

RMET

CCTV Policy

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Document Change History

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20.05.2020	1.0	Reviewed April 2020 and adopted by Trust Board meeting 20.05.2020
27.03.2023	2.0	Reviewed and ratified at Trust Board meeting 27.03.2023

1. 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.

2. Objectives and targets

This CCTV policy explains how the Trust schools will operate their CCTV equipment and comply with the current legislation.

3. Action plan

The schools use 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 (No toilet privacy will be invaded);
- Monitoring the security of the site.

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

4. Location

Cameras are located in those areas where the school has identified a need and where other solutions are ineffective. A DPIA will be recorded for each camera location. The school's CCTV system is used solely for purposes(s) identified above.

5. Maintenance

The CCTV system is inspected periodically to include:

- Ensuring the school complies with its responsibilities in relation to guidance on the location of the camera;
- Ensuring the date and time reference are accurate;
- 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;
- Ensuring that any software or other updates to the system are put in place.

6. Signage & explanatory publications signage

Signs explaining that CCTV recording is operational in the vicinity shall be clearly visible and legible in accessible areas of the building. They will state:

- The name of the Data Controller;
- The name of the Data Protection Officer;
- The purpose of the processing;
- Data Subjects rights;
- How to access the full privacy notice (QR code or web address).

7. Type of equipment

The school's standard CCTV cameras record visual images only and do not record sound. Where two-way audio feeds (e.g. call for help systems) are used, they will only be capable of activation by the person requiring help.

8. Administration

The CFO has responsibility for the control of images and deciding how the CCTV system is used. The Trust has notified the ICO 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 (<https://ico.org.uk/media/1542/cctv-code-of-practice.pdf>). 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. School staff can view CCTV footage in order to make a decision as to whether to request 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.

9. 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 schools reserve the right to use images captured on CCTV where there is activity that the school 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 school ensures that

images are not retained for longer than is necessary. Once the retention period has expired, the images are removed or erased.

10. 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.

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.

11. 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 school receives a request under the Data Protection Act it will comply with requests within 40 calendar days of receiving the request. The school may charge a fee for the provision of a copy of the images. If the school receives a request under the Freedom of Information Act it will comply with requests within 20 working days of receiving the request. 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.

Any complaints about the operation of the school's disclosure policy or failure to comply with the ICO code of practice should be addressed through the school's complaints procedure.

12. Monitoring and evaluation

The schools undertakes regular audits to ensure that the use of CCTV continues to be justified and is up to date and operates within the ICO code of practice. The policy is evaluated in the light of the findings of the regular audits and any changes in legislation and updated accordingly. The audit includes a review of:

- Its stated purpose;
- The location of cameras;
- The images recorded;

- The secure holding of stored information;
- Storage length of recordings;
- Deletion of recordings;
- Safeguards to protect wireless transmission systems from interception;
- Safeguards to prevent unauthorised copies of information from the CCTV;
- Safeguards where the system is made available across a computer or the intranet;
- Where information is disclosed, how it is securely delivered to the intended recipient;
- Training of staff in security of procedures and sanctions against staff who might misuse surveillance information;
- Changes in legislation.

13. Reviewing

If the schools decide to change the way in which it uses CCTV, it will inform the Trust CFO who will inform the Information Commissioner within 28 days.

Each site has a Data Protection Impact Assessment (DPIA) in place which is quality assured by the CFO and monitored by the DPO.