

CCTV Policy

Last reviewed: Feb 2020

Next review: Feb 2021

Suitable for: All MAT Schools

Status: while the policy itself is non-statutory there is legislation covering data protection which must be adhered to.

This policy should be read with reference to the General Data Protection Regulations Act 2018 (GDPR), the Protection of Freedoms Act 2012 and the CCTV code of practice 2017 from the Information Commissioner's Office (ICO) available at:

<https://ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf>

This policy should also be read in conjunction with the "Online Safety and Internet Usage Policy, Safeguarding and Data Protection Policy".

Background

Under the Protection of Freedoms Act 2012 the processing of personal data captured by CCTV systems (including images identifying individuals) is governed by the Data Protection Act and the Information Commissioner's Office (ICO) has issued a code of practice on compliance with legal obligations under that Act. The use of CCTV by schools is covered by the Act, regardless of the number of cameras or how sophisticated the equipment is and schools should adhere to the ICO's code of practice.

Prior to installation and operation of CCTV schools should issue a privacy notice to parents and pupils. They must be clear and transparent in informing pupils and staff that CCTV will be in operation and about how they will use any personal information they collect. Access to personal information should be restricted only to persons (staff and governors) who need particular information to do their jobs, and only when they need it.

Where schools wish to use CCTV images in order to decide as to whether to conduct a search for an item, this is allowed under the Education Act 2011. However, staff should follow the ICO's CCTV code of practice. Schools can use CCTV in the toilets, but the Data Protection Act requires that CCTV use maintains privacy.

Introduction

Under the Protection of Freedoms Act 2012 the processing of personal data captured by CCTV systems (including images identifying individuals) is governed by the Data Protection Act and the Information Commissioner's Office (ICO) has issued a code of practice on compliance with legal obligations under that Act. The use of CCTV by schools is covered by the Act, regardless of the number of cameras or how sophisticated the equipment is.

Objectives and Targets

This CCTV policy explains how Tandridge Learning Trust will operate its CCTV equipment and comply with the current legislation.

Action plan

The Trust uses CCTV equipment to provide a safer, more secure environment for pupils and staff and to prevent bullying, vandalism and theft. Essentially it is used for:

- The prevention, investigation and detection of crime.
- The apprehension and prosecution of offenders (including use of images as evidence in criminal proceedings).
- Safeguarding public, pupil and staff safety.
- Monitoring the security of the site.

The Trust does not use the CCTV system for covert monitoring.

Location

Cameras are located in those areas where the school has identified a need and where other solutions are ineffective. The Trust and individual school's CCTV systems are used solely for purposes(s) identified above and is not used to routinely monitor staff conduct.

Cameras will only be used in exceptional circumstances in areas where the subject has a heightened expectation of privacy e.g. changing rooms or toilets. In these areas, the Trust will use increased signage in order that those under surveillance are fully aware of its use.

Maintenance

School	Area Covered	Maintained By
Warlingham School	Internal / External	On-site IT Support Team
Bletchingley Village Primary	External / Internal Reception Area	TBC
Hamsey Green Primary	Entrance Gate / Exit Gate	On-site IT Support Team
Tatsfield Primary	External	On-site IT Support Team
Woodlea Primary	N/A	N/A

The contractors are responsible for:

- Ensuring that suitable maintenance and servicing is undertaken to ensure that clear images are recorded.
- Ensuring that cameras are protected from vandalism in order to ensure that they remain in working order.

Identification

In areas where CCTV is used the Trust will ensure that there are prominent signs placed at both the entrance of the CCTV zone and within the controlled area.

The signs will:

- Be clearly visible and readable.
- Contain details of the organisation operating the scheme, the purpose for using CCTV and who to contact about the scheme.
- Be an appropriate size depending on context.

Type of equipment

The Trust CCTV cameras record visual images only and **do not** record sound.

Administration

The data controller Tandridge Learning Trust has responsibility for the control of images and deciding how the CCTV system is used. The Trust has notified the Information Commissioner's Office of both the name of the data controller and the purpose for which the images are used.

All operators and employees with access to images are aware of the procedures that need to be followed when accessing the recorded images. All operators are trained in their responsibilities under the CCTV Code of Practice. Access to recorded images is restricted to staff that need to have access in order to achieve the purpose of using the equipment.

All access to the medium on which the images are recorded is documented. All employees are aware of the restrictions in relation to access to, and disclosure of, recorded images. Under the Schools (Specification and Disposal of Articles) Regulations 2013, Trust staff can view CCTV footage in order to decide as to whether to search a pupil for an item. If the recorded footage reveals that theft has been committed by a member of staff, this evidence may be used in a disciplinary case.

Image Storage, Viewing and Retention

Recorded images will be stored in a way that ensures the integrity of the image and in a way that allows specific times and dates to be identified. Access to live images is restricted to the CCTV operator unless the monitor displays a scene which is in plain sight from the monitored location. Recorded images can only be viewed in a restricted area by approved staff. The recorded images are viewed only when there is suspected criminal activity and not for routine monitoring of pupils, staff or visitors unless the camera(s) are installed to monitor the safe movement of persons through a designated area e.g. corridors (these areas will be identifiable by clear signs).

The Trust reserves the right to use images captured on CCTV where there is activity that the Trust cannot be expected to ignore such as criminal activity, potential gross misconduct, or behaviour which puts others at risk. Images retained for evidential purposes will be retained in a locked area accessible by the system administrator only. Where images are retained, the system administrator will ensure the reason for its retention is recorded, where it is kept, any use made of the images and finally when it is destroyed.

Neither the Data Protection Act nor the Information and Records Management Society prescribe any specific minimum or maximum periods which apply to CCTV recorded images. The Trust ensures that images are not retained for longer than is necessary. Once the retention period has expired, the images are removed or erased.

Disclosure

Disclosure of the recorded images to third parties can only be authorised by the data controller.

Disclosure will only be granted:

- If its release is fair to the individuals concerned.
- If there is an overriding legal obligation (e.g. information access rights).
- If it is consistent with the purpose for which the system was established.

All requests for access or for disclosure are recorded. If access or disclosure is denied, the reason is documented.

NB: Disclosure may be authorised to law enforcement agencies, even if a system was not established to prevent or detect crime, if withholding it would prejudice the prevention or detection of crime.

Subject Access Requests

Individuals whose images are recorded have a right to view images of themselves and, unless they agree otherwise, to be provided with a copy of the images. If the Trust receives a request under the Data Protection Act it will comply with requests within 40 calendar days of receiving the request.

The Trust may charge a fee for the provision of a copy of the images. As a general rule, if the viewer can identify any person other than, or in addition to, the person requesting access, it will be deemed personal data and its disclosure is unlikely as a Freedom of Information request.

Those requesting access must provide enough detail to allow the operator to identify that they are the subject of the images, and for the operator to locate the images on the system. Requests for access should be addressed to the data controller.

Refusal to disclose images may be appropriate where its release is:

- Likely to cause substantial and unwarranted damage to that individual.
 - To prevent automated decisions from being taken in relation to that individual.
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Monitoring and evaluation

The Trust undertakes regular audits to ensure that the use of CCTV continues to be justified. The audit includes a review of:

- Its stated purpose.
- The location.
- The images recorded.
- Storage length.
- Deletion.

Reviewing

The efficacy of this policy will be reviewed annually by the local governing body of that in which the CCTV equipment is installed. If the Trust decides to change the way in which it uses CCTV, it will inform the Information Commissioner within 28 days.