



**Diocese of Elphin**

# **SAFEGUARDING CHILDREN**

## **GUIDELINES FOR PARISHES ON CCTV & BROADCASTING ON INTERNET**



## CCTV

The use of CCTV systems has greatly expanded in recent years. So has the sophistication of such systems. Systems now on the market have the capacity to recognise faces. They may also be capable of recording both images and sounds.

The expanded use of CCTV systems has society-wide implications. Unless such systems are used with proper care and consideration, they can give rise to concern that the individual's "private space" is being unreasonably eroded.

Section 2(1)(c)(iii) of the Data Protection Acts require that data are "adequate, relevant and not excessive" for the purpose for which they are collected. This means that an organisation must be able to demonstrate that the serious step involved in installing a system that collects personal data on a continuous basis is justified. Before proceeding with such a system, it should also be certain that it can meet its obligations to provide data subjects, on request, with copies of images captured by the system.

If a data controller is satisfied that it can justify installing a CCTV system, it must consider what it will be used for and if these uses are reasonable in the circumstances.

Security of premises or other property is probably the most common use of a CCTV system. Such a system will typically be intended to capture images of intruders or of individuals damaging property or removing goods without authorisation. Such uses are more likely to meet the test of proportionality.

Other uses may fail the test of proportionality. For example, using a CCTV system to constantly monitor employees is highly intrusive and would need to be justified by reference to special circumstances. If the monitoring is for health and safety reasons, a data controller would need to demonstrate that the installation of CCTV was proportionate in addressing health and safety issues that had arisen prior to the installation of the system.

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. Toilets and rest rooms are an obvious example. To justify use in such an area, a data controller would have to demonstrate that a pattern of security breaches had occurred in the area prior to the installation of the system such as would warrant constant electronic surveillance. Where such use can be justified, the CCTV cameras should never be capable of capturing images from cubicles or urinal areas.

Cameras placed so as 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.

It is possible that cameras can have a dual function – acting as security or CCTV systems as well as providing internet webcast.

- If CCTV cameras are in place it is important to have separate signs informing parishioners and the public this is the case.
- All uses of CCTV must be proportionate and for a specific purpose. As CCTV infringes the privacy of the persons captured in the images there must be a genuine reason for installing

such a system. If installing such a system it is required that the purpose for its use is displayed in a prominent position. This would normally be at the entrance.

- The images captured should be retained for a maximum of 28 days (See Section 2(1)(c)(iv) of Data Protection Acts), except where the image identifies an issue and is retained specifically in the context of an investigation of that issue.
- Tapes should be stored in a secure environment with a log of access to tapes kept. Access should be restricted to authorized personnel. Similar measures should be employed when using disk storage, with automatic logs of access to the images created.

### **Web Broadcasting:**

Cameras should be installed with due care and respect church buildings. They should not be permanent fixtures; they should be easily removable without any impact on the building.

Cameras should only be switched on for the duration of Mass or other Liturgy and switched off at the end. There should be no live streaming of Churches when there is no Mass or Liturgy taking place.

There are a number of Data Protection issues that must be met in relation to broadcasting on the internet.

- Recording people via a web camera and the subsequent displaying of such images over the internet is regarded as the processing of personal data and one of the key provisions regarding the processing of such data is that it must be done with the consent or knowledge of the individuals concerned.
- Camera shots (images) of the congregation should be wide shots – minimising the possibility of easily identifying individuals with close up images.
- Signs should be placed at a range of entrances to the church and in other prominent locations informing people that web cameras are in operation.
- Parish workers and members of the clergy should give written consent to their image being used for web broadcasting during the course of their regular duties. Copies of written consent forms should be kept on parish records.
- With regard to altar servers and others taking part in Liturgies (e.g. choirs, musicians, Ministers of the Word and of Holy Communion) it is advised that consent is also obtained. In the case of children, consent from given by parents/guardians is required.

Service providers should be able to give regular, accurate information regarding the number of people who actually log on to view Liturgies from your parish in order for you to assess the value of web broadcasting. If connecting to the parish broadband connection, ensure that your broadband package has unlimited usage for uploading, or you risk incurring significant costs from your provider.

During any broadcast it should be possible to stop transmission, if necessary, by quickly accessing the control panel of the system. If this cannot be done by the priest from near the altar, someone should be delegated to break transmission if needed.