

Agenda
Administrative Operations Committee
August 11, 2016
801 Sycolin Road
1930 Hours

1. Call to Order
 - a. Approval minutes of 7/14/16 meeting (attached)
2. Update on Key Issues
 - a. Update on Executive Committee activity (AC Tobia)
3. Subcommittee Reports
 - a. Recruitment and Retention Committee Presentation (Al King, R&R vice chair)
 - b. Budget Subcommittee Update (Dave Short)
 - c. Cost/Benefit Subcommittee Update (Aaron Kahn)
4. Discussion Topics
 - a. Request from the Training Committee for new areas of inquiry (see attached, Brad)
5. Action Items
 - a. Draft SWP (revision) Social Media and Personal Electronic Devices (attached)
6. Information Sharing Across Volunteer Committees and from DFREM
 - a. R&R Committee
 - b. DFREM (Chief Tobia)
 - c. Fire Operations Committee
 - d. EMS Operations Committee
7. New Business
8. Announcements
 - a. Reminders on deadlines for F final FY 16 I/E data: **8/15**; for financial controls maturity reviews (COs 10, 11, 12, 14, 17): **8/22**; financial controls maturity follow-up (COs 2, 4,5,6,7): **8/29**
9. Adjourn

n.b.: If you are sending a representative to the meeting and intend to have that individual vote on your behalf our By-laws require written authorization from you to the chair. Authorizations already on file for regular meeting attendees previously designed do not require re-authorization.

**Administrative Operations Committee
Minutes**

July 14, 2016

The July meeting of the Administrative Operations Committee was held on Thursday, July 14, 2016 in the DTCL Large Conference Room at 801 Sycolin Road. Chairman Quin presided and called the meeting to order at 1935 hours. The following were in attendance:

Co. 1	Excused
Co. 2	Brad Quin
Co. 4	John Moring
Co. 5	John Malone
Co. 6	Don Graham
Co. 7	Bernie Boteler
Co. 8	Eric Shank
Co. 9	Excused
Co. 10	Excused
Co. 12	Ryan Spencer
Co. 13	Jim Cromer
Co. 14	Aaron Kahn
Co. 15	Jen Ferguson
LCFR:	AC Matt Tobia

Minutes

Motion: A motion was made by Bernie Boteler to approve the June 9, 2016 minutes. The motion was seconded by Aaron Kahn.

Vote: Approved with a vote of 10-0-0-3.

Update of Key Issues:

Executive Committee Update:

Chief Tobia reported that the Ballistic Vests SWP was passed in July. Chief Tobia stated additional SWP's are out for signatures from Chief Brower and Dr. Morgan and as soon as they are signed, they will be distributed.

Chief Tobia stated that there are members that will need to complete active directory training. Please contact Thomas Kane to make arrangements. In addition, Chief Tobia shared that a request was received that two email addresses get merged.

Chief Tobia reminded all to please make sure members are attending one of the mobile CAD training sessions.

Chief Tobia advised that Chief Parker sent correspondence relative to the icon for the MDC's.

Discussion about additional mandatory training requirements occurred. Requests for members to complete training on-line were made. Requests for super users to attend a train the trainer

then return to train company members was also presented. Chief Tobia stated he would discuss the issue with Chief Parker.

Lastly, Chief Tobia reported that the SWP Ad-Hoc committee will roll out some merged FRG's and SOP's. Chief Tobia reminded all of the updated location of the FRG's and SWP's on CivicPlus.

Subcommittee Reports:

Cost Benefit Sub-Committee: Aaron Kahn reported that Jen, Andy and Jimmy have offered to assist. Aaron stated that they are awaiting dollar amounts from the County. In addition, Aaron stated that answers to staffing questions will also need to be obtained, thus they are still in the process of collecting information at this time.

Financial Policies and Procedures Risk Assessment Update: Chair Quin stated that there are five companies currently involved in the second round of reviews. Information should be forthcoming from Cherry Bekaert.

With respect to the first five companies, a message will soon be received from Chairman Quin which will provide some detail about providing follow-up on the risk assessments concluded almost one year ago. Chair Quin reminded the AOC that the BOS had requested a status update regarding the recommendations. President Quin explained a brief report will be drafted and provided to the BOS for their September meeting.

President Quin gave Company 7 a gold star as every one of their tactics were green.

Chief Tobia reminded the AOC that last year when the Finance Government Services Oversight Committee received the first round of reports, the Chair of the committee was very appreciative, but desired a plan going forward. Chief Tobia stated the AOC and the Finance Department were charged with developing a procedure for ensuring that companies that needed to address areas could do so. Chief Tobia stated Cherry Bekaert will re-visit your companies to see where you are on meeting the requirement to revise those areas that were identified. Chief Tobia stated that this was the next logical step in ensuring accountability in the financial processes.

Chair Quin emphasized that along with his note, there will be a copy of policies and procedures that outlines the intent of the process. In addition, final reports will be attached to include the manual which was written almost two years ago.

Budget Sub-committee:

According to President Quin, Dave Short is out of the country, however, a short power point presentation will be provided.

Chairman Quin reported that the budget sub-committee last met on June 12th. President Quin stated that data continues to be gathered for the final cut. Recommendations for approval will return to the AOC according to Chairman Quin.

Chair Quin reminded the AOC that consideration was being given regarding whether to include EMS Billing as income or not at all in the algorithm. Initially, the thought was to include it in the algorithm, however, several implications arose. President Quin stated that the intent of the billing effort was to provide EMS companies new money to do things they had not been able to do before. Chairman Quin stated that the other element of the conversation is that there could be a rather significant impact on the algorithm given the potential for large increases in income being added to each company's data submission. This influx could artificially impact the algorithm by driving some company's outcomes beyond balancing the funding gap to a position that reflects having a surplus of funds beyond the established funding gap, something that could cause a reaction to reduce overall funding through the County allocation.

After a long consideration of some possibilities, Chairman Quin stated the budget subcommittee suggests a compromise position: to add to the algorithm only a small portion of EMS billing income up to the point of closing the individual funding gaps of those impacted companies but reserving the largest portion of the funding for company use outside the algorithm.

Aaron commented that this is the fairest way. Aaron stated the vast majority of the EMS Billing dollars will stay with the stations. Aaron stated that on a percentage basis, certain monies will go into the algorithm only to the extent that it makes the entire volunteer system whole. Aaron continued by providing an example and stating 90% will stay with your company and 10% will go into the algorithm. Aaron suggested segregated accounting for EMS billing monies. Aaron stated that this will allow for a level of transparency and will not allow one to double count expenses. Aaron reminded all that the ordinance states the money is for system needs so it will be important to track it show we can show monies are being spent responsibly.

Andy asked what happens if EMS billing funds do not fill the gap. Aaron explained that all companies that participate in EMS Billing would contribute to closing the gap. Further discussion and explanation took place. Chief Tobia stated that in order to ensure that the gap would be closed is that a percentage of your EMS Billing would be counted as income for your company. Chief Tobia clarified that it would be the percentage that is the gap. So, if \$300,000 represents a 10% gap then if you take 10% on the percentage of money that your company has made and that gets counted as income, that should result in that \$300,000 of county algorithm funding appearing in the algorithm. Chief Tobia stated that if you show greater income, than your need goes down because you have the money to close the gap.

AC Tobia said that it is the most equitable way to close the gap without holding companies either completely harmless or completely harmed for the amount of EMS revenue they receive. Chief Tobia reminded all that at the end of the fiscal year, the numbers will come in and then there will be a final true-up. At that point, Chief Tobia shared that there will be a determination of how much of your EMS Billing money will count towards income for the coming fiscal year. Chief Tobia explained that the model was designed to show that the companies are contributing to closing that gap opposed to ignoring it. Chief Tobia strongly suggested that the companies segregate accounts: algorithm/EMS Billing for transparency.

Chairman Quin stated this issue will be brought to the committee on a future agenda. Chairman Quin referred to a slide regarding Schedule Update I/E FY16 deadline on August 15th. Chair Quin

discussed safety centers and reminded AOC members that expense budgets were requested of the three centers so insight could be obtained.

Chairman Quin will send a copy of the power point to AOC members. Chairman Quin reminded all to provide data.

Discussion Topics

Social Media Draft SWP and Use of Personal Electronic Devices SWP

Chair Quin stated the new SWP contains the original two SWP's with revisions. The originals are included in the packet for purposes of comparisons.

AC Tobia stated he had no expectations regarding approval on this document tonight. Chief Tobia relayed that he had received comments from two companies thus far. Chief Tobia asked that all requested changes be sent to him in writing so the work group can review them, incorporate them or respond regarding why the proposed changes may not be able to be contemplated.

Discussion took place concerning A.4 and the fact that some companies may not have an official PIO, rather several social media administrators instead. Chief Tobia stated that companies are within their right to identify someone or retain the position with the President or whoever may be the Chief Executive Officer for the Company. To clarify, the system PIO does not preclude a company from having their own PIO.

Discussion also ensued regarding section 5 on page 6 in that the company photographer and company PIO has not been listed. Chief Tobia stated he would go back to the committee and inquire. Reasoning behind the prohibition of personal cameras was also reviewed. Chief Tobia explained that there is no way to control, secure and manage the images.

Chief Tobia addressed questions regarding helmet cameras and body cameras. Chief Tobia explained that helmet and body cameras, by default are going to get you into the area of operation, which in turn gets you beyond the scope of the authority to operate. Chief Tobia also addressed official cameras of the agency, which fall under the agencies policies and procedures relating to their existence. Chief Tobia strongly suggested for all companies to have policies and procedures with regard to the content of that data as well as digitally encrypting that data and securing that data.

Discussion surrounding turnaround time to release pictures also occurred specifically as it relates to page 5, section 4. Andy Gode mentioned that images are used for advertising and as such, it is pertinent to know the defined length of time for the approval process. AC Tobia said he would try and obtain a suggested time frame.

Aaron Kahn raised on page 3, section 5 that he had a concern regarding having to go to the system PIO for violations of the Code of Conduct. Chief Tobia stated that he believes that the intent is to have system coordination. In addition, Aaron stated that pertaining to financial matters, an individual company may want to go public with their thoughts and they may not be in agreement with the system PIO as far as how to discuss County funding. Lastly, Aaron stated

companies deal with personnel issues annually that may never rise to system-wide misconduct, however, according to this policy before a comment on a personnel matter may be released the policy indicates one would need to go to Chief Brower first. Chief Tobia shared that this section was primarily geared towards media inquiries.

An example of talking to the Press regarding EMS billing was discussed and how that issue would affect the system as a whole whereby replacing a fire truck in a station would only affect the individual company. Requests were made for clarity. It may be helpful to add statements like "inform the System PIO" opposed to sounding like one is asking for permission from the System PIO.

On page 6, section 8, Aaron Kahn raised a concern regarding the last sentence: Images captured in the provision of EMS must be attached to the patient's permanent medical record. Aaron stated that as providers they have no control over medical records. Chief Tobia stated that the providers have control over the record called the Patient Care Report. Chief Tobia explained that there is a mechanism that allows images to be attached. Aaron requested that the wording "medical report" be changed to "Patient Care Report".

Chief Tobia stated that the hope is that this policy will be voted on at the August meeting. AC Tobia asked for all comments and assured that the policy will not go out until training has occurred. Chief Tobia would like to ensure all are educated on the intent of the policy.

Fire and EMS Training Enrollment and Wait List SWP (Percentage Method)

AC Tobia provided background for this policy. Chief Tobia stated that this policy ensures as much equity as possible as it relates to people entering classes. A review of the current policy was also discussed and it was noted that the current policy did not have a wait list provision.

Aaron supports this policy stating that the policy is fair. Chairman Quin supported this policy as well and added that his previous concerns with County prerequisites procedures have been resolved.

John Moring asked that the training committee consider looking at the cost of possibly adding additional classes during "surge" times. AC Tobia explained that an increase in training instructors is planned. Chief Tobia shared that the issue falls into budgetary constraints.

Fundraising Boundaries and Process Review Request

Chairman Quin shared an email prepared by Chief Brower to all Presidents regarding his concern of the establishment of the new CAD system which has some implications for how we have classically viewed first due areas defined by call activity and the relationship to fundraising boundaries. Chairman Quin stated that Chief Brower is asking the AOC to form a sub-committee to grapple with the question on how those two things intersect, where they intersect and to avoid any misunderstandings that may be created from the changes to the dispatch system. Chair Quin explained that we need to gain understanding on how ARL will change the dynamics, if at all. Chair Quin also advised that the FRG is somewhat complicated and complex.

Chairman Quin explained that he has responded to Chief Brower and that he will begin the process of pulling together a group. In addition, Chair Quin offered that he has already had one

exploratory meeting with someone in the County on how the process works and issues associated with it. A summary of the notes from that conversation will occur within the next couple of days.

Action Item/New Business:

Fire and EMS Training Enrollment and Wait List SWP (Percentage Method)

Chairman Quin made a motion that this policy be accepted, as written. Andy Gode seconded the motion. The motion carried 9-1-0-3, with Company 12 opposed and 3 AOC members absent.

Information Sharing Across Volunteer Councils and Committees

Recruitment and Retention Committee- Chief Tobia reported that Rick Etter, Chairman of the Recruitment and Retention Committee was hospitalized in Lansdowne and had surgery several days ago. Chief Tobia stated Rick continues to recover and is doing well.

LCFR-Chief Tobia announced that Fred Shier's memorial service was well attended. Chief Tobia stated that Fred was a long time member of Company 5 and his wife was on the Fire and Rescue Commission at one time.

Chief Tobia stated that an administrative matter regarding the Background Ordinance was approved on consent. The BOS passed the ordinance however, the language was inadequate in order to meet the intent of the law thus we had to go back to the BOS for the revision. Chief Tobia stated everything is back on track regarding moving ahead with being able to electronically capture fingerprints and submit them directly to the FBI and expedite the process of getting people cleared.

Chief Tobia commented regarding EAP for volunteers. Chief Tobia encouraged companies to continue contracts with Lytle until a time in which all are affirmatively notified that the County has taken over. Please contact AC Tobia directly if any member needs the assistance of the EAP.

FOC-Nothing to report

EMSOC- Nothing to report

Announcements-

Bernie stated a new utility was purchased to replace the 1993 suburban which will go to Great Cacapon.

Jimmy reported that they hope to get the lot to expand parking.

Andy thanked whoever coordinated the Purcellville Cannons game.

John inquired regarding whether or not consideration may be given to forming a sub-committee to look at various vendors that each company uses. Discussion ensued.

Chair Quin provided two handouts, a copy of the presentation to the BOS from 2013 as well as an article in Loudoun Now for everyone's information.

Adjournment

There being no further business to discuss, the meeting was adjourned at 2142 hours.

The next Administrative Operations Committee meeting will be held on Thursday, August 11, 2016 at 1930 hours at 801 Sycolin Road, DTCI Large Conference Room.

Respectfully submitted:

Christine Langley-Obaugh, M.Ed., CVA
Executive Liaison

DRAFT

From: [Johnson, Keith](#)
To: [Tobia, Matthew](#); bandrews@sterlingrescue.org; [Brower, William Keith](#); [Hale, Linda](#); jcook@leesburgfire.org; [Morgan, John](#); [Obaugh, Christine L.](#); [Quin, Bradley](#)
Cc: [Gottholm, Bernard](#); [Shank, Randall](#)
Subject: Topics for LC-CFRS Training Committee
Date: Thursday, July 28, 2016 4:26:38 PM

Good afternoon,

As we discussed on Tuesday evenings Executive Committee meeting, please forward any topics you or your respective sub-committee has regarding potential topics for the LC-CFRS Training Committee to look at in FY2017. Please forward them directly to Chairman Battalion Chief Bernie Gottholm at Bernard.Gottholm@loudoun.gov . Thank you in advance.

Keith

Keith H. Johnson
Assistant Chief of Operations
Loudoun County Fire and Rescue
Office: 571-258-3207
Cell: 571-465-0119
Email: Keith.Johnson@loudoun.gov

	LOUDOUN COUNTY COMBINED FIRE AND RESCUE SYSTEM SYSTEM-WIDE PROCEDURE (SWP)
TITLE	Social Media and Use of Personal Electronic Devices Policy
SECTION	
SWP#	
ISSUED	
REVISED	
APPROVED	System Chief _____ W. Keith Brower, Jr.

Scope:

All Loudoun County Combined Fire and Rescue System (LC-CFRS) members

Purpose:

The purpose of this policy is to provide guidance to LC-CFRS members by identifying the appropriate use of social media by System personnel, and acknowledge that the inappropriate use of social media may lead to actual harm and disruption to the System. This may include, but is not limited to, negatively impacting the public's perception of the organization and its willingness to render services to them. For example, if a member of the LC-CFRS makes ~~negative~~ stereotypic comments on social media about a protected class, religious group, or race of people, citizens in such groups may avoid calling 9-1-1 due to that member's posted ~~beliefs~~ comments. Engaging in social media and social networking activities is a form of speech ~~and~~ - Nothing in this policy is intended to unlawfully restrict a member's right to discuss, as a private citizen, matters of public concern.

Another purpose of this policy is to provide guidance to LC-CFRS members on the personal use of digital devices (including, but not limited to: mobile phones, smartphones, tablets, personal computers and digital cameras) ~~while on duty~~ in the following ways:

- Acknowledging that the inappropriate use of personal digital devices may lead to actual harm and disruption to the LC-CFRS, such as negatively impacting the public's perception of the organization ~~or violating applicable privacy laws including HIPAA and HiTech;~~ ;
- Acknowledging that the inappropriate use of personal digital devices may delay or otherwise adversely impact a member's ability to focus on incident priorities; and
- Acknowledging that the inappropriate use of personal digital devices may inhibit a member's ability to protect patient information and jeopardize the integrity of ongoing investigations. Photos, video, or recordings of any type while on-scene that are inadvertently released publicly, including on personal social media accounts, potentially violate privacy and/or confidentiality laws.

Nothing contained in this SWP is intended to abridge LCFR Fire Marshal Office (FMO) personnel from conducting any investigatory action commensurate with their position.

Definitions:

- **Social media:** an internet or mobile-based means of mass communication allowing for interaction amongst users, moving information between a news source, an individual and/or a broader community in the form of interaction and dialog. Social media websites are either publicly accessible or accessible to invited guests, in order to create, view or update the content. Social media sites include, but are not limited to, Facebook, Twitter, Instagram, Snapchat, YouTube, Pinterest, LinkedIn, Flickr, Google+; as well as blogs, commenting on online media sites, and other similar communication platforms or channels.
- **Loudoun County Combined Fire Rescue System:** The "Combined System" or "LC-CFRS" includes every volunteer fire-fighting and EMS organization (also referred to as Company) recognized pursuant to Chapter 258 of the Codified Ordinances of Loudoun County (Chapter 258) and authorized by the Board of Supervisors to operate as a fire-fighting and/or EMS organization within the geographic boundaries of Loudoun County, or any of its incorporated towns, as well as Loudoun County Fire and Rescue (LCFR) and all of its employees.
- **Personal Electronic Device:** Includes, but is not limited to: mobile phones, smartphones, tablets, personal computers, digital cameras, personal body cameras, personal dash cameras, personal helmet cameras, and GoPros®.
- **Spokesperson for the System:** Any System member who is authorized to make a statement on behalf of the System Chief in his/her capacity as a member of the System, or in such a way that it may reasonably be attributed to the System. Any ~~such authorizations~~ such authorization must be given by the Incident Commander, System Chief, or designee.
- **Hate speech:** Speech that identifies, in a negative manner, a person or group of people on the basis of attributes including race, ethnic origin, national origin, skin color, gender (including status as pregnant or nursing), religion, disability, gender identification, age, or sexual orientation, including a level of intolerance or hostility that is incompatible with a commitment to serve all members of the community.

Procedure:**A. Social Media**

1. All organizations listed in Chapter 258 are permitted to establish and maintain official social media communication platforms for their respective organization.
2. Each organization which chooses to establish and/or maintain an official social media presence shall establish Company level policies and procedures governing the use and administration thereof which shall not be inconsistent with the intent of this SWP.
3. Under the direction of the System Chief, the official social media platforms of Loudoun County Fire and Rescue (LCFR) are the official LC-CFRS Social Media platforms for System-Wide operational activities.

5a

4. Each organization is permitted to have its own Public Information Officer (PIO). Company-level PIOs may speak on behalf of their respective organization for all matters pertaining to the non-operational corporate functioning of that organization (e.g. matters relating to fundraising, community events, public outreach, public education, annual recognition banquets, etc).
5. Presidents, Chiefs and PIOs of member organizations may speak on behalf of their respective Company and have an affirmative obligation to indicate that comments they provide are intended only to reflect their views in their role representing their respective organization. System-wide ~~and Operational~~ requests for information shall be directed to the System PIO. Examples of ~~the types of public or media~~ inquiries to be ~~handled directed to~~ by the System PIO are those relating to all ~~emergency and non-emergency~~ calls dispatched by Loudoun County; subjects covered by SWP's labeled "Not for public dissemination"; all potential violations of the System-Wide Code of Conduct; ~~all financial matters pertaining to county funding;~~ and all personnel matters ~~until such time as they are vetted by the System Chief~~. Likewise, any request for ~~public~~ records ~~in the possession of the System~~ that are addressed to LCFR shall be directed to the System PIO for appropriate response under the Virginia Freedom of Information Act ("FOIA").
6. Each organization is permitted to have its own designated photographer(s). Procedures relating to the security, maintenance and posting of images captured by Company photographers while functioning as a member of the System in controlled areas of incident operations are outlined below. Company photographers who arrive on an incident prior to the establishment of Command shall immediately report to Command for safety and accountability purposes once Command has been established.
7. The following individuals are authorized to access and/or utilize LC-CFRS social media platforms during operational incidents to speak on behalf on the Combined System: the System Chief and designee(s), Staff Duty Officers, Incident Commanders (or designee), and the LC-CFRS Public Information Officer (PIO) (or designee).
8. To keep System members and the public safe, and to ensure that all personnel remain situationally aware while engaged in incident operations, the use of social media platforms by System members (other than those listed in #7) ~~is~~ are prohibited during emergency response which begins at the time of initial dispatch and continues through the time the unit is placed in service as available and has cleared the scene. This does not include being dispatched in an available status (i.e. station transfer).
9. LC-CFRS organizations and their members who operate or maintain official and/or personal social media platforms shall be in accordance with all SWP's and the System Wide Code of Conduct and shall not engage in speech on personal and/or organizational social media platforms that is false, deceptive, libelous, slanderous, intentionally misleading, or causes harm to others, including speech that constitutes hate speech, or

is harassing in nature; nor shall members discuss or post on a social media site protected or confidential matters of the System, including:

- a. Investigations (to include, but not limited to: criminal investigations, fire, explosive and environmental investigations, accident or collision investigations);
- b. Patient Protected Health Information (as defined in the Health Insurance Portability and Accountability Act “HIPAA”);
- c. Personnel matters including investigations and disciplinary actions;
- d. Protected controlled unclassified information, provided by federal, state, or local government partners, for System situational awareness (often labeled FOR OFFICIAL USE ONLY or FOR LAW ENFORCEMENT USE ONLY);
- e. Information not required to be released to the public under a FOIA exemption.
- f. Policies and Procedures of the LC-CFRS that are not for public dissemination (e.g. Station and Personnel Safety and Security; Response to Active Violence Incidents)
- g. NOVA Operational Manuals
- h. Public records not required to be released under FOIA.

~~10. System members’ use of personal and/or System organizational social media sites shall be in accordance with all applicable System Wide policies and procedures regarding confidentiality, harassment, and the System-wide code of conduct.~~

~~11.10.~~ No member of the System will, while speaking as a private citizen on a matter of public concern, do so in such a manner as to cause actual harm or disruption to System operations (e.g. engaging in hate speech by posting comments on social media platforms that have the real or perceived effect of blunting an individuals’ likelihood of accessing emergency services when needed).

~~12.11.~~ Supervisors of System members shall not require any System member to accept a request to join their social media circle.

- a. Example: A Chief/Company Officer cannot require a subordinate member to join the Chief’s/Company Officer’s social media account; nor can he or she require the member to grant him or her access to the member’s social media account.
- b. Example: A System organization cannot require prospective or incumbent members to provide them access to their social media platform(s).

~~13.12.~~ When social media impersonation of a System member is discovered, notification shall be made to the member’s chain-of-command and reported to the Chief of System as soon as practical, due to potential negative impact on the reputation of the System.

- a. Example: a social media platform is created using the System Chief’s name when the System Chief has no such account.
- b. Example: A member of the System has his or her social media account hacked or hijacked.

~~14.13.~~ The LCFR name and associated logos (including the title of the LC-CFRS) are not to be used or sold without permission of the System Chief, or designee.

~~15-14.~~ All System members are responsible for protecting confidential information. System members seeking clarification regarding protected information or experiencing difficulty with that responsibility can seek free, confidential assistance through:

- a. Their direct supervisor, following chain-of command;
- b. The Employee Assistance Program

B. Use of Personal Electronic Devices

1. The use of personal electronic devices while on an emergency call is permitted for legitimate business purposes (mission related applications). Examples include mapping, accessing medical protocols, and research that supports incident operations. Additionally, personnel may use their personal electronic devices for communication with a hospital, poison control center, emergency communications center(s), emergency point(s) of contact for the incident, hazardous material (HAZMAT) reference entity, Federal, state, and/or local government support. Personal calls of an urgent or emergent nature are also permitted, provided they do not interfere with a System member's performance of duties.
2. The use of personal electronic devices outside of emergency calls shall be governed by a member's Company/Department policy, however all information captured by a personal electronic device ~~while on duty~~ while functioning as an instrumentality of the County may be subject to release under FOIA if determined to be a public record.
3. State laws concerning the use of electronic devices while operating a vehicle apply to all LC-CFRS members.
4. Images, photos, videos, and/or audio recordings that are obtained intentionally or accidentally (including images that are of poor quality) by a System member (including Company photographers operating inside an area not accessible to the general public) while on a call or performing fire or rescue functions on an incident scene shall become the property of the County and shall not be released, distributed, posted, and/or published in any form without the prior approval of the System Chief. Approval from the System Chief may be obtained through the following steps:
 - a. All images shall be forwarded to the System Chief's PIO¹ immediately after the incident in which there was a collection of photographic/videographic media and/or audio recordings (This can be done electronically or by electronic mail). The name and contact information of the individual who obtained the media must be provided.

The email address is DEPT-FRSERV-FREMPIO@loudoun.gov and the mailing address is:

Loudoun County Fire and Rescue
Attn: Public Information Officer

¹ The LCFR FMO may review images submitted for investigatory purposes and system members who submit images may be contacted by an LCFR Fire Marshal.

PO Box 7100
Leesburg, VA 20177-71005

- b. All requests to publish or release submitted records should contain the specific vvenue for which a System member is requesting the image, video or audio to be posted or shared (e.g. station website, personal website, training program, etc.).
- c. Once the photographic/videographic media and/or audio recordings have been submitted for review:
 - i. The images, video, and/or audio shall be deleted from the applicable electronic equipment from which it was created.
 - ii. Digital memory cards/DVD's/videotapes shall also have all images, video, and/or audio deleted from the device. If the type of media will not allow the images/video/audio to be removed, the media shall be forwarded to the System Chiefs' PIO.
- d. Once received, the PIO will review the media and make a recommendation to the System Chief regarding approval/disapproval.
 - i. The System Chief, or designee, will approve/disapprove all requests for the release of images, video and/or audio recordings.
 - ii. Upon the System Chief's approval/disapproval, the PIO will inform the individual member in writing (email) of his/her decision and any restrictions attendant thereto. Permitted images/audio/video will be returned to the requestor.
5. LC-CFRS members authorized to capture photographs, images, videos, and/or audio inside a controlled area of incident operations (areas not accessible to the general public) shall include: the Incident Commander (or designee(s)), Staff Duty Officer(s), System Chief (or designee), LC-CFRS Public Information Officer (PIO), LC-CFRS Safety Officer, LC-CFRS system members capturing images in the furtherance of patient care, Company photographers after reporting to Command, Loudoun County Fire Marshal or Assistant(s) and/or law enforcement agency(ies), or other investigatory agency or department as permitted under law.
6. Images, photos, videos, and/or audio captured outside of the controlled area of incident operations (areas accessible to the public) by off-duty personnel and/or designated photographers are beyond the scope of this SWP.
7. No images, video, and/or audio containing Protected Health Information (PHI) under HIPAA may be captured, shared, transferred or reproduced, unless required for patient care purposes and then only to the medical professionals involved in the care of that patient; as required by law, or for law enforcement activity. Images captured in the provision of patient care must be attached to the patient's permanent medical record (ePCR report) and must then be immediately deleted/destroyed from the device used to capture such images.

7. ~~The use of personal electronic devices for provider convenience to capture~~ No images may be captured that contain images or information that is considered to be Protected Health Information (PHI) under HIPAA is prohibited. For example, photographs of patients taken by EMS providers if the patient can be identified, whether directly or through their features, or indirectly through unique clothing, tattoos or other marking on the patient's body, license plate, or the nature of the particular injury or motor vehicle collision or event. Similarly, a photograph of a medical record, medications, ECG, or other documentation that can be linked to a specific patient ~~are is prohibited~~ prohibited, except as provided in #7. Finally, meta-data contained within an image that could identify a patient is also included.
 8. ~~No images, video, and/or audio may be shared, transferred or reproduced, unless required for patient care purposes and then only to the medical professionals involved in the care of that patient; as required by law, or for law enforcement activity. Images captured in the provision of EMS must be attached to the patient's permanent medical record.~~
 9. No images, video, and/or audio captured ~~by on-duty personnel~~ inside a controlled area of incident operations by System members may be sold or used for private or commercial purposes outside of the System under any circumstances.
 10. Off-duty LC-CFRS members shall not use their affiliation to gain access to controlled areas of incident operations (areas not accessible to the general public) for the purposes of capturing images, photos, videos, and/or audio of incident operations.
 11. Use of personal helmet, personal body cameras and personal dash cameras (e.g. GoPro) are prohibited. Organization-owned devices may be permissible, however each organization must have policies and procedures in place to ensure secure data storage and retention of records.
- C. Violations of this SWP may result in disciplinary action, up to and including dismissal as an operational member of the System, as determined by the System Chief in accordance with Chapter 258 of the Codified Ordinances of Loudoun County.