
STATUTORY INSTRUMENTS

2013 No. 499

The Residential Family Centres (Amendment) Regulations 2013

Use of surveillance

13. After regulation 21 (fitness of premises) insert—

“21A. Use of surveillance

(1) Subject to paragraph (6) and any requirements for electronic monitoring imposed by a court under any enactment, the registered person must ensure that electronic or mechanical monitoring devices for the surveillance of residents are not used in a residential family centre, except for the purpose of—

- (a) safeguarding their welfare, or that of other residents accommodated in the centre;
or
- (b) assessment or monitoring carried out under regulation 13A.

(2) The registered person must ensure that any use of such devices is subject to the following conditions:

- (a) the residents are informed in advance of the intention to use the device; and
- (b) its use is no more intrusive than necessary.

(3) Where the use of such devices is used for the purpose at paragraph (1)(b), the registered person must also ensure that—

- (a) the resident being assessed or monitored consents to the use of the device in question; and
- (b) its use is provided for in the placement plan.

(4) The registered person must ensure that staff at the residential family centre are appropriately trained and understand the requirements imposed by this regulation before they use any such devices.

(5) Paragraphs (1)(c) and (d), and (2) of regulation 19 apply to any information or material obtained by means described in paragraph (1) as they do to any other record under that regulation.

(6) This regulation does not apply to monitoring devices commonly used by parents to monitor their children’s safety.”.