# Code of Practice on the Use of Closed Circuit Television (CCTV)

<table>
<thead>
<tr>
<th>Reference Number:</th>
<th>116</th>
</tr>
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</table>
| Author & Title:   | Adam Jones, Security Management Specialist  
|                   | Simon Edwards, Information Governance Manager |
| Responsible Directorate: | Estates & Facilities Directorate |
| Review Date:      | February 2014 |
| Ratified by (committee): | Health & Safety Committee |
| Date Ratified:    | February 2011 |
| Version:          | 4 |

**Related Policies**

- Data Protection Act 1998 Policy
- Disposal of confidential waste
- Incident reporting & management policy etc.
- Complaints process
- Grievance process
- Security policy
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<td>Ratification Checklist</td>
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</table>
1. Purpose

The purpose of this document is to ensure:

- That the CCTV system is not abused or misused.
- That the CCTV is correctly and efficiently installed and operated.
- That the CCTV is only accessible to authorised individuals.

The overall purpose of CCTV schemes is to help in the reduction of and investigation of crime, to protect Trust staff and to protect Trust premises from criminal activities. The purposes are in accordance with the following rationale:

- To assist in the prevention and detection of crime against both persons and property.
- To facilitate the identification, apprehension and prosecution of offenders in relation to crime.
- To ensure the security of property belonging to the Trust and to employees and visitors of the Trust.

2. Scope of Policy

The policy is binding on all employees of the Trust and applies also to other persons who may, from time to time, and for whatever purpose, be present on Trust premises.

3. Ownership and Operation of CCTV

The Royal United Hospital Bath NHS Trust is the ‘data controller’ for all CCTV systems operating on its premises. The Trust is responsible for all cameras, monitors and data collection and retention processes.

The Trust shall be responsible for the introduction and implementation of the code of practice, and for ensuring compliance with operational guidance.

4. Principles

The System will be operated in accordance with all the requirements and the articles of the Human Rights Act 1998. The operation of the System will also recognise the need for formal authorisation of surveillance as required by the Regulation of Investigatory Powers Act 2000, in particular Part 2 of the Act.
The System will be operated in accordance with the Data Protection Act 1998 at all
times.
The System will be operated fairly, within the law, and only for the purposes for
which it was established and are identified within this policy, or which are
subsequently agreed in accordance with this policy.
The System will be operated with due regard to the principle that everyone has the
right to respect for their private and family life and their home.
The public interest in the operation of the System will be safeguarded by ensuring
the security and integrity of operational procedures.
Throughout this policy it is intended, as far as reasonably possible, to balance the
objectives of the CCTV System with the need to safeguard the individual's rights.
Every effort has been made throughout the policy to indicate that a formal structure
has been put in place, including a complaints procedure, by which it can be identified
that the System is not only accountable, but is seen to be accountable.
Participation in the System by any organisation, individual or authority assumes an
agreement by all such participants to comply fully with this policy and to be
accountable under the Office of the Information Commissioner’s Code of Practice.

5. Data Protection Act 1998

The Trust’s Information Governance Manager will identify and include all its schemes
within the notification which it is required to do under the terms of the Data Protection

All schemes will operate in accordance with the guidelines set out in the ‘CCTV
Code of Practice’ published by the Information Commissioner’s Office. In order to
conform to this Code of Practice, the following guidelines must be adhered to:

- The Trust’s Local Security Management Specialist (LSMS) operating such
  schemes, will be responsible for overseeing that monitoring of all images are
  in accordance with this policy and that suitable operation, back up, retention,
  destruction and maintenance of all storage media is conducted in accordance
  with the written operational procedures manual kept within the site control
  room.
- Cameras will not be hidden from view and appropriate steps must be taken,
  e.g. by signing and displaying posters, to inform the public of the presence of
  the system and its ownership at all times.
- To ensure privacy, images from the system are viewed by trained and
  authorised staff, where a camera is there not to protect patients or staff, but
  property, then the camera’s should be fixed and focused.
- Images from the cameras are appropriately recorded in accordance with
  existing operational procedures.

There is no sound recording undertaken from any part of the system.

6. Directed Surveillance
Directed surveillance can only be undertaken with the consent of the proper authorities and in accordance with the Law. The Regulation of Investigatory Powers Act 2000 regulates the use of directed surveillance of this type and is subject to a strict code of practice.

The Trust should satisfy itself that there are grounds for suspecting criminal activity or equivalent malpractice and that notifying individuals about the monitoring would prejudice its prevention or detection. It should only be considered in exceptional circumstances, any member of staff wishing to use directed CCTV surveillance should consult the LSMS and the Information Governance Manager.

Directed surveillance should be strictly targeted at obtaining evidence within a set timeframe and should not continue after the investigation is complete. Cameras should not be placed in areas which you would reasonably expect to be private (e.g. toilets). There may be exceptions to this in cases of suspicion of serious crime whereby there is police involvement.

The minimum number of people possible should be involved in the investigation. Prior to each investigation, clear rules should be set up limiting the disclosure and access to the information obtained,

Directed surveillance can only be carried out with authorisation/instruction from the Counter Fraud and Security Management Service or the Police. The Trust’s Chief Executive should be notified to inform that court surveillance is being carried out.

7. Roles and Responsibilities

It is the responsibility of the Director of Facilities as overall owner and data controller of the CCTV system:

The following members of staff have specific responsibility for the management of CCTV systems on site:

7.1 Local Security Management Specialist (LSMS)

Is responsible for the day to day management of CCTV Systems operated by the Security staff. The Manager will ensure that the use and management of the system is in keeping with this policy, monitor compliance and report any breaches to the Director of Facilities.

The LSMS shall be responsible for ensuring that future development of CCTV Systems is approved in accordance with the requirements of legislation. Act as the link with the Counter Fraud and Security Management Service with respect to the legislation covered by this policy.

To notify persons on Trust property where CCTV is installed and that a CCTV scheme is in operation by clear notices placed around the site and in areas of CCTV
7.2  **Director of Facilities/Security Management Director (SMD)**

The Chief Executive has designated the Director of Facilities/SMD to be the Director, who has specific responsibility for all security issues, across the Trust, with the exception of fraud and corruption.

7.3  **Trust Data Protection Officer/Information Governance Manager**

Shall be responsible for ensuring that all the Trust’s CCTV schemes are adherent to the Data Protection Act 1998 and the associated Code of Practice. The Data Protection Officer will also be responsible for updating the Trust on any changes in legislation and for ensuring that the Trust’s registration with the Information Commissioner is accurate and up to date.

7.4  **Security Staff**

Security staff will ensure adherence to this Code of Practice. All staff involved in the handling of the CCTV equipment, both directly employed and contracted, will be made aware of the sensitivity of handling CCTV images and recordings. Staff will be fully briefed in respect of all functions, both operational and administrative relating to CCTV control operation. Familiarisation training by camera installers will also be provided as appropriate.

### 8. Management of CCTV Schemes

No part of the CCTV system should be initiated, installed, moved or replaced without prior approval by the Director of Facilities/SMD to approve such schemes. The Data Protection Officer must also be informed.

All schemes are required to meet all the following standards and must be formally approved (as above) prior to any installation;

- Establish who is the person(s) legally responsible for the proposed scheme within the Trust.
- Assess the appropriateness of and reasons for, using CCTV or similar surveillance equipment.
- Document this assessment process and the reasons for the installation of the scheme.
- Establish and document in accordance with current legislation the purpose of the Scheme.
- Ensure that the notification lodged with the Office of the Information Commissioner covers the purposes for which this equipment will be used.
- Establish and document the person(s) or organisation(s) that are responsible for ensuring the day-to-day compliance with the operational requirements of such schemes and this policy.

This must be done jointly by the LSMS and the Data Protection Officer.
Any new CCTV equipment should be purchased in conjunction with the Facilities and Supplies departments. If a member of staff wants to implement a new CCTV system they should contact the Trust’s Security Manager.

9. Digital CCTV

- All digital CCTV systems installed onto Trust premises must have the storage capacity to hold a minimum of 31-day footage. In certain circumstances it may be considered appropriate to retain data for a longer period, a full risk assessment must be taken before making a decision for a longer retention period.
- Where digital CCTV is installed all sites must have local access to a DVD recorder that is compatible with the system in use.
- If police require access to CCTV footage an area should be made available for viewing. This is area is designated as the Security Control Room.
- If the police require a copy of the footage on DVD, two copies must be made. One copy to be retained by the Trust and the other given to the police. The event will be noted in the log and the details and signature of the recipient obtained.
- All statements within the policy apply to the use of digital CCTV including guidance outlined above. If the police request access, above guidance must be adhered to, in addition to the section on access to digital images.

10. Recording

Systems are supported by DVD hard drive recording facilities which will function as appropriate. In addition incidents can be recorded in ‘real time’ where necessary.

A DVD log will be maintained. Each DVD will be uniquely identified and all activities relating to each tape and DVD. E.g. date and hours of recording, viewing for specific purpose, copies taken, DVDs retained for evidence, DVDs destroyed etc will be recorded in the DVD log kept in the Security Office.

In the event of the DVD being required for evidence, it will be retained for a period recommended by the Trust’s legal advisors and/or the police. It will be separately indexed and securely stored in the LSMS’s safe to avoid accidental re-use.

All DVD’s that have been used to record information remain confidential and copyright at all times and remain the property of Bath Royal United NHS Trust.

11. Positioning of Cameras and Signs

The location of the equipment must be carefully considered, the following points must be taken into consideration before installing either a new CCTV camera or a full CCTV system.

- Equipment should be situated so they can only monitor the area that is intended to be monitored.
• Equipment should be situated so they can only monitor for the predefined purpose.
• Cameras cannot be positioned in areas where it would be considered private e.g. toilet, changing room, private office. (There maybe exceptions to this in cases of suspicion of serious crime whereby there is a Police involvement)
• If the CCTV area borders private property every effort should be made to ensure the private area cannot be viewed.
• Signs that CCTV cameras operating shall be displayed at the perimeter of the area covered by the scheme and at other key points.
• The signs shall inform the public that cameras are in operation and allow people entering the hospital to make a reasonable approximation of the area covered by the scheme.
• Signs shall identify the Royal United Hospital Bath NHS Trust and give an official address.

12. Administration and Procedures

A log will be maintained with the control room/viewing area and kept secure. Brief details of incidents will be noted together with any consequential action taken.

It is recognised that the images obtained are sensitive and subject to the law on data protection. All DVDs, digital images and copies will be handled in accordance with working procedures, which are designed to ensure the integrity of the system. A DVD log will be kept on-site for the purposes of recording the use of DVDs, their use and retention for evidential purposes.

Other than by authorised staff investigating untoward incidents, digital images will only be viewed at the request of the police or through subject access procedures. Copies of DVDs will only be made for the purposes of crime detection, evidence for prosecutions or where required by law.

13. Camera Control

On each occasion an incident is recorded, a report setting out the time, date and detail of the incident will be submitted by the relevant CCTV operator to the LSMS.

Adjustment and alteration to siting or use of cameras should be made by staff that have the appropriate authority. Data protection principles should be considered during this process.

DVD handling procedures are in place to ensure the integrity of the image information held.

14. The Control Room/Viewing Area

Images captured by the systems will be monitored on-site, in the Security Control Room. Unauthorised personnel or visitors should not be able to see the monitors.
Access to view monitors or DVD and digital images activity will only be granted to persons with a legitimate reason or those who have followed the subject access procedures. Identity and authorisation will have been presented and validated to the responsible officer. Visitors will be required to complete and sign an access log. Details recorded will include name, department or organisation, the person who granted access, time of entry and exit, and the tape, DVD or digital image referenced and extracts viewed.

Criteria for the viewing of video tape by non-security related personnel;

At the discretion of the LSMS, Data protection officer or on-call Director out of hours. Individuals may be allowed to view video tape in the viewing area:

- If they are investigating an untoward incident
- In the case of a missing patient
- To identify persons relating to an incident.

Areas which would normally result in permission for access to the viewing area being refused include:

- Where the person wishing to view has no connection with the incident or has no management role relating to an incident.
- Where viewing is purely salacious.
- Where the performance of a member of staff not relating to crime, fraud or the investigation of untoward incidents is involved.
- For occurrences that relate to damage to private property for which the Trust has no responsibility.

Access to view monitors, within the Security Control Room whether to operate the equipment or to view the images is restricted to staff with that responsibility.

The daily log book shall record staff on duty each shift, and the names of any persons or groups that have been authorised by the individual with day to day responsibility for the scheme to have access to the control room and/or view the monitors.

A responsible operator shall be present during the operation of monitors. If monitors are to be left unattended, the area in which they are kept shall be secured against unauthorised entry.

Public access to or the demonstration of monitors shall not be allowed except for lawful, proper and sufficient reasons, and after informing the LSMS.

Arrangements for the control room shall include the following requirements to ensure that the control room is secure at all times:

- Routines and procedures and any other facilities necessary to ensure that the control room is protected from unauthorised access.
- Records are kept of all access to the control room including operation and duty, recording details of the individual concerned, and time of arrival and departure.
- Operation times and the numbers of staff on shift are clearly defined and complied with.
- Access to the control room is restricted to operating staff and their managers according to prearranged shifts and on production of valid identification.
- Technical repairs and cleaning and similar activities should be carried out in controlled circumstances.
- Access by visitors shall be carefully defined and be the responsibility of the Trust.
- Any manager outside of direct responsibility to the operation of the control room who requests to view recorded images for any other purpose than that for which the scheme was designed must be directed to the LSMS. If this occurs out of normal working hours, access to view should politely be denied or the request shall be redirected to the Senior Manager on duty who must consult with and adhere to this policy.

## 15. Access to Digital Images

### 15.1 Requests from the Police

Police requests may be granted and will arise in a number of ways, including:

- Requests for a review of recordings, in order to trace incidents that have been reported
- Immediate action relating to live incidents e.g. immediate pursuit
- Individual police officers seeking to review digital images.

Requests for access to, or for copies of digital images will be requested to the LSMS. If the LSMS has concerns about the request, it should be discussed with the Data Protection Officer or Director of Facilities/SMD. At times when immediate action is required out of hours; the senior security officer on duty at the time will act as the first point of contact. If a request is made by the Police or any other person to view or copy digital images, a record will be made of the request and any subsequent viewing or copying of the digital image recorded in the log.

If the police make a request to either view or have a copy of a tape/digital image the Facilities Department must be informed and if appropriate, the incident should be referred through the serious adverse events procedure. If it is a serious incident in addition to this, then the responsible Director must be informed.

When the police or other investigating authorities wish to seize CCTV evidence they will normally require the original copy (best evidence). If the images are recorded digitally the normal process would be to copy the footage onto disc. In this case a second copy should be made and retained by the Trust. In serious cases, the police may wish to seize the hard drive. In such circumstances the relevant site based facilities manager should be contacted. Any digital storage devices handed to the...
police must be recorded in the log and the details and signature of the recipient obtained.

The name and identification will be printed in the log along with the date and time removed and the date and time returned (if applicable). The removal of DVD copies of digital Images will normally be permitted only for a fixed period which will be long enough only for authorised third parties to view them or - where they may be required for evidence - no longer than a court may require them. Digital images that may be required by the Police are to be retained securely until it is confirmed that they are not required, or no longer required for evidential purposes. DVD copies of digital Images will not be released except in these circumstances.

Digital images can be sent across the Trust’s internal email system. If images need to be sent to a recipient external to the Trust, the image and any accompanying details must be encrypted. For further details, contact the Data Protection Officer.

All DVD copies of digital images, which have been viewed by third parties, or are no longer required for evidence, will be retained by the LSMS for appropriate disposal. All photographs produced must be recorded along with the identity of the requesting person, date and other appropriate information in the log.

### 15.2 Requests from the public (data subjects)

Individuals (or parties acting on their behalf) seeking access to CCTV footage of themselves should complete an application form (see appendix 2) outlining the day, time and location they wish to view. The LSMS should be suitably assured of the identity of the individual before releasing any personal data. Applicants shall be provided with a permanent copy where requested and charged accordingly. The Trust must ensure that, before disclosing any personal data, the images do not show any other individuals who may be identifiable.

Where an image does show another individual the Security Manager, in consultation with the Data Protection Officer, must decide whether or not it would be reasonable to obtain the consent of that individual or whether it would be reasonable to disclose the image without their consent. It may also be possible to blur images to disguise other identifiable persons in order to comply with specific requests if deemed necessary in order to protect the identity of those individuals. This would be at the expense of the requester.

### 16. Disposal of Images

At the end of their useful life, all DVDs will have their images magnetically erased and disposed of as confidential waste and spot checked for erasure prior to being destroyed or disposed of. Confidential waste should be shredded or placed in the appropriate bag and the portering service needs to be contacted to remove the waste.

### 17. Quality of Images
It is important that the images produced by the equipment are as clear as possible in order that they are effective for the purpose(s) for which they are intended. Upon installation, an initial check should be undertaken to ensure that the equipment performs properly.

The medium on which the images have been recorded should not be used when it has become apparent that the quality of images has deteriorated.

If the system records features such as the location of the camera and/or date and time reference, these should be accurate. When installing cameras, consideration must be given to the physical conditions in which the cameras are located e.g. infrared equipment may need to be installed in poorly lit areas.

Cameras should be properly maintained and serviced to ensure that clear images are recorded. They should be protected from vandalism in order to ensure that they remain in working order. If a camera is damaged, there should be clear procedures for defining the person responsible for making arrangements for ensuring the camera is fixed within a specific time. The quality of the maintenance work should be monitored.

18. Breaches of this Policy

The Trust reserves the right to take disciplinary action against any employee who breaches this policy in accordance with the Trust’s disciplinary procedures.

As a major purpose of these schemes is in assisting to safeguard the health and safety of staff, patients and visitors, it should be noted that intentional or reckless interference with any part of any monitoring equipment, including cameras/monitors/back-up media, may be a criminal offence and will be regarded as a serious breach of Trust policy.

Where a serious breach occurs, the Trust must appoint a Senior Manager independent of the operation of the scheme to investigate the breach and with advice from the Risk Office, make recommendations to the Trust on how the breach can be remedied.

Breaches of the code of practice and of security must be subject to proper investigation by the LSMS and/or the Data Protection Manager in the first instance. This person shall be responsible for making recommendations to the Risk Manager to remedy any breach which is proved.

19. Complaints Procedure

Complaints regarding the operation of the Trust’s CCTV system may be progressed through the Trust’s formal complaints procedures.

20. Monitoring Compliance
Compliance is monitored in the following ways:

- Police Architectural Liaison Officer will conduct a review of the CCTV system to ensure that it meets the data protection requirements on a biannual basis and report findings to the LSMS.
- The LSMS and Data Protection Officer will, together, on an annual basis, conduct a site inspection of the CCTV signage, camera locations and an inspection of the DVD log to ensure compliance with the policy and Data Protection Act 1998. The results will be assessed by the LSMS. Any areas of non-compliance or concern will be submitted to the Information Governance Group, as part of the annual Information Governance Report.

21. Policy Review and Awareness

Following ratification, this policy will be reviewed every three years by the Trust's LSMS and Data Protection Officer.
## Appendix 1: Consultation Schedule

<table>
<thead>
<tr>
<th>Name and Title of Individual</th>
<th>Date Consulted</th>
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<tbody>
<tr>
<td>Howard Jones</td>
<td>20 Aug 2010</td>
</tr>
<tr>
<td>David Robinson Head of H&amp;S</td>
<td>20 Aug 2010</td>
</tr>
<tr>
<td>Sue Leathers</td>
<td>20 Aug 2010</td>
</tr>
<tr>
<td>Eric Sanders</td>
<td>20 Aug 2010</td>
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<table>
<thead>
<tr>
<th>Name of Committee</th>
<th>Date of Committee</th>
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<tbody>
<tr>
<td>TCNC Policy Sub-group</td>
<td>21st Feb 2007</td>
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<tr>
<td>TCNC Policy Sub-group</td>
<td>18th April 2007</td>
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<tr>
<td>TCNC Policy Sub-group</td>
<td>16th May 2007</td>
</tr>
<tr>
<td>TCNC Policy Sub-group</td>
<td>June 2007</td>
</tr>
<tr>
<td>Management Board</td>
<td>August 2007</td>
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<tr>
<td>Health and Safety Committee</td>
<td>28/9/2010</td>
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**Application for access to CCTV images**

In addition to this form we will need proof of your identity and the correct fee (£10.00) before we can process your request.

### Your details

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<th>Title</th>
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<tr>
<td>Forename(s)</td>
<td>Surname</td>
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<tr>
<td>Current address</td>
<td>Telephone number</td>
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### Details CCTV footage to be accessed

<table>
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<th>Date of footage requested</th>
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<td>Approximate time</td>
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<td>Location</td>
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Please provide us with any other information in order to locate the particular footage you require access to (details of a particular incident etc)

| I would like to come in and view the images | I would like to have copy of the images |

**Declaration**

I declare that the information given by me is correct to the best of my knowledge and I am entitled to apply for these images.

Signed:                                                                       Date: ……………………………..
(By the applicant)

You are advised that the making of false or misleading statements in order to obtain personal information to which you are not entitled is a criminal offence which could lead to prosecution.

**Please return this form along with appropriate documentation and £10.00 access fee to:**

The Security Manager  
Royal United Hospital Bath NHS Trust  
Combe Park  
BATH  
BA1 3NG
**Ratification Checklist**

Author; attach this to each copy of the policy being sent to a meeting for comment.

Dear Chairman

Please would you disseminate this document for comment at your next meeting and return any amendments/comments to:

<table>
<thead>
<tr>
<th><strong>Title of meeting:</strong></th>
<th>Health and Safety Committee</th>
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<tbody>
<tr>
<td><strong>Date of meeting:</strong></td>
<td>28/9/2010</td>
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<tr>
<td><strong>Policy Title and Reference:</strong></td>
<td>Code of Practice on the use of Closed Circuit Television (CCTV)</td>
</tr>
<tr>
<td><strong>Name of author:</strong></td>
<td>Adam Jones</td>
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</table>

Are there any elements of this policy which present operational issues that require further discussion? | Yes / No / N/A |
---|---|
If yes, please provide a contact name for the author. | |
Is the policy referenced? | Yes / No / N/A |
Are up to date National Guidelines included? | Yes / No / N/A |
If you are the appropriate forum, have the necessary resources been agreed to implement this document? | Yes / No / N/A |
Is there a plan for policy implementation? | Yes / No / N/A |
Does your meeting recommend further consultation with groups or staff other than listed at the front of the policy? | Yes / No / N/A |
Is the policy referenced? | Yes / No / N/A |

What are the cost implications of implementing this document?

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<thead>
<tr>
<th><strong>Equipment</strong></th>
<th>£</th>
<th>Yes / No / N/A</th>
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<tr>
<td><strong>Staffing (additional)</strong></td>
<td>£</td>
<td>Yes / No / N/A</td>
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<tr>
<td><strong>Training</strong></td>
<td>£</td>
<td>Yes / No / N/A</td>
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<tr>
<td><strong>Other</strong></td>
<td>£</td>
<td>Yes / No / N/A</td>
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**Document endorsed without further comment?** | Yes / No |
**Further amendments to document suggested?** | Yes / No |
This page to be completed in the electronic version | Yes / No |

Name of Chair: Howard Jones

Signature: ___________________________ Date: ___________________________