The Enquire Learning Trust CCTV Policy

Objectives

To protect the Academy buildings and assets

To increase personal safety and reduce the fear of crime

To support the Police in a bid to deter and detect crime

To assist in identifying, apprehending and disciplining offenders

To protect members of the public and private property

Contents

1. Introduction

1.1 This policy outlines the Trust's approach to the use of CCTV in its academies and how it complies with the Data Protection Act 1998.

1.2 Each academy in the Trust may use closed circuit television (CCTV) images to monitor the academy buildings in order to provide a safe and secure environment for pupils, staff and visitors, and to prevent the loss or damage to academy assets, resources and property.

1.3 The system may comprise a number of internal and external fixed and dome cameras.

1.4 The systems do not currently have sound recording capability. If an academy wishes to install sound recording capability this must be done so in consultation with staff and the academy communities.

1.5 The CCTV system is owned and operated by the academy where it is situated and the deployment of it is determined by that academy's leadership team.

1.6 The CCTV is used by each academy's Senior Leadership Team and in a limited capacity by the Trust's Facilities Management officers. The Principal or their representative has overall responsibility as the designated Data Controlling Officer.

1.7 The further introduction of, or changes to, CCTV monitoring will be subject to consultation with staff and the academy communities.

1.8 All authorised operators and employees with access to images must be aware of the procedures that need to be followed when accessing the recorded images. All operators must be aware of their responsibilities under the CCTV Code of Practice. All employees must be aware of the restrictions in relation to access to, and disclosure of, recorded images.

2. Statement of Intent

2.1 Each academy will seek to comply with the Information Commissioner's Office (ICO) CCTV Code of Practice and the Data Protection Act 1998 and to ensure it is used responsibly and safeguards both trust and confidence in its continued use.

2.2 Each academy will treat the system and all information, documents and recordings obtained and used as data which are protected by the Data Protection Act.

2.3 Cameras may be used to monitor activities within the academy grounds to identify criminal activity occurring, anticipated, or perceived, and for the purpose of securing the safety and well-being of the academy, together with its visitors.

2.4 Unless an immediate response to events is required, staff must not direct cameras at private property, an individual, their property or a specific group of individuals, without an authorisation being obtained for Directed Surveillance to take place, as set out in the Regulation of Investigatory Power Act 2000.

2.5 CCTV warning signs will be clearly and prominently placed at all external entrances to each academy where CCTV is operational, including the academy gates as coverage includes outdoor areas. Signs will contain details of the purpose for using CCTV (see Appendix B). In areas where CCTV is used, the academy will ensure that there are prominent signs placed at both the entrance of the CCTV zone and within the controlled area.

2.6 The planning and design of the system should provide maximum effectiveness and efficiency but it is not possible to guarantee that a system will or can cover or detect every single incident taking place in the areas of coverage.

2.7 Materials or knowledge secured as a result of CCTV will not be used for any commercial purpose. Recorded materials will only be released to the media for use in the investigation of a specific crime and with the written authority of the Police. Recorded materials will never be released to the media for purposes of entertainment.

3. Siting the Cameras

3.1 Cameras will be sited so they only capture images relevant to the purposes for which they are installed (described above) and care will be taken to ensure that reasonable privacy expectations are not violated. For example cameras will not be placed in areas which are reasonably expected to be private such as toilets. Each academy will ensure that the location of equipment is carefully considered to ensure that images captured comply with the Data Protection Act.

3.2 Each academy will make every effort to position cameras so that their coverage is restricted to the academy premises, which includes the academy's outdoor areas.

3.3 CCTV will not be used in classrooms, except in exceptional circumstances (see Covert Monitoring below).

3.4 Members of staff should have access to details of where CCTV cameras are situated, with the exception of cameras placed for the purpose of covert monitoring.

4. Covert Monitoring

4.1 An academy may in exceptional circumstances set up covert monitoring. For example:

i) Where there is good cause to suspect that an illegal or serious unauthorised action(s), is taking place, or where there are grounds to suspect serious misconduct;
ii) Where notifying the individuals about the monitoring would seriously prejudice the reason for making the recording.

4.2 In these circumstances authorisation must be obtained from the Academy Principal and Chair of the Local Governing Body.

4.3 Covert Monitoring may take place in classrooms when circumstance 4.1 (i.) and 4.1 (ii.) are satisfied. Covert Monitoring used in classrooms will never be used to observe or assess a teacher's professional performance, or to contribute to capability proceedings.

4.4 Covert monitoring must cease following completion of an investigation.

4.5 Cameras sited for the purpose of covert monitoring will not be used in areas which are reasonably expected to be private, for example toilets.

5. Storage and Retention of CCTV images

5.1 Recorded data will not be retained for longer than is necessary. While retained, the integrity of the recordings will be maintained to ensure their evidential value and to protect the rights of the people whose images have been recorded[1].

5.2 All retained data will be stored securely.

6. Access to CCTV images

6.1 Access to recorded images will be restricted to those staff authorised to view them, and outside agencies such as the Police and will not be made more widely available.

6.2 The ability to view live and historical CCTV data available via network software is only to be provided at designated locations and to authorised persons only.

7. Subject Access Requests (SAR)

7.1 Individuals have the right to request access to CCTV footage relating to themselves under the Data Protection Act.

7.2 All requests should be made in writing to the Academy Principal or their representative. Individuals submitting requests for access will be asked to provide sufficient information to enable the footage relating to them to be identified. For example, date, time and location.

7.3 The Academy will respond to requests within 40 calendar days of receiving the written request and fee.

7.4 A fee of £10 will charged per request.

7.5 The Academy reserves the right to refuse access to CCTV footage where this would prejudice the legal rights of other individuals or jeopardise an ongoing investigation.

8. Access to and Disclosure of Images to Third Parties

8.1 There will be no disclosure of recorded data to third parties other than to authorised personnel such as the Police and service providers to an academy where these would reasonably need access to the data (e.g. investigators).

8.2 Requests should be made in writing to the Academy Principal or their representative.

8.3 The data may be used within the Trust's discipline and grievance procedures as required, and will be subject to the usual confidentiality requirements of those procedures.

8.4 When it is within the power of the academy whether or not to disclose information to the police, that disclosure of information will be at the discretion of the Academy Principal and Chair of the Local Governing Body.

[1] 'The DPA does not prescribe any specific minimum or maximum retention periods which apply to all systems or footage. Rather, retention should reflect the organisation's purposes for recording information. The retention period should be informed by the purpose for which the information is collected and how long it is needed to achieve this purpose' (Information Commissioner's Office CCTV Code of Practice*: In the picture - A data protection code of practice for surveillance cameras and personal information*, 15/10/2014 Version 1).

9. Complaints

9.1 Complaints and enquiries about the operation of CCTV within an Academy should be directed to the Principal of that Academy in the first instance.

10. Further Information

10.1 For further information on CCTV and its use please see below:

Data Protection Act 1998
Regulation of Investigatory Powers Act (RIPA) 2000
Protection of Freedoms Act (POFA) 2012
CCTV Code of Practice Revised Edition 2008 (published by the Information Commissioners Office)
Information Commissioner's Office (ICO) CCTV Code of Practice is published at:

http://www.ico.gov.uk/~/media/documents/library/Data_Protection/Detailed_specialist_guides/ICO_CCTVFINAL_2301.ashx

11. Policy Status and Review

Written by:	Alvin Fell
Owner:	Head teacher
Status:	
Approval date:	Nov 2016
Review Date:	Nov 2017

Appendix A - Checklist

This CCTV system located at FLOWERY FIELD PRIMARY SCHOOL and the images produced by it are controlled by the Principal or their representative who is responsible for how the system is used and for notifying the Information Commissioner about the CCTV system and its purpose (which is a legal requirement of the Data Protection Act 1998).

The Academy has considered the need for using CCTV and has decided it is required for the prevention and detection of crime and for protecting the safety of users. It will not be used for other purposes. We conduct an annual review of our use of CCTV to ensure its compliance.

	Checked (Date)	**By**	**Date of next review**
There is a named individual who is responsible for the operation of the system.	Nov 16	AF (for all)	Nov 17
A system had been chosen which produces clear images which the law enforcement bodies (usually the police) can use to investigate crime and these can easily be taken from the system when required.	Nov 16		
Staff and members of the Academy community will be consulted about the proposal to install further CCTV equipment.	Nov 16		
Cameras have been sited so that they provide clear images.	Nov 16		
Cameras have been positioned to avoid capturing the images of persons not visiting the premises.	Nov 16		
There are visible signs showing that CCTV is in operation. Where it is not obvious who is responsible for the system contact details are displayed on the sign(s).	Nov 16		
Images from this CCTV system are securely stored, where only a limited number of authorised persons may have access to them.	Nov 16		
The recorded images will only be retained long enough for any incident to come to light (e.g. for a theft to be noticed) and the incident to be investigated.	Nov 16		
Except for law enforcement bodies, images will not be provided to third parties.	Nov 16		
The organisation knows how to respond to individuals making requests for copies of their own images. If unsure the controller knows to seek advice from the Information Commissioner as soon as such a request is made.	Nov 16		
Regular checks are carried out to ensure that the system is working properly and produces high quality images.	Nov 16		

Appendix B – CCTV Signage

It is a requirement of the Data Protection Act 1998 to notify people entering a CCTV protected area that the area is monitored by CCTV and that pictures are recorded. The Academy is to ensure that this requirement is fulfilled.

The CCTV sign should include the following:

That CCTV surveillance is in operation in this area and that pictures are recorded
The purpose of using CCTV
The details of the organisation operating the system if not obvious

Appendix C – Data Protection Act

The Data Protection Act 1998: Data Protection Principles

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless:

   (a) at least one of the conditions in Schedule 2 is met, and

   (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.

2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.

3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.

4. Personal data shall be accurate and, where necessary, kept up to date.

5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

6. Personal data shall be processed in accordance with the rights of data subjects under this Act.

7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

This is not a full explanation of the principles, for further information refer to the Data Protection Act.

Log of stored CCTV images

Date Stored	Who by	Log Number / Crime Ref Number	Please state the format these images are being stored (e.g. CD ROM/Hard Drive/Flash drive)	Please state the date the footage was destroyed, by whom and why.	Signed off by Manager Name, Position and Date.

3rd Party viewing log

Date & Time of viewing	Name/s of the person/s viewing the images & the organisation they represent	State the reasons for the viewing	Images viewed (state location, date and time of original image/s)	The outcome if any of the viewing	Date and time the images were returned for storage/destroyed
16.3.17	PC Davies GM Police	Looking for person wanted for arrest	15.3.17	Police left without requiring copies	Images not taken off site