



Bermuda Hospitals Board

CCTV PRIVACY NOTICE

This CCTV Privacy Notice informs individuals on the premises of the Bermuda Hospitals Board (BHB) of how BHB may use their personal information (which may include sensitive personal information).

Your privacy is important to us. This CCTV Privacy Notice is a live document and will be kept under review and updated, as required, to comply with Bermuda law and any new guidance from the Privacy Commissioner or the Bermuda Government.

WHO IS BHB AND WHAT DO WE DO?

BHB is responsible for the general charge and management of hospitals on island (inclusive of the King Edward VII Memorial Hospital, the Mid-Atlantic Wellness Institute and the Lamb Foggo Urgent Care Centre) as well as the provision of health services within the jurisdiction.

LEGAL STATUS OF THIS NOTICE

Taking full effect from 1 January 2025, the Personal Information Protection Act 2016 (PIPA) places all individuals, private entities and public authorities that use personal information in Bermuda (whether by automated means or as part of a structured filing system) under legislative obligations to protect that information. Part of those obligations involve the provision of a privacy notice to individuals by the time their personal information is collected, or as soon as possible thereafter.

PIPA requires that organisations use personal information only for the specific purposes provided in their privacy notices or for purposes that are related to those specific purposes (with some limited exceptions).

BHB has prepared this CCTV Privacy Notice to help educate individuals on our premises of their legal rights generally and of BHB's specific legal obligations as an organisation using personal information under PIPA.

KEY DEFINITIONS

For the purpose of this Privacy Notice, "CCTV" includes any fixed surveillance equipment designed to capture and record video, still images, and/or audio of individuals and property.

PIPA establishes the following new statutory definitions as referred to in this Privacy Notice:

- **personal information:** means any information about an identified or identifiable individual.
- **sensitive personal information:** means any personal information relating to an individual's place of origin, race, colour, national or ethnic origin, sex, sexual orientation, sexual life, marital status, physical or mental disability, physical or mental health, family status, religious beliefs, political opinions, trade union membership, biometric information* or genetic information**.

* **biometric information** means any information relating to the physical, physiological or behavioural characteristics of an individual which allows their unique identification, such as facial images or fingerprint information.

** **genetic information** means all personal information relating to the genetic characteristics of an individual that have been inherited or acquired, which give unique information about the physiology or the health of that individual resulting, in particular, from an analysis of a biological sample from the individual in question.

- **use or using:** in relation to personal information, means carrying out any operation on personal information, including collecting, obtaining, recording, holding, storing, organising, adapting, altering, retrieving, transferring, consulting, disclosing, disseminating or otherwise making available, combining, blocking, erasing or destroying it.

OUR PRIVACY OFFICER

BHB has appointed a Privacy Officer who will have primary responsibility for communicating with the Privacy Commissioner and for members of the public to contact if they have any questions or concerns on how we use personal information. The Privacy Officer's name and contact information is as follows:

Garland Swan, Privacy Officer
King Edward VII Memorial Hospital, 7 Point Finger Road, Paget DV 04
privacy@bhb.bm

We aim to meet the highest standards when using personal information. We encourage you to bring any queries or concerns about PIPA issues to the attention of our Privacy Officer.

OVERVIEW

BHB's CCTV systems may capture the personal information of individuals on BHB's premises, including biometric information, such as facial images and voice recordings.

WHY BHB USES CCTV

BHB uses CCTV to view and record individuals on the properties it owns or controls in order to help maintain a safe and secure environment for all individuals attending its premises. In doing so, BHB recognises its statutory responsibility for the general charge and management of hospitals on island and its role as one of the largest employers on island.

BHB considers that the use of surveillance systems is necessary:

- to deter and prevent crime;
- to protect buildings and assets from damage, disruption, and vandalism;
- for the personal safety of individuals (including staff, visitors and members of the public);
- to support law enforcement bodies in the prevention, detection, and prosecution of crime;
- to assist in day-to-day management, including ensuring the health and safety of employees and others;
- to assist in the effective resolution of disputes which arise in the course of disciplinary or grievance proceedings; and
- to assist in the defence of any litigation, including employment tribunal proceedings.

This list is not exhaustive and other purposes may be or become relevant.

WHERE AND WHEN CCTV IS USED

CCTV may monitor spaces that are accessible to the public, which may include:

- the exterior of the building, parking lots, and entrances/exits;
- reception areas; and
- elevators and stairwells.

CCTV may also monitor spaces that are not accessible to the public, including corridors, storage areas, and loading/unloading bays.

Surveillance systems may be monitored by authorised personnel at any time.

DISCLOSURES OF CCTV INFORMATION

BHB may disclose personal information (including sensitive personal information) captured by its CCTV systems to:

- BHB employees, agents and contractors who need the information to carry out their contractual duties;
- Bermuda Government departments and agencies where BHB has specific reporting obligations under Bermuda law to provide such information;
- crime prevention or detection organisations, such as the Bermuda Police Service and private security organisations engaged by BHB to facilitate security systems;
- individuals who have made requests under the Public Access to Information Act 2010;
- internal and external auditors along with certification and accreditation bodies;
- courts, tribunals, mediators, and conciliators; and
- advisors of BHB, such as attorneys, subject matter experts, and insurance providers.

When personal information is disclosed by BHB, it is transferred securely in line with the requirements of PIPA and confidentiality protocols. BHB does not sell or share personal information for marketing purposes.

SUPPORTING THE PRIVACY RIGHTS OF INDIVIDUALS

BHB is committed to complying with our legal obligations and ensuring that the privacy rights of individuals, are recognised and respected. We further recognise that the misuse of personal information collected by CCTV or other surveillance systems could constitute an offence under Bermuda law and cause distress to individuals.

BHB has taken certain “privacy by design” steps to enhance transparency and support privacy rights include:

- **Access Limitation:** Viewing of live feeds from cameras and recorded images are limited to approved personnel whose roles requires them to have access to such data. This may include HR staff involved with disciplinary or grievance matters. No images from CCTV will ever be posted online by BHB for viewing by the general public or disclosed by BHB to the media.
- **Disclosure Limitation:** BHB may disclose CCTV data containing personal information where we consider that this is reasonably necessary for any of the purposes mentioned above. Data will not normally be released unless satisfactory evidence that it is required for legal proceedings or under a court order has been produced. In other appropriate circumstances, BHB may allow law enforcement agencies to view or remove CCTV footage where this is required in the detection or prosecution of crime. We maintain a record of all disclosures of CCTV footage.
- **Integrity of Information:** Personal information collected from CCTV cameras will be permanently deleted once there is no reason to retain the recorded information. Exactly how long images will be retained for will vary according to the purpose for which they are being recorded. For example, where images are being recorded for crime prevention purposes, data will be kept long enough for incidents to come to light. In all other cases, recorded images will be kept for no longer than 90 days. BHB maintains a comprehensive log of when data is deleted.
- **Confidentiality:** Recorded images collected from CCTV will only be viewed in designated, secure offices. Personnel with access to surveillance systems are given appropriate training to ensure they understand and observe the legal requirements under PIPA related to the processing of personal information and the privacy rights of individuals.
- **Public Awareness:** Signs are displayed at the entrance of surveillance zones to alert individuals that their image may be recorded. Such signs confirm BHB as the organisation operating the system, the purpose for using the surveillance system and who to contact for further information.
- **Security:** In order to ensure that the rights of individuals recorded by our CCTV systems are protected, BHB ensures that data gathered from CCTV cameras is stored in a way that maintains its integrity and security. This may include encrypting the data, where it is possible to do so. We may engage third party organisations, including cloud computing providers, to store and/or use the data on our behalf. We will ensure reasonable safeguards are in place to protect the security and integrity of the data, which may include contractual mechanisms. At the end of their useful life, all images stored in whatever format will be erased permanently and securely. Any physical matter such as tapes, discs, and hard copy prints will be disposed of as confidential waste.

HOW LONG DO WE KEEP PERSONAL INFORMATION?

BHB retains all personal information in accordance with Bermuda law and its data retention policies.

RIGHTS OF INDIVIDUALS UNDER PIPA

PIPA provides individuals with a number of statutory rights in relation to their personal information which is held by organisations, including persons recorded by CCTV. These rights are subject to a number of statutory exemptions.

The right of access to personal information

You have a right to request and BHB is required to provide:

- personal information about yourself which is in the custody or under the control of BHB;
- the purposes for which your personal information has been and is being used by BHB; and
- the names of the persons or types of persons to whom and circumstances in which your personal information has been and is being disclosed.

The right to request the rectification of your personal information

If you believe that personal information concerning you which is under the control of BHB has an error or omission, you can make a written request for a correction to the same.

If there is an error or omission in personal information that your correction request has identified, BHB must correct your personal information as soon as reasonably practicable. Where BHB has disclosed the incorrect information to other organisations, BHB must send a notification containing the corrected information to each organisation to which the incorrect information has been disclosed, if it is reasonable to do so.

The right to request the erasure or destruction of your personal information

You have the right to request BHB to erase or destroy your personal information where that personal information is no longer relevant for the purposes of its use by BHB.

On receiving such a request, BHB must erase or destroy your personal information that you have identified in your request or provide you with written reasons as to why the use of such personal information is justified.

The right to request the cessation of the use of your personal information

You have the right to request BHB to cease, or not to begin, using your personal information:

- a) for the purposes of advertising, marketing or public relations; or
- b) where the use of that personal information is causing or is likely to cause substantial damage or substantial distress to yourself or to another individual.

On receiving a request described in sub-section (a) above, BHB must cease, or not begin using your personal information for the purposes of advertising, marketing or public relations.

On receiving a request described in sub-section (b) above, BHB must either cease, or not begin, using the personal information that you have identified in your request, or provide you with written reasons as to why the use of such personal information is justified.

To make any of the requests referred to above, please complete our **Subject Access Request Form** and send to the Privacy Officer at privacy@bhb.bm.

CHANGES TO THIS PRIVACY NOTICE

BHB reserves the right, at our discretion, to change, modify, add to, or remove portions from, our CCTV Privacy Notice.

