



## CCTV in a patient's home

This factsheet looks specifically at the use of CCTV in a patient's home. The use of CCTV in an individual's home is classed as domestic use and is exempt from GDPR.

<p><b>Are there any restrictions on individuals who insist on video recording of staff within their home?</b></p>	<p>No. Individuals have the right to use video recording/CCTV in their own property for their own personal use.</p>
<p><b>Would the use of video recording/CCTV violate the ABUHB employees' right to privacy under the Human Rights Act?</b></p>	<p>ABUHB has a legal duty to ensure the human rights of staff are protected. However, when staff are visiting an individual's home to provide services, they are acting in a professional capacity. The right to privacy does not extend to a professional capacity.</p>
<p><b>Are individual's able to video staff within their home without the knowledge and consent of each member of staff?</b></p>	<p>The use of video recording for domestic purposes are exempt from GDPR therefore it is not necessary for an individual to obtain consent from ABUHB staff.</p>
<p><b>Can staff object to the video recording taking place?</b></p>	<p>No. ABUHB has a legal duty to ensure appropriate provision of healthcare for resident patients. However, if staff feel intimidated or threatened, verbally or physically, staff should adhere to processes and procedures in relation to violence and aggression and the Lone Working Policy.</p>
<p><b>What if the individual decides to share video recordings with a third party i.e. a solicitor?</b></p>	<p>If the individual shares video recordings with a third party, then the third party becomes a Data Controller. This means that the information is no longer being used for personal use and therefore would be subject to the GDPR principles.</p>
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