**Privacy Notice for the Use of Body-Worn Cameras in the Emergency Department Pilot**

East Kent Hospitals University Foundation Trust (EKHUFT) is committed to protecting your privacy and ensuring that your personal data is handled with care and in compliance with data protection laws, including the **General Data Protection Regulation (GDPR)** and the **Data Protection Act 2018 (DPA)**. This Privacy Notice explains how we use **body-worn cameras** (BWC) during a pilot program in the **QEQM Emergency Department (ED)** and how your personal data may be collected, stored, and used.

**1. What is being filmed and why?**

As part of a pilot program, **body-worn cameras** will be used by staff in the **Emergency Department (ED)**. These cameras are **front-facing**, but they are **not recording** unless activated by an authorised and trained staff member. The cameras are **only activated** in specific situations where there is a risk of **violence** or **aggression**. The primary purpose of using these cameras is to **deter** potential aggressive behaviour and to **protect the safety** of both patients, families, and staff members. Due to an increase in incidents of violence and aggression, the Trust has introduced this measure to help safeguard everyone in the ED.

The use of body-worn cameras aims to create a safer environment, to detect and prevent incidents of violence and aggression, as well as to support their associated investigation.

**2. What personal data is collected?**

When the body-worn cameras are activated, they will record **video** and **audio** footage. This may capture your **image** and **voice/audio**, as well as any other identifiable information you may provide during the interaction with ED staff. Footage will only be captured during moments of activated recording, which will occur in situations where staff assess there is a threat to safety. The authorised and trained staff member is required to announce the use of the camera before any recording begins.

**3. Legal basis for processing**

We process your personal data in line with **GDPR Article 6** and **Article 9**, and under the **Data Protection Act 2018 (DPA)**. The lawful bases for processing personal data in this case are:

* **Public interest and official authority**: The use of body-worn cameras is necessary for maintaining safety and security in the ED, helping the Trust fulfil its duty of care to patients, families, and staff (GDPR Article 6(1)(e)).
* **Detection and prevention of crime**: The recordings are also processed to detect and prevent incidents of violence and aggression, as well as to support the investigation of any criminal activity (GDPR Article 6(1)(f) and DPA 2018, Schedule 1, Part 2, Paragraph 4).

**4. Who will have access to the footage?**

Only authorised personnel will have access to the recordings, including verified Trust Local Security Management Specialists (LSMS). In certain situations, footage may be shared with regulatory authorities, law enforcement, or for investigations as required by law or for the purpose of resolving incidents. As permitted under the Crime and Disorder Act 1998.

**5. How will the footage be stored and for how long?**

The recordings will be stored securely, in compliance with the Trust's data retention policy. All footage will be **encrypted** to ensure its protection. The footage will be retained for a period of **30 days** unless it is required for investigation, legal proceedings, or other purposes as stipulated by law, after which it will be deleted.

**6. Can footage be requested?**

Yes, footage from the body-worn cameras can be requested. Please be aware that the recordings may contain personal and confidential information about third parties, which could impact their privacy rights. Therefore, the recordings may not be disclosed under the **Data Protection Act 2018, specifically Section 40 (Personal data) and GDPR Articles 5 (Principles relating to processing of personal data) and 6 (Lawfulness of processing),** as disclosure could interfere with the rights and freedoms of third parties. Therefore, to ensure compliance with data protection regulations, a **crime reference number** or **linked police investigation number** must be provided when requesting footage as part of an official investigation.

Requests for footage related to an investigation can be made to the **Trust's Data Protection Officer** using the following contact details: **Trust Data Protection Officer: Tel: 01227 783142, email:****ekhuft.dataprotectionofficer@nhs.net****IG Manager, Kent & Canterbury Hospital, Ethelbert Road, Canterbury, CT1 3NJ**

**7. Your rights**

Under the **GDPR** and **DPA 2018**, you have certain rights regarding your personal data, including:

* **The right to access**: You can request access to any footage that includes your image or voice. Requests should be made to the **Trust's Security Team** using the above contact details or alternatively to the **Trust's Data Protection Officer (DPO)**on the contact details contained within this notice.
* **The right to rectification**: If any of the personal data held is incorrect, you can request that it be corrected.
* **The right to erasure**: In certain circumstances, you can request that footage be deleted.
* **The right to object**: You may object to the processing of your data if you believe that it is not necessary for the purposes stated above.

To exercise any of these rights or if you have concerns about how your data is being processed, please contact the Trust's Data Protection Officer (DPO) at:**Trust Data Protection Officer: Tel: 01227 783142, email:****ekhuft.dataprotectionofficer@nhs.net****IG Manager, Kent & Canterbury Hospital, Ethelbert Road, Canterbury, CT1 3NJ**

**8. Safeguarding your information**

We take the privacy of your information seriously. All recordings are made and stored securely to protect your privacy. The body-worn cameras are only activated when assessed by trained ED personnel as proportionate and necessary for their purpose, such as in situations of aggression or violence, and are turned off as soon as the interaction concludes or when the threat is no longer present.

**9. Contact Information**

If you have any questions about this privacy notice, or if you wish to exercise your data protection rights, please contact the Trust’s Data Protection Officer:

**Data Protection Officer (DPO) Contact Details**

**Trust Data Protection Officer: Tel: 01227 783142, email:****ekhuft.dataprotectionofficer@nhs.net****IG Manager, Kent & Canterbury Hospital, Ethelbert Road, Canterbury, CT1 3NJ**

**10. Changes to this Privacy Notice**

This Privacy Notice may be updated from time to time to reflect changes in the use of body-worn cameras or in response to changes in the law. Any updates will be communicated to you through appropriate channels.

We understand the importance of your privacy, and we are committed to ensuring that any data collected through the use of body-worn cameras is handled in a lawful, fair, and transparent manner. The body-worn cameras are there to provide protection for patients, families, and staff, helping ensure the safety and security of everyone in the Emergency Department.

Thank you for your cooperation.