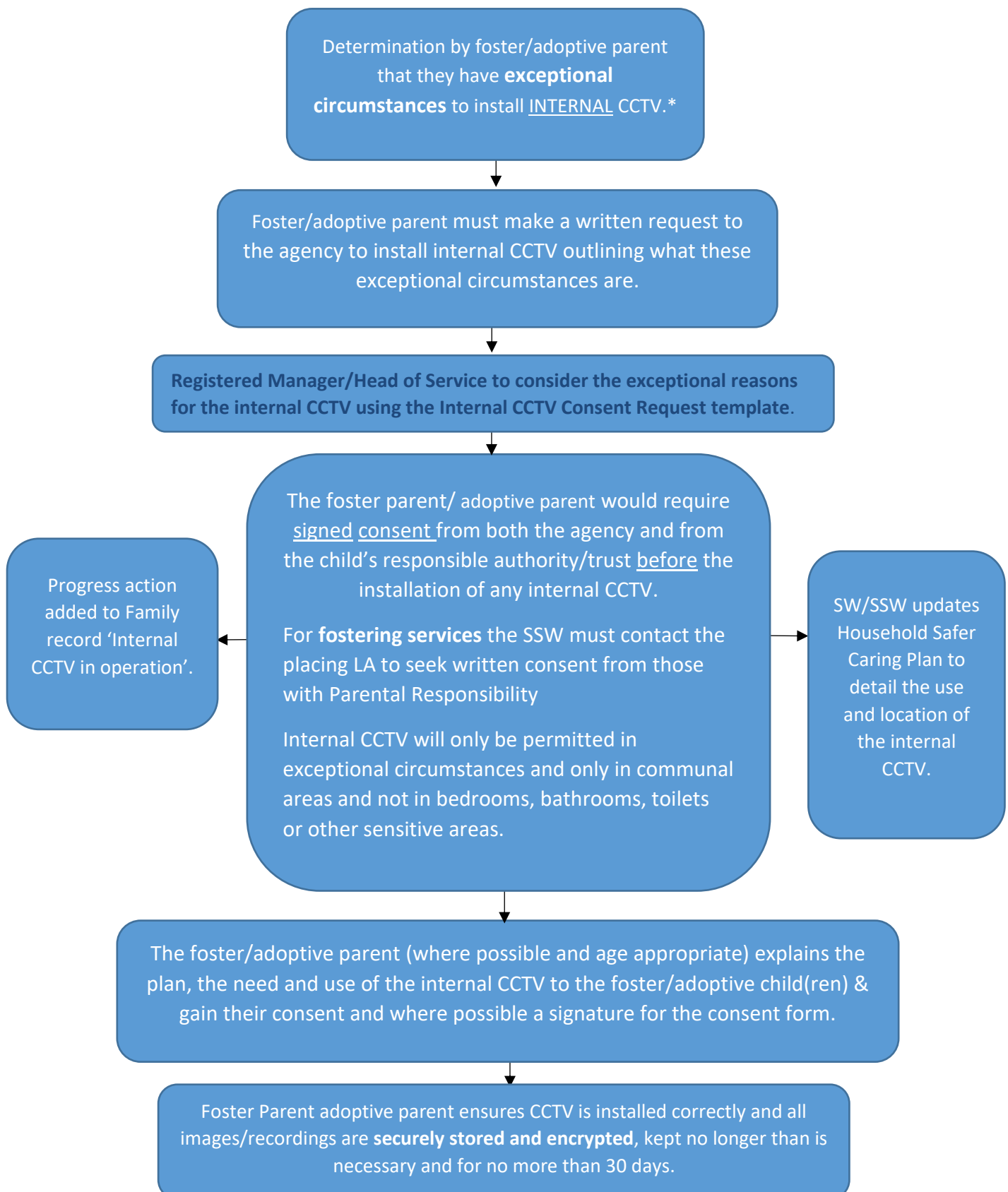
Next review date:	August 2027
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Associated Procedure and supporting documents:	
	Polaris Data Protection Procedure
	Health & Safety Checklist / Health & Safety Procedure
	Safer Caring Plans and Risk Assessments

All companies are detailed in the current legal structure

## Contents

<b>Flowchart for Internal* CCTV Installation:</b> .....	3
<b>Procedure:</b> .....	4
<b>CCTV outside the home</b> .....	4
<b>The Use of CCTV inside the Home ( see list at end of procedure for list of examples of internal devices) .....</b>	4
<b>Responsibility for the CCTV System including storage and retention of images .....</b>	6
<b>Internal CCTV and panel .....</b>	8
<b>Additional guidance/legislation/References: .....</b>	8

### Flowchart for Internal\* CCTV Installation:



\*If **internal** CCTV is identified as part of a new assessment of Fostering or Adoptive Parent(s) then this must be explored as part of the assessment and considered by the Assessment Manager and Service Manager\* See list of internal CCTV device examples

There are different types of internal recording devices. Internal CCTV may record motion detection, alerts, notifications event recording, audio and night vision and built in alarms. The examples listed not exhaustive, as there may be other equipment that exists that has the ability to record and capture information.

Examples include, Pet cams, baby monitors, Alexa and Google Assistant.

## Procedure:

### CCTV outside the home

Where the foster/adoptive parent owns their own home they do not require anybody else's permission to install CCTV cameras. If the property is rented, the foster/adoptive parent will need written permission from the landlord or owner of the property before installing it.

The agency does not need to be informed before external CCTV is installed.

Private CCTV installations owned by members of the public, used on private domestic property were exempt under the Protection Act 1998 and, since 25 May 2018, continues to be so under The General Data Protection Regulations (GDPR) and Data Protection Act (DPA) 2018 unless the CCTV system captures footage of individuals outside the property boundaries.

The **Information Commissioners Office**, the UK's independent body set up to uphold information rights, in their guidance on 'Using CCTV on your property' state that, regardless of whether a person's CCTV system is exempt, it should be used in a responsible way to protect the privacy of others. **The guiding principle throughout the deployment of CCTV equipment is to check at each stage 'that its use is necessary and not disproportionate'.**

The ICO's guidance 'CCTV on your property' can be accessed by clicking on this link: <https://ico.org.uk/your-data-matters/domestic-cctv-systems-guidance-for-people-using-cctv/>

### The Use of CCTV inside the Home

Foster/adoptive parents wishing to site CCTV cameras internally within their own home should be advised that this type of technology is not routinely recommended or advised by the agency and CCTV must not be used as a way of supervising or monitoring children and young people within the foster/adoptive home unless monitoring devices have been agreed as part of a child or young person's care plan.

Internal CCTV in the home can be considered in **exceptional circumstances** after full consideration by the Registered Manager/equivalent and with consent from the Child's responsible Local Authority/Trust. This should then be recorded in the Child Specific Safer Caring Plan or equivalent detailing the reason. This is likely to only be for significant

safeguarding and risk management reasons and should absolutely not be used purely for the purpose of managing children's behaviours.

A foster/adoptive parent - who felt that there was an **exceptional** reason for using CCTV, or other video or camera surveillance within the home would need to make a request to the agency outlining what these exceptional circumstances were. This must be reviewed by the Registered Manager/equivalent. They would need to seek signed consent from both the agency and from the child's responsible authority/trust using the '**Request to install CCTV or other recording technology in the home**' consent form (Appendix 1) If agreed this would need to be recorded on CHARMs as '**Internal CCTV in Operation**'.

If consent is received digitally/on email from the LA/Trust this should be uploaded to Charms and linked to the progress action 'Internal CCTV in Operation', likewise if consent is received in paper form this should be scanned and uploaded/linked to the progress action in the same way.

Depending on their age and understanding, the foster/adoptive child and their parents/guardians/those with Parental Responsibility should be given relevant information and also asked to sign the consent to the use of video equipment.

Where a CCTV system is to be used within the home, care must be taken to ensure that its use is appropriate, proportionate and all occupants are aware of its existence. The following should be adhered to at all times:

- **Signed consent** is gained for the use of video equipment within the home from the agency, the Local Authority/Trust and where appropriate the foster/adoptive child; It should be clear in the Household Safer Caring plan or equivalent that cameras are in use within the home and state where they are positioned;
- The internal CCTV should not be activated when the home is occupied unless this has been agreed as part of the exceptional circumstances.
- **All** members of the household are aware that cameras are in place and why;
- The cameras are only positioned in communal areas and not in bedrooms, bathrooms or toilets; or positioned in such a way that would record these areas.
- It should be made clear to all members of the household what happens to the information captured by the cameras and how this is stored and deleted;
- It should be clear to all members of the household that the foster/adoptive Parent(s)/ have full responsibility for the cameras;

Such CCTV installation will need to be physically checked by the agency's social worker or registered manager, which also includes the devices used to capture and record images. This also needs to be recorded within supervision and within the household safer caring plan or equivalent.

The use of hidden cameras is strictly prohibited. If the Social worker or registered manager detects any hidden cameras, or has concerns the foster/adoptive parent is using these, further advice should be sought from a line manager/Central Quality Assurance Team.

All members of the household need to be made aware of where the cameras are located, this includes children and young people and any professional that enters the home.

**The information should not be used for any purpose other than protecting the property** and in particular is not used as a way of supervising or monitoring children within the foster/adoptive home. Care must be taken to consider the needs of the child / young person and their reaction to the use of CCTV.

CCTV should not be used where there is evidence or reasonable cause to believe that a child / young person has been subject to abuse or exploitation involving the use of cameras or recording equipment.

If a foster/adoptive parent is deemed to be misusing their CCTV in this manner, an internal investigation should be initiated.

For Fostering- If the child or young person moves on from the foster home for any reason, the foster parents must not use CCTV internally with another child or young person, unless the agreement has again been given as detailed in the agreement process above.

This must be made clear to the foster parent at the start of the process, so that they have full understanding of how this works including terminating the use of CCTV at any time, the review process and what is required when a child or young person moves from their care. These discussions should be clearly recorded and signed by the foster parent/s.

### **Responsibility for the CCTV System including storage and retention of images**

- It is essential that it is clear to the foster/adoptive parent - that they are responsible for the CCTV system. This will include correct installation, responsibility for all information recorded by the system and its appropriate use.
- **It is the responsibility of the foster/adoptive parent to ensure that all data that is stored is both secure and encrypted whether that be on an SD card or a 3<sup>rd</sup> party cloud storage.**
- The system should be recording dates and time accurately and have enough recording space for the time span that it is required to record.
- The foster parent/adoption should ensure that the information recorded by the system is only used for the purpose for which it is intended. If the information stored is required to be used as evidence, then the agency should be made aware of this as should the placing authority/trust of any child placed with the family.

If internal CCTV is identified as part of a new assessment or fostering/adoption application, this must be explored as part of the assessment and discussed by the assessment manager and service manager. Discussions would also need to take place in line with the initial agreement process, as internal CCTV would only be agreed in exceptional circumstances. This also applies to foster parents transferring in from another agency or local authority. **This should be discussed as part of the transfer protocol meeting agenda.**

### **Baby monitors**

Baby monitors are an essential piece of monitoring equipment for the safety of the baby at any time when they are not in the same room as the care giver. Baby monitors must be in use when babies are old enough (from their due date) and developmentally ready to be in their own bedroom (see safer Sleeping Procedure for further guidance). The use of baby monitors will be subject to review and consideration of removal when the child is of sufficient age not to require such monitoring.

Baby monitors as with CCTV can also film, record and relay sound to a receiver as well as mobile phones. Anyone affected by the use of this equipment should be made aware of its existence as appropriate and the use of baby monitors should be recorded in placement plans, safer caring plans and risk assessments. Baby monitors are considered to be a covert listening device if used for any purpose other than to check a baby's welfare when an adult is not in the same room. It is acceptable for a mobile phone to be used as a baby monitor when a baby is sleeping, but it must not be used to monitor other people's activities. Baby monitors should not be used as a device for supervising older children.

If there are circumstances that require a child / young person's behaviour to be monitored by the use of surveillance technology this must be agreed as part the Safer Caring Plan and Risk Assessment and be agreed and consented to by all parties including the Local Authority. This must be considered and overseen by a Registered Manager or equivalent.

### **Other recording equipment:**

Other internal recording devices in the home such as dog cameras need to follow the same process, as they have the capability to record children and young people in the home.

**Therefore, the same process as detailed above would need to be followed.**

If the foster parent/s are returning to vacancy and they have any form of internal recording devices, please ensure that this is clearly stated on the vacancy checklist for the referrals team (within the Household safer care comments section).

Dashcams also record footage. Static Camera equipment takes still shots caught by a motion sensor rather than moving images. There are also different apps that exist that can track locations of people on mobile phones, luggage, track conversations etc. As with all other devices anyone affected by the use of this equipment should be made aware of its existence. Therefore, devices must not be used without consent of a young person or any

individuals that it may impact on. Use of these apps are sometimes appropriate if the young people are aware, consent to it and have the ability and knowledge to turn the tracking off should they wish to do so. **Child Specific Safer Caring Plans** should be updated to reflect these arrangements within families.

NB: Any installation of, or use of recording equipment not used in accordance with this procedure will be taken seriously by the service and will need to be investigated.

### **Internal CCTV and Adoption/Fostering panel**

It is important that no CCTV or recording devices are in use during fostering/adoption panel sessions which the foster/adoption family are attending remotely via Microsoft Teams. The panel should be made aware if the foster/adoptive home has CCTV and the panel chair will ask for reassurance that it is not in use to capture any panel video or voice recordings.

Any refusal to turn off CCTV which may pick up panel discussions may result in the panel being aborted and the family should be made aware of this prior to panel attendance.

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### **Additional guidance/legislation/References:**

**General Data Protection (GDPR) (<https://gov.org.uk>)**

**Data Protection Act 2018 (DPA 18)**

**ICO.org.uk**

**National Minimum Standards for Fostering Services (2011) England (26.4)** 'Information about individual children is kept confidential and only shared with those who have a legitimate and current need to know the information, and to those parts of a child's record or other information that they need to know.'

**Health & Social Care Standards Scotland - 2.7** My rights are protected by ensuring that any surveillance or monitoring device that I or the organisation use is necessary and proportionate, and I am involved in deciding how it is used. 2.14 I am fully informed about what information is shared with others about me.

**Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019**

**The Foster Placement (Children) Regulations (Northern Ireland)**





## Consent Request to Install CCTV or Other Recording Technology Inside The Home

Name of Foster/Adoptive Parent (s)	
Placing LA/Trust:	
Name of Child(ren) Placed with Foster Parent / Adoptive Parent(s)	
Name of LASW:	
Name of Agency SW/SSW	
<b>Details of requested CCTV system or alternative technology:</b>	
<b>Exceptional reason that CCTV is deemed as required in the home:</b>	
<b>Where will the camera/s be positioned and located?</b>	
<p>Please provide confirmation that are members of the household are aware that cameras are in place and the reasons, and that the CCTV is not being used to supervise the children in the placement.</p>	

**Explain how the recordings will be stored and encrypted and for how long? (no more than 30 days)**

**Foster/Adoptive Parent declaration:**

I understand that I am responsible for the correct installation of the CCTV system and all information recorded by it. I will store its data securely, and for no more than 30 days. I will ensure that everyone in my home who is subject to the CCTV recordings is notified of this fact.

Signature:	Date:
(Please note if digitally signed)	

**Foster/adoptive Child's Signature (if age appropriate)**

Signature:	Date:
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**Parents/Those with Parental Responsibility/Guardians Signature (if appropriate)**

Signature:	Date:
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**Agency and Local Authority/Trust authorisation:**

I agree to the use of internal CCTV or alternative technology in the foster home, as detailed above.

Agency Registered Manager or Equivalent:	Date:
(Please note if digitally signed)	

<u>Local authority/trust Social Worker:</u>	Date:
(Please note if digitally signed)	

**\*Upload this form to charms and link this consent to the progress action 'Internal CCTV in Operation'**