

Guidelines for business compliance & process

#### Introduction

This eGuide has been designed as an aid for businesses to gather basic considerations for the process and implementation of temperature screening thermal solutions. Each business context and execution will be unique, so this guide is only meant to direct companies with key concerns. This document does not address every possible situation for all organisations and sizes. It is a guide and each element of the process of installing and implementing a thermal image camera in your organisation needs to be tailored to your business, environment and policies. Each business is advised to seek legal counsel where appropriate to answer the unique aspects and individual requirements.

This temperature screening thermal solution provides a fast overview of the surface skin temperature of all persons, entering a building/facility.

Hikvision are deploying temperature screening systems across a wide range of industries including:

- Hospitals
- Enterprise Head Offices
- Construction Sites
- Government Buildings
- Medical Universities
- Food distribution centres
- Nursing Homes
- Drug distribution centres
- Meat Processing Plants
- Retail Stores
- Large commercial offices
- Restaurants

### What Our Thermal Screening Cameras CAN DO

- Detect the surface skin temperature of a person on a 'non-contact' basis thereby reducing risk.
- Offer an indication when the temperature detected is outside of the 'normal' range set on installation, thereby providing a first line of screening of people entering a facility.
- Provide screening of a high volume of people in a short time frame making for an efficient process.
- Provide an organisation with an audit trail of steps taken to assist with ensuring the Health,
- Safety and Welfare of both staff and visitors as screening images can be recorded and retained (not via handheld units) if required.



#### What our Thermal Screening Camera CANNOT DO

- Detect the Coronavirus.
- Detect a fever.

## What's required in order to set up an effective compliant screening process?

- Company approval HR Director / IT Director / Facilities / Infection Control / Data Officer.
- HikVision Thermal Camera linked to a fully charged laptop (and recorder if required).
- How to manage the operation / guidance on getting set up.
- Best practice communication templates to inform your people.
- A data protection impact assessment.

# Guidance on the Appropriate Communication - Letting your staff know and understand the reason & purpose for the new screening process

Consideration should be given to who is being screened. If this is just your own staff, then the process should be relatively easy to implement. Consent should be obtained from each employee by the completion of a simple form on the first day of their return (or in advance via HR and your internal communications team).

#### Scenarios you need to prepare for:

- Consideration needs to be given and a policy introduced for the effective screening and management of visitors to the facility.
- Who is going to be present to monitor the screening and to pick up any events triggered by high temperature readings? Security / Reception / HR administrator.
- Will the person need to be trained in managing potential conflict if members of the public object to either being screened or asked to undertake further screening etc.?
- Will the visitor be asked to leave or to undergo further screening by use of a thermometer?
- What facility will be made available to that person?
- Prepare an Isolated area / organise a clean room for elevated temperature cases or employees who are feeling unwell.



#### **NOTE OF IMPORTANCE:**

If an employee / visitor comes in from a hot day or has been rushing, they may just be running a little hot! There should be an opportunity for them to wait in an area and then be re-screened?

NB: Thermal screening should only be conducted in an indoor environment, in stable temperature conditions and be free from the effects of sunlight, wind etc. Placement of the kit, and funnelling of people through the process is a critical factor.

#### **GDPR** Considerations

The use of today's video techniques often requires privacy/GDPR consideration. Video techniques like facial recognition reveal 'personal data', which is defined as 'processing personal data' and privacy regulations like GDPR, apply. The data of a human subjects body temperature generated during automated temperature measurement is not defined as a 'personal data' in GDPR. However, it cannot be ruled out that data protection law applies if it is possible (even subsequently) to identify the persons passing the cameras. Processing of "data concerning health" is prohibited by GDPR unless you can demonstrate you satisfy certain legal grounds.

We have endeavoured to optimise our products and helped our customers to reduce the compliance risks on data protection law. However, it is still important for you to check out the legislation and government guidance for your business regularly, given things are changing all the time.

The lawfulness of your temperature screening is likely to stand or fall on whether you can make out on the exceptional legal grounds, even though they are not absolute. You should be responsible to make sure if they suit your business, and seek legal advice if necessary.

#### The legal grounds with most potential are:

#### (1) Employment law rights and obligations

Employers have a legal obligation to protect the health of their employees under employment law, and employees also have a duty to take reasonable care to protect their health and the health of any other person in the workplace. In this regard, employers would be justified in requiring employees to inform them if they have a medical diagnosis of COVID-19 in order to allow necessary steps to be taken. However, an employer is not allowed to take measures which are not necessary or appropriate. Engagement in temperature checks for all the employees usually is seemed as unnecessary.

#### (2) Explicit consent

Employees can provide explicit consent but meanwhile they must be able to refuse a temperature screening without detriment. This may prevent a universal application of temperature screening policy, which ultimately defeats its purpose.



#### (3) Health (occupational medicine) and public health

Under certain conditions, the processing of sensitive data is permissible if it concerns the "substantial public interest" in the area of public health, which includes in particular "serious cross-border threats to health" and "ensuring high standards of quality and safety in health care and in medicinal products and medical devices".

Please notice that any personal data you collect to satisfy the grounds above should be proportionate for that purpose. You should not collect more than you need, and it should be managed appropriately. As with other aspects of good data protection practice, you should record the decisions you make and the rationale for them if possible.



The information provided in this document is as a guide only and expert advice should be taken for implementation. E & O.E.



