

## 1. Introduction

Closed Circuit Television Systems (CCTVS) are installed at PharmaCare (Europe) Limited, Unit 3 Dialog, Fleming Way, Crawley, RH10 9NQ.

### Purpose of Policy

**“The purpose of this policy is to regulate the use and management of the CCTV system and details of the procedures to be followed in order to ensure PharmaCare (Europe) Limited complies with the General Data Protection Regulation (GDPR).”**

CCTV systems are installed (both internally and externally) in the premises for the purpose of enhancing security of the building and its associated equipment as well as creating a mindfulness among the occupants, at any one time, that a surveillance security system is in operation within and/or in the external environment of the premises during both the daylight and night hours each day. CCTV surveillance at PharmaCare (Europe) Limited is intended for the purposes of:

- protecting the buildings and assets, both during and after business hours;
- to provide a safe and secure environment for the health and safety of staff, and visitors;
- preventing bullying;
- reducing the incidence of crime and anti-social behaviour (including theft and vandalism);
- to assist Law Enforcement Agencies in a bid to deter and detect crime;
- assisting in identifying, apprehending and prosecuting offenders; and
- to deter potential offenders by displaying existence of CCTV signs and signs of operation in and around the building.

## 2. Scope

This policy relates directly to the location and use of CCTV and the monitoring, recording and subsequent use of such recorded material. Where classes and activities are carried out in rented premises, PharmaCare (Europe) Limited will ensure that CCTV systems, where installed, are operated only in a way that is compatible with the provisions of this policy.

## 3. General Principles

PharmaCare (Europe) Limited has a statutory responsibility for the protection of its property, equipment and other plant as well providing a sense of security to its employees, and invitees to its premises. The Company owes a duty of care under the provisions of Safety, Health and Welfare at Work Act 2005 and associated legislation.

The use of the CCTV system 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 e.g. CCTV will not be used for monitoring employee performance.

Information obtained through the CCTV system may only be released when authorised by the HR & Privacy Officer. Any requests for CCTV recordings/images will be fully recorded and legal advice will be sought if any such request is made. (See “Access” below).

CCTV monitoring will be conducted in a manner consistent with all existing policies adopted by PharmaCare (Europe) Limited.

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

Video monitoring of public areas for security purposes within PharmaCare (Europe) Limited premises is limited to uses that do not violate the individual's reasonable expectation to privacy.

Information obtained in violation of this policy may not be used in a disciplinary proceeding against an employee of PharmaCare (Europe) Limited.

All CCTV systems and associated equipment will be required to be compliant with this policy following its adoption by PharmaCare (Europe) Limited. Recognisable images captured by CCTV systems are "personal data." They are therefore subject to the provisions of the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679).

#### 4. Justification for Use of CCTV

Section 2(1)(c)(iii) of the Data Protection Acts requires that data is "adequate, relevant and not excessive" for the purpose for which it is collected. This means that PharmaCare (Europe) Limited needs to be able to justify the obtaining and use of personal data by means of a CCTV system. The use of CCTV to control the perimeter of the building for security purposes has been deemed to be justified. The system is intended to capture images of intruders or of individuals damaging property or removing goods without authorisation.

CCTV systems will not be used to monitor normal business activity.

#### 5. Location of Cameras

The location of cameras is a key consideration. Use of CCTV to monitor areas where individuals would have a reasonable expectation of privacy would be difficult to justify. PharmaCare (Europe) Ltd has endeavored to select locations for the installation of CCTCV cameras which are least intrusive to protect the privacy of individuals. Cameras placed so as to record external areas are positioned in such a way as to prevent or minimise recording of passers-by or of another person's private property.

**CCTV Video Monitoring and Recording of Public Areas in PharmaCare (Europe) Limited may include the following:**

- **Protection of the building and property:** The building's perimeter, entrances and exits, lobbies and corridors, special storage areas, receiving areas for goods/services
- **Monitoring of Access Control Systems:** Monitor and record restricted access areas at entrances to the building and other areas
- **Verification of Security Alarms:** Intrusion alarms, exit door controls, external alarms
- **Criminal Investigations (*carried out by Law Enforcement*):** Robbery, burglary and theft surveillance

#### 6. Covert Surveillance

Pharmacare (Europe) Limited will not engage in covert surveillance.

Where a Law Enforcement request to carry out covert surveillance on the premises, such covert surveillance may require the consent of a judge. Accordingly, any such request made by Law Enforcement will be requested in writing and PharmaCare (Europe) Ltd will seek legal advice.

## 7. Notification - Signage

The HR & Privacy Officer will provide a copy of this CCTV Policy on request to staff, and visitors to the premises. This policy describes the purpose and location of CCTV monitoring, a contact number for those wishing to discuss CCTV monitoring and guidelines for its use. Adequate signage will be placed at each location in which a CCTV camera(s) is sited to indicate that CCTV is in operation. Adequate signage will also be prominently displayed at the entrance to PharmaCare (Europe) Limited property. Signage shall include the name and contact details of the data controller as well as the specific purpose(s) for which the CCTV camera is in place in each location.

## 8. Storage & Retention

Section 2(1)(c)(iv) of the Data Protection Acts states that data "shall not be kept for longer than is necessary for" the purposes for which it was obtained. A data controller needs to be able to justify this retention period. For a normal CCTV security system, it would be difficult to justify retention beyond a month (28 days), except where the images identify an issue – such as a break-in or theft and those particular images/recordings are retained specifically in the context of an investigation/prosecution of that issue.

**Accordingly, the images captured by the CCTV system will be retained for a maximum of 21 days, thereafter they are automatically overwritten except where the image identifies an issue and is retained specifically in the context of an investigation/prosecution of that issue.**

The images/recordings will be stored in a secure environment. Access will be restricted to authorised personnel. Supervising the access and maintenance of the CCTV System is the responsibility of the HR & Privacy Officer. The HR & Privacy Officer may delegate the administration of the CCTV System to another staff member. In certain circumstances, the recordings may also be viewed by other individuals in order to achieve the objectives set out above (such individuals may include Law enforcement, the General Manager, other members of Senior Management and our Security Company. When CCTV recordings are being viewed, access will be limited to authorised individuals on a need-to-know basis.

Tapes/DVDs will be stored in a secure environment with a log of access to tapes kept. Access will be restricted to authorised personnel. Similar measures will be employed when using disk storage, with automatic logs of access to the images created.

## 9. Access

HDR Recorder storing the recorded footage and the monitoring equipment will be securely stored in a restricted area. Unauthorised access to that area will not be permitted at any time.

Access to the CCTV system and stored images will be restricted to authorised personnel only eg: HR & Privacy Officer, General Manager and Senior Management and our Security Company.

In relevant circumstances, CCTV footage may be accessed:

- By Law enforcement where PharmaCare (Europe) Limited (or its agents) are required by law to make a report regarding the commission of a suspected crime; or
- Following a request by Law enforcement when a crime or suspected crime has taken place and/or when it is suspected that illegal/anti-social behaviour is taking place on PharmaCare (Europe) Limited property, or
- To data subjects (or their legal representatives), pursuant to an access request where the time, date and location of the recordings is furnished to PharmaCare (Europe Limited), or
- To individuals (or their legal representatives) subject to a court order.
- To PharmaCare (Europe) Limited's insurance company where the insurance company requires same in order to pursue a claim for damage done to the insured property.
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**Access requests:** On written request, any person whose image has been recorded has a right to be given a copy of the information recorded which relates to them, provided always that such an image/recording exists i.e. has not been deleted and provided also that an exemption/prohibition does not apply to the release. Where the image/recording identifies another individual, those images may only be released where they can be redacted/anonymised so that the other person is not identified or identifiable. To exercise their right of access, a data subject must make an application in writing to PharmaCare (Europe) Limited. PharmaCare (Europe) Limited must respond to the data subject within **30 days**.

Access requests can be made to the following: HR & Privacy Officer, PharmaCare (Europe) Limited, Unit 3 Dialog, Fleming Way, Crawley, RH10 9NQ.

A person should provide all the necessary information to assist PharmaCare (Europe) Limited in locating the CCTV recorded data, such as the date, time and location of the recording. If the image is of such poor quality as not to clearly identify an individual, that image may not be considered to be personal data and may not be handed over by PharmaCare (Europe) Limited.

In giving a person a copy of their data, PharmaCare (Europe) Ltd may provide a still/series of still pictures, a tape or a disk with relevant images. However, other images of other individuals will be obscured before the data is released.

## 10. Responsibilities

The HR & Privacy Officer will:

- Ensure that the use of CCTV systems is implemented in accordance with the policy set down by PharmaCare (Europe) Limited
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within PharmaCare (Europe) Limited
- Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy
- Ensure that the CCTV monitoring at PharmaCare (Europe) Limited is consistent with the highest standards and protections
- Review camera locations and be responsible for the release of any information or recorded CCTV materials stored in compliance with this policy
- Maintain a record of access (e.g. an access log) to or the release of tapes or any material recorded or stored in the system
- Ensure that the perimeter of view from fixed location cameras conforms to this policy both internally and externally
- Give consideration to employees feedback/complaints regarding possible invasion of privacy or confidentiality due to the location of a particular CCTV camera or associated equipment
- Ensure that all areas being monitored are not in breach of an enhanced expectation of the privacy of individuals within the building 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 images recorded on the HDR Recorder recordings are stored for a period not longer than 28 days and are then erased unless required as part of a criminal investigation or court proceedings (criminal or civil)
- Ensure that camera control is solely to monitor suspicious behaviour, criminal damage etc. and not to monitor individual characteristics
- Ensure that camera control is not infringing an individual's reasonable expectation of privacy in public areas

## 11. Review

The policy will be reviewed and evaluated from time to time.

A current version of this document is available to all members of staff on the T Drive within the GDPR folder.