

CCTV IN FOSTER HOMES – POLICY/GUIDANCE

Aim of Policy

To provide clear information to foster carers regarding the use of CCTV to support and enable them to provide safe, stimulating and nurturing homes for children and young people.

Purpose

To clarify Thurrock Council's expectations and to provide explicit guidance regarding surveillance systems to those foster carers who are considering using recording devices to monitor somebody's wellbeing in their own homes.

CCTV is a closed-circuit television system on a private network. Footage is monitored mainly for surveillance and security purposes. The system uses strategically placed cameras that send the images to monitors placed elsewhere.

Covert surveillance

Surveillance is covert if it is carried out in such a way that the individual is not aware that they are being monitored. This can be with the use of equipment such as hidden cameras and listening devices, or secretly following individuals.

You cannot carry out covert surveillance unless this has been directed by a court.

We live in a data-driven world and the use of CCTV systems can feel both protective and intrusive. Whilst the use of CCTV could be a way of providing an additional protection to vulnerable children and young people, it can also have adverse implications for their privacy and dignity, particularly if filming is proposed to include bedroom areas.

Fostering Services (England) Regulations 2011 state:

That 'no child placed with a foster parent is subject to any measure of control, restraint or discipline which is excessive or unreasonable'. Given that the use of CCTV in foster homes will usually give rise to "continuous supervision" of a child/young person, CCTV should not be used to monitor the behaviour or actions of children or young people in the home. Adults who work with and look after the young person in care need to offer care, patience, presence and hope and none of these can be replaced or implemented via 24/7 surveillance.

National Minimum Standards for Fostering Services (2011)

*(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.*

CCTV, if you own your property, was exempt from the Data Protection Act 1998 and continues to be so under The General Data Protection Regulations (GDPR) and Data Protection Act (DPA) 2018. Use of CCTV does not require anybody else's permission to fit the cameras if you own your home but, if you rent, you will need written permission from the landlord or owner of the property before installing it.

The Information Commissioners Office (ICO), 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, that it is used in a responsible way to protect the privacy of others. The guiding principle throughout the deployment of CCTV equipment should be checking at each stage 'that its use is necessary and not disproportionate'.

See the ICO guidance 'CCTV on your property' <https://ico.org.uk/your-data-matters/cctv-on-your-property/>

Thurrock's advice to foster carers wishing to site CCTV cameras within their own home is that this type of technology is unnecessary and undesirable in the vast majority of foster homes. If a child or young person's welfare requires invasive video surveillance, then it could be rightly argued that fostering is not the right type of placement for them.

If CCTV is in use around the property, Thurrock fostering would require that the information collected is not used for any purpose other than protecting a property and should not be used as a way of supervising children within the foster home.

CCTV or similar surveillance systems must not be sited in foster carer's home without discussion. Carers who are worried about a child in their home, should first raise these concerns with their Supervising Social Worker, child's Social Worker and the Team Manager. These professionals will explore the concerns and consider alternative options, if necessary.

If a foster carer felt that there was an exceptional reason for using CCTV, or other video surveillance within the home, they will be required to make a request to the professionals outlining these exceptional circumstances. Any written agreement would need to address where the cameras are positioned, why they are in use and when, who is responsible for the camera(s) and what happens to the footage in terms of storage and retention of images.

Depending on their age and understanding, the child or young person and their parents, or person holding parental responsibility, should be given relevant information and asked to sign consent to the use of video equipment.

Should such a request be agreed, the carer's Safer Caring Policy and other relevant documents need to be updated at the earliest opportunity. Any request for a change of use should be regularly reviewed.

Baby monitors

These are a listening device. They are used to check a young baby's welfare when an adult is not in the same room, for example, if a baby is sleeping during the day. Baby monitors should not be used as a form of supervision for babies and children. 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.