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**1. Aims**

This policy aims to set out the school’s approach to the operation, management and usage of surveillance and closed-circuit television (CCTV) systems on school property.

**1.1 Statement of intent**

The purpose of the CCTV system is to:

- Make members of the school community feel safe
- Protect members of the school community from harm to themselves or to their property
- Deter criminality in the school
- Protect school assets and buildings
- Assist police to deter and detect crime
- Determine the cause of accidents
- Assist in the effective resolution of any disputes which may arise in the course of disciplinary and grievance proceedings
- To assist in the defence of any litigation proceedings

The CCTV system will not be used to:

- Encroach on an individual's right to privacy
- Monitor people in spaces where they have a heightened expectation of privacy (including toilets and changing rooms)
- Follow particular individuals, unless there is an ongoing emergency incident occurring
- Pursue any other purposes than the ones stated above

The list of uses of CCTV is not exhaustive and other purposes may be or become relevant.

The CCTV system is registered with the Information Commissioner under the terms of the Data Protection Act 2018. The system complies with the requirements of the Data Protection Act 2018 and UK GDPR.

Footage or any information gleaned through the CCTV system will never be used for commercial purposes.

In the unlikely event that the police request that CCTV footage be released to the media, the request will only be complied with when written authority has been provided by the police, and only to assist in the investigation of a specific crime.

The footage generated by the system should be of good enough quality to be of use to the police or the court in identifying suspects.

## **2. Relevant legislation and guidance**

This policy is based on:

### **2.1 Legislation**

- UK General Data Protection Regulation
- Data Protection Act 2018
- Human Rights Act 1998
- European Convention on Human Rights
- The Regulation of Investigatory Powers Act 2000
- The Protection of Freedoms Act 2012
- The Freedom of Information Act 2000
- The Education (Pupil Information) (England) Regulations 2005 (as amended in 2016)
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- The School Standards and Framework Act 1998
- The Children Act 1989
- The Children Act 2004
- The Equality Act 2010

### **2.2 Guidance**

- Surveillance Camera Code of Practice (2021)

## **3. Definitions**

Surveillance: the act of watching a person or a place

CCTV: closed circuit television; video cameras used for surveillance

Covert surveillance: operation of cameras in a place where people have not been made aware they are under surveillance

## **4. Covert surveillance**

Covert surveillance will only be used in extreme circumstances, such as where there is suspicion of a criminal offence. If the situation arises where covert surveillance is needed (such as following police advice for the prevention or detection of crime or where there is a risk to public safety), a data protection impact assessment will be completed in order to comply with data protection law.

## **5. Location of the cameras**

Cameras are located in places that require monitoring in order to achieve the aims of the CCTV system (stated in section 1.1).

Cameras are located internally and externally, but not in classrooms, toilets or changing rooms.

Wherever cameras are installed appropriate signage is in place at entry points to our school buildings to warn members of the school community that they are under surveillance. The signage:

- Identifies the school as the operator of the CCTV system

- Identifies the school as the data controller
- Provides contact details for the school

Cameras are not and will not be aimed off school grounds into public spaces or people's private property. Cameras are positioned in order to maximise coverage, but there is no guarantee that all incidents will be captured on camera.

## **6. Roles and responsibilities**

### **6.1 The governing board**

The governing board has the ultimate responsibility for ensuring the CCTV system is operated within the parameters of this policy and that the relevant legislation (defined in section 2.1) is complied with. Compliance with UK GDPR is monitored through an annual external audit, which is reported to governors. The school also reports annually to governors on the use of CCTV.

### **6.2 The headteacher**

The headteacher will:

- Take responsibility for all day-to-day leadership and management of the CCTV system
- Liaise with the data protection officer (DPO) to ensure that the use of the CCTV system is in accordance with the stated aims and that its use is needed and justified
- Ensure that the guidance set out in this policy is followed by all staff
- Review the CCTV policy to check that the school is compliant with legislation
- Ensure all persons with authorisation to access the CCTV system and footage have received proper training in the use of the system and in data protection
- Sign off on any expansion or upgrading to the CCTV system, after having taken advice from the DPO and taken into account the result of a data protection impact assessment
- Decide, in consultation with the DPO, whether to comply with disclosure of footage requests from third parties

### **6.3 The data protection officer**

The data protection officer (DPO) will:

- Advise on training persons with authorisation to access the CCTV system and footage in the use of the system and in data protection
- Advise on training all staff to recognise a subject access request
- Deal with subject access requests in line with the Freedom of Information Act (2000)
- Monitor compliance with UK data protection law
- Advise on and assist the school with carrying out data protection impact assessments
- Act as a point of contact for communications from the Information Commissioner's Office
- Advise on conducting data protection impact assessments
- Check data is handled in accordance with data protection legislation
- Check footage is obtained in a legal, fair and transparent manner
- Check footage is destroyed when it falls out of the retention period
- Check the school is keeping accurate records of all data processing activities and is making the records public on request
- Check the school informs subjects of how footage of them will be used by the school, what their rights are, and how the school will endeavour to protect their personal information
- Check the school ensures that the CCTV systems are working properly and that the footage they produce is of high quality so that individuals pictured in the footage can be identified
- Check the school ensures that the CCTV system is not infringing on any individual's reasonable right to privacy in public spaces

- Check the school carries out regular checks to determine whether footage is being stored accurately, and being deleted after the retention period
- Receive and advice on requests for third-party access to CCTV footage

#### **6.4 The Facilities Manager**

The Facilities Manager will:

- Take care of the day-to-day maintenance and operation of the CCTV system
- Oversee the security of the CCTV system and footage
- Check the system for faults and security flaws
- Ensure the data and time stamps are accurate

### **7. Operation of the CCTV system**

The CCTV system will be operational 24 hours a day, 365 days a year.

The system is registered with the Information Commissioner's Office.

The system will not record audio.

Recordings will have date and time stamps. This will be checked by the Facilities Manager termly and when the clocks change.

### **8. Storage of CCTV footage**

Footage will be retained for 30 days. At the end of the retention period, the files will be overwritten automatically.

On occasion footage may be retained for longer than 30 days, for example where a law enforcement body is investigating a crime, to give them the opportunity to view the images as part of an active investigation.

Recordings will be downloaded and encrypted, so that the data will be secure and its integrity maintained, so that it can be used as evidence if required.

The DPO will carry out annual checks to determine whether footage is being stored accurately, and being deleted after the retention period.

### **9. Access to CCTV footage**

Access will only be given to authorised persons, for the purpose of pursuing the aims stated in section 1.1, or if there is a lawful reason to access the footage.

Any individuals that access the footage must record their name, the date and time, and the reason for access in the access log.

Any visual display monitors will be positioned so only authorised personnel will be able to see the footage.

#### **9.1 Staff access**

The following members of staff have authorisation to access the CCTV footage:

- The Headteacher
- The Deputy Headteacher
- The Assistant Headteachers
- The Business Manager
- The Facilities Manager
- Anyone with express permission of the Headteacher/ Business Manager

CCTV footage will only be accessed from authorised personnel's work devices.

All members of staff who have access will undergo training to ensure proper handling of the system and footage.

Any member of staff who misuses the surveillance system may be committing a criminal offence, and will face disciplinary action.

## **9.2 Subject access requests (SAR)**

According to UK GDPR and Data Protection Act 2018, individuals have the right to request a copy of any CCTV footage of themselves.

Upon receiving the request the school will immediately issue a receipt and will then respond within 30 days during term time. The school reserves the right to extend that deadline during holidays due to difficulties accessing appropriate staff members.

All staff have received training to recognise SARs. When a SAR is received staff should inform the Headteacher, who will inform the DPO in writing. When making a request, individuals should provide the school with reasonable information such as the date, time and location the footage was taken to aid school staff in locating the footage.

On occasion the school will reserve the right to refuse a SAR, if, for example, the release of the footage to the subject would prejudice an ongoing investigation.

Images that may identify other individuals need to be obscured to prevent unwarranted identification. The school will attempt to conceal their identities by blurring out their faces, or redacting parts of the footage. If this is not possible the school will seek their consent before releasing the footage. If consent is not forthcoming the still images may be released instead.

The school reserves the right to charge a reasonable fee to cover the administrative costs of complying with an SAR that is repetitive, unfounded or excessive.

Footage that is disclosed in a SAR will be disclosed securely to ensure only the intended recipient has access to it.

Records will be kept that show the date of the disclosure, details of who was provided with the information (the name of the person and the organisation they represent), and why they required it.

Individuals wishing to make an SAR can find more information about their rights, the process of making a request, and what to do if they are dissatisfied with the response to the request on the [ICO website](#).

## **9.3 Third-party access**

CCTV footage will only be shared with a third party to further the aims of the CCTV system set out in section 1.1 (e.g. assisting the police in investigating a crime).

Footage will only ever be shared with authorised personnel such as law enforcement agencies or other service providers who reasonably need access to the footage (e.g. investigators).

All requests for access should be set out in writing and sent to the headteacher and the DPO.

The school will comply with any court orders that grant access to the CCTV footage. The school will provide the courts with the footage they need without giving them unrestricted access. The Headteacher and DPO will consider very carefully how much footage to disclose, and seek legal advice if necessary.

The DPO will ensure that any disclosures that are made are done in compliance with UK GDPR.

All disclosures will be recorded.

## **10. Data protection impact assessment (DPIA)**

The school follows the principle of privacy by design. Privacy is taken into account during every stage of the deployment of the CCTV system, including its replacement, development and upgrading.

The system is used only for the purpose of fulfilling its aims (stated in section 1.1).

When the CCTV system is replaced, developed or upgraded a DPIA will be carried out to be sure the aim of the system is still justifiable, necessary and proportionate.

The DPO will provide guidance on how to carry out the DPIA. The DPIA will be carried out by the Business Manager.

Those whose privacy is most likely to be affected, including the school community and neighbouring residents, will be consulted during the DPIA, and any appropriate safeguards will be put in place. A new DPIA will be done as appropriate when cameras are moved to a new location, or new cameras are installed.

If any security risks are identified in the course of the DPIA, the school will address them as soon as possible.

### 11. Security

- The Facilities Manager will be responsible for overseeing the security of the CCTV system and footage
- The system will be checked for faults once a term
- Any faults in the system will be reported as soon as they are detected and repaired as soon as possible, according to the proper procedure
- Footage will be stored securely and encrypted wherever possible
- The CCTV footage will be password protected and any camera operation equipment will be securely locked away when not in use
- Proper cyber security measures will be put in place to protect the footage from cyber attacks
- Any software updates (particularly security updates) published by the equipment's manufacturer that need to be applied, will be applied as soon as possible

### 12. Complaints

Complaints should be made according to the school's complaints policy.

### 13. Monitoring

The policy will be reviewed every three years by the Finance & Resources Committee, including considering whether the continued use of a surveillance camera remains necessary, proportionate and effective in meeting its stated purposes.

### 14. Links to other policies

- Data protection policy
- Safeguarding policy

<b>Approved by:</b>	Finance and Resources Committee	<b>Date:</b> June 2023
<b>Last reviewed on:</b>	June 2023	
<b>Next review due by:</b>	June 2026	

## Appendix A

### CCTV Privacy Impact Assessment

#### 1. Introduction

1.1 The Purpose of this Privacy Impact Assessment (PIA) for CCTV is to ensure privacy risks are minimised whilst allowing the aims of the project to be met wherever possible and to ensure the use of CCTV takes into account the effect on individuals and their privacy.

1.2 Where such an assessment follows a formal documented process, such a process will ensure sound decisions are made on implementation and on any necessary measures to safeguard against disproportionate interference with privacy.

1.3 Personal data as defined by The EU General Data Protection Regulation means data which relates to a living individual who can be identified:

- a. From those data, or
- a. From those data and other information which is in the possession of, or is likely to come in to possession of the data controller

#### Camera Specific – Prior to installation

1	Why are cameras being considered for installation?	Cameras have been part of the school's out of hours security system prior to this project. We now wish to operate 24hpd and to install cameras inside the school to meet the aims of the CCTV policy
2	Has there been consultation before any additional cameras were installed and prior to extending times of operation?	Yes
2a	If yes, what was the outcome of the consultation	CCTV to be operational 24 hpd to external areas. CCTV internally to areas that are not regularly supervised. As of Sep 19 internally to OLC and school Hall. Further internal cameras to be approved by F&R Governors and reported to main Governors.
2b	If no, why wasn't it undertaken?	Not applicable
3	What type of cameras are being considered/in place	Static, standard lens.
4	Is audio recording an available feature of this camera	Yes
4a	If yes, what measure are in place to protect private dialogue?	It will be switched off
5	Do the cameras have any other camera specific or software related	No

	features such as Automatic Number Plate Recognition, Facial Recognition, movement analysis?	
5a	If yes, what software/function	Not applicable
5b	What is the purpose of having/installing this function/software	Not applicable
5c	What measures are in place to protect privacy when using this software/function	Not applicable
6	Do the cameras have the capacity to record personal information as defined in paragraph 1.3	Yes
6a	If yes, explain what and why	<p>The CCTV system is used to prevent or detect crime and anti-social behaviour; to monitor the school buildings and grounds in order to provide a safe and secure environment for its students, staff and visitors; to ensure school rules are respected so the school can be properly managed; and to prevent loss of or damage to school property.</p> <p>The cameras can capture a range of images providing varying amounts of detail. When used to full potential they are able to capture identifiable images of individuals. Cameras are only used by trained operatives and the range of features available are only used by an operative when responding to an incident. Any actions taken or information released will in all cases be carried out in accordance with the EU GDPR, The Police and Criminal Evidence Act 1984 or the Criminal Procedures and Investigations Act 1996</p>
7	Is there any chance of this footage being released in the public domain?	Yes
7b	If yes, why and what are the controls in place	<p>Images from the school's CCTV system could be released by the police into the public domain if it is in the public interest such as the identification of a suspect involved in a crime, for public safety, national security or for example in the case of missing persons. In all cases this would be carried out in collaboration with the police and in accordance with data protection principles and the school's policy on CCTV.</p> <p>The school will not itself release images into the public domain.</p>
8	Is there a GDPR compliant sign clearly displayed in close proximity to the cameras to make people aware CCTV is in operation?	Yes
9	Do the cameras cover any part of any property where there is an expectation of privacy?	No
9a	If yes, what is covered	Not applicable



9b	If yes, what measures have been taken to prevent observation of these area?	Not applicable
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**Camera Specific – Post installation**

1	Has the purpose of the cameras been reviewed?	Yes. Part of the consultation process.
1a	How frequently will this be reviewed?	Annually/as required/with each new installation.
1b	What was the outcome of the review?	Additions made to cover more of the internal space.
2	Has the school ever received a complaint relating to the impact of privacy of any camera?	No
2a	Provide details of the source and nature of the complaint and the outcome	N/A

Privacy Impact Assessment carried out by Name Position	Karen Barker Business Manager
Data Protection Officer	Turn IT On
Assessment effective dates From  Until review due on	June 2023  June 2024 or early if new cameras installed
Registration with the Information Commissioner last updated on	January 2020
Checks for serviceability of CCTV systems and clarity of images completed on	Ongoing