# CCTV Policy

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| Policy Leads: | **School Data Protection Officer**<br>**Trust Data Protection Officer** |
| Last Review Date: | March 2023<br>October 2024 |
| Next Review Date: | March 2026 |
| Approval needed by: | **Audit and Risk Committee** |
| Initial Approval | **Adopted by Shadow Board July 2023- endorsed and adopted by TLP Trust** |

**Policy Aims**

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

**Statement of intent**

The purpose of the CCTV system is to protect life and property and to prevent crime, and for no other purpose. In practice this means it will seek to

- Safeguard all members of our community
- 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
- Assist in the defense of any litigation proceedings
- Manage behaviour of students

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 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.

**Relevant legislation and guidance**

This policy is based on:

**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 Acts 1989 and 2004
- The Equality Act 2010

**Guidance**

- Surveillance Camera Code of Practice (2021)

**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

**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, the proper authorisation forms from the Home Office will be completed and retained.

**Location of the cameras**

Cameras are located in places that require monitoring in order to achieve the aims of the CCTV system.

Cameras are located throughout the building communal areas, external to the building and within classrooms where valuable equipment is located.

Wherever cameras are installed appropriate signage is in place 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.

**Roles and responsibilities**

Access to and responsibility of the CCTV system is limited to a small number of staff this includes: the Headteacher, Deputy Headteacher, School Business Manager, Data Protection Officer and IT Technician. If a recording is taken from the system, this is held securely and normally is only accessible by these personnel, although it may be distributed to other personnel to support the school's interests.

**The Headteacher**

The Headteacher will:

- Take responsibility for all day-to-day leadership and management of the CCTV system
- Liaise with the school 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 from the DPO 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 Trust and School DPOs and taken into account the result of a data protection impact assessment
- Decide, in consultation with the Trust or school DPO, whether to comply with disclosure of footage requests from third parties

**The school data protection officer**

The school data protection officer (DPO) will:

- Train persons with authorisation to access the CCTV system and footage in the use of the system and in data protection
- Train 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
- Conduct data protection impact assessments
- Ensure data is handled in accordance with data protection legislation
- Ensure footage is obtained in a legal, fair and transparent manner
- Ensure footage is destroyed when it falls out of the retention period
- Keep accurate records of all data processing activities and make the records public on request
- Inform 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
- Ensure 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

- Ensure that the CCTV system is not infringing on any individual's reasonable right to privacy in public spaces
- Carry out periodic checks to determine whether footage is being stored accurately, and being deleted after the retention period
- Receive and consider requests for third-party access to CCTV footage

**The system manager**

The system 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 weekly
- Ensure the data and time stamps are accurate every 6 months

**Operation of the CCTV system**

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

The system will not record audio.

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

**Storage of CCTV footage**

Footage will normally be retained for a minimum of 2 weeks and up to a maximum of 90 days. At the end of the retention period, the files will be overwritten automatically.

On occasion footage may be retained for longer than the minimum period, 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 normally 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 school DPO may carry out periodic checks to determine whether footage is being stored accurately, and being deleted after the retention period.

**Access to CCTV footage**

Access will only be given to authorised persons, for the purpose of pursuing the aims stated above, 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.

**Staff access**

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

- The Headteacher
- The Deputy Headteacher
- The Trust and School Data Protection Officers

- The system manager / 3rd Party System Supplier
- Anyone with express permission of the personnel listed above.

CCTV footage will only be accessed from authorised personnel's work devices, or from the visual display monitors.

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.

**Subject access requests (SAR)**

According to UK GDPR and DPA 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.

Staff have received training to recognise SARs. When a SAR is received staff should inform the relevant 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, or if permission from other third parties/data subjects cannot be secured.

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 DPO will determine whether 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.

In cases where there is more than one subject contained within the footage and the Trust has agreed that the footage/images have been released, then the recipient of the SAR will be required to confirm that they will not disclose the CCTV footage to any other third party without seeking and gaining permission from the DPO. This is to ensure that appropriate protection is provided to all parties contained within the footage.

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.

**Third-party access**

CCTV footage will only be shared with a third party to further the aims of the CCTV system set out above (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 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 by the relevant DPO as per the Trust's data protection policy.

**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 the replacement, development and upgrading.

The system is used only for the purpose of fulfilling its aims.

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 and who to carry out the DPIA.

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.

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

**Security**

- The system 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

**Complaints**

Complaints should be directed to the Headteacher or the DPO and should be made according to the school's complaints policy.

**Monitoring**

The policy will be reviewed every three years by the School Business Manager/DPO to consider whether the continued use of a surveillance camera remains necessary, proportionate and effective in meeting its stated purposes.

END- Document last reviewed October 2024