

明愛青少年及社區服務

服務質素標準 14 14.6 閉路電視監察措施指引

政策目的

1. 在明愛青少年及社區服務(「本服務」)及屬下單位的公眾地方或公共範圍已採用閉路電視監察作保安用途。使用閉路電視的目的是以阻嚇、偵測非法行為，及確保職員及服務使用者處身於安全的環境。
2. 本服務及屬下單位承諾會引用及遵守個人資料(私隱)條例(簡稱「條例」)的原則及規定，保障職員及服務使用者個人資料的私隱。

閉路電視攝錄機及告示的設置

3. 本服務及屬下單位會在受監察範圍的出入口透過明顯的告示通知職員及服務使用者受到閉路電視監察，並在受監察範圍內再張貼告示。

告示樣本

本中心已安裝閉路電視監察錄影系統，
以作保安用途。如有查詢，請與本中心單位主管聯絡。
明愛 XXXX 中心示

妥善處理攝錄影像

4. 所有閉路電視攝影機所錄影之影像，本服務及屬下單位承諾會確保資料的準確性及不會保留個人資料超過實際需要。除非是有保安事故發生而需要保留所收集的個人資料，所有攝錄影像一般會於攝錄日期後 30 天依循環錄影方式自動刪除。
5. 本服務及屬下單位會推行安全保管資料的措施，保障從監察系統收集的個人資料，免被擅自或意外取得，或作不當用途。監察系統儲存錄像的硬碟/儲存器在沒有職員看管時存放於上鎖的地方，以避免有人惡意破壞或拷貝。
6. 閉路電視系統於辦公時間由當值社工及文職同事負責監管攝錄機的操作。單位主管定期檢查閉路電視系統以確定其操作正常，及確保儲存於硬碟的資料不會被其他人士翻看。如發現有誤用或濫用閉路電視系統的情況，應立即向單位主管匯報。
7. 單位主管不應只依據口頭要求或普通的指稱便披露閉路電視的記錄。如有執法機構(例如警方) 要求提供閉路電視的錄影拷貝，以作出刑事調查時，單位主管應在有足夠資料信納有關

記錄是符合條例下可應用豁免條文(例如根據條例第 58)，才可向有關執法機構提供相關的資料。

8. 本服務及屬下單位應定期檢討閉路電視系統作保安用途的成效及保安程序執行的情況。如檢討顯示使用閉路電視已屬不必要或可改用私隱侵犯程度較低的方法來達致同樣效果，本服務及屬下單位會停止使用閉路電視。

政策及實務的透明度及執行情序

9. 本服務及屬下單位會確保相關職員已獲悉並會遵從有關政策或程序。就如何遵從有關政策或程序，負責操作系統或使用影像的職員會獲相關的培訓，亦應有足夠的監督。
10. 若遇上任何與安全相關的突發事件發生，負責職員必須儘快填寫及遞交「突發事件報告」(表格請見服務質素標準 9.5c 文件)，單位主管必須作出合適跟進，包括知會服務總主任、與警方及執法機構跟進及處理保險事宜等。(詳情可參閱明愛青少年及社區服務之服務質素標準九-服務單位處理緊急事故的程序。)
11. 此措施由服務總主任/單位主管負責執行。職員如有查詢或其他匯報，可直接與他們或管理層聯絡。

參考文件：

- 1) 香港個人資料私隱專員公署 - 閉路電視監察措施指引 (二零一零年七月)
- 2) 香港個人資料私隱專員公署 - 個人資料(私隱)條例保障個人資料私隱指引：僱主監察僱員工作活動須知(二零零四年十二月)

Caritas Youth and Community Service
Service Quality Standards 14
14.6 Guidelines on CCTV Surveillance Practices

The Aim

1. Most public places or common areas of Caritas Youth and Community Service (The “Service”) and service units are under surveillance of CCTV for security purpose. CCTV System is used for the prevention and/or detection of crime or other unlawful activities, and to ensure a safe environment for all staff members and service-users.
2. The Service and service units pledges to comply with the requirements stipulated in the “Personal Data (Privacy) Ordinance” the “Ordinance” for protecting personal data of staff members and service-users.

Positioning of CCTV cameras and notices

3. The Service and service units have expressly informed all staff members and service users that they are subject to CCTV surveillance. The Service units pledge to put notices visible to visitors at the entrance of the monitored area as well as inside the area.

Sample of the Notice

CCTV system has been installed within this Centre for security purpose.
For enquiries, please contact the Centre Supervisor.
Caritas XXXXX Centre

Proper handling of the recorded images

4. The Service and service units pledge to ensure accuracy of all CCTV recorded images and would not have excessively retained any personal data. All recorded images would be deleted automatically after 30 days, unless any incident regarding to the Service’s/service unit’s security has been detected or reported.
5. The Service and service units promise to take all reasonable and practicable steps to protect personal data collected through the use of the CCTV system. In particular, the Service and service units would ensure that no unauthorized or accidental access would be permitted, and prohibit any processing, erasure or unauthorized use of the data. The data hard disk/device of the CCTV system should be locked up in order to prevent such data being destroyed or copied malevolently.
6. The CCTV system is operated and monitored by the social worker and clerical staff on duty during the office hour. The Centre Supervisor will check the CCTV system regularly to ensure proper operation. If there is any misuse or abuse, staff should report to the Centre Supervisor at once.

7. Disclosure of CCTV records should not be based upon mere verbal request any/or general allegations. When the personnel of law enforcement agencies (e.g. police) request for copies of CCTV record to conduct criminal investigations, the Centre Supervisor of the service unit should ensure that the data fall within the exemption provisions of the relevant ordinance, (e.g. S.58 of the Ordinance), before releasing relevant information to the law enforcement agency.
8. Yearly review should be conducted upon the effectiveness of the CCTV system, in particular the Retention, Destruction and Protection of these data. If the review shows the use of CCTV has been unnecessary or could be replaced by less violating means achieving the same goal, the Service and service unit will stop the use of CCTV.

Transparency of policy and practice and procedures implementation

9. The Service and service units would ensure the related policies or procedures being communicated to and followed by the relevant staff members. Staff members who operate the systems or use the images will be trained to comply with policies or procedures. Adequate supervision will also be in place.
10. If any incident concerning the security of service units is detected, responsible staff should report the incident by completing the “Incident Report” (refer to SQS 9.5c document) as soon as possible. Upon receipt of the Report, the Centre Supervisor should take action to follow up the matter, by informing the Service Head, reporting the matter to the Police, law enforcement agencies, and/or insurance agencies.
11. The Service Head / Centre Supervisor are responsible for the implementation of and compliance with this policy. Any enquiries or reports should be addressed to them or the staff members at higher management levels.

Reference :

- 1) Guidance on CCTV Surveillance Practices (Jul 2010)
- 2) Personal Data (Privacy) Ordinance - Privacy Guidelines : Monitoring and Personal Data Privacy of Work (Dec 2004),
The Privacy Commissioner for Personal Data