

CCTV Policy



The Cottesloe School

Reviewed by:	Resources & People Committee	Date: 26 June 2019
Adopted by FGB:	10 July 2019	
Last reviewed on:	New policy	
Next review due:	Summer Term 2023 (earlier any legislative change)	

Introduction

The Cottesloe School takes the safety of our school community seriously. Part of our commitment to this, is the use of closed circuit television (CCTV) surveillance to monitor any incidents of aggression and physical damage to the school. CCTV is used to protect students, staff, parents and visitors, whilst on the school premises and grounds as well as school property.

The purpose of this policy is to ensure that we comply with data protection regulations, including the Data Protection Act 1998 and the General Data Protection Regulation (GDPR). Images of people captured on CCTV, where they can easily be identified are defined as personal data under the above. This means that the school must comply when using CCTV.

Purpose and justification

- CCTV surveillance is used as a deterrent for violent behaviour and damage to the school.
- Criminal acts against persons and property.
- To assist the Senior Management team and the police identifying persons who have committed an offence.

Under no circumstances will CCTV be used inside changing rooms or toilets.

Legal frame work

This policy has due regard to the following legislation statutory and non-statutory guidance: including, but not limited to the following:

- The Regulation of Investigatory Powers Act 2000
- The Protection of Freedoms Act 2012
- The General Data Protection Regulation (GDPR)
- The Data Protection Act 1998
- 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
- Home Office (2013) 'The Surveillance Camera Code of Practice'
- Information Commissioner's Office (ICO) (2017) 'Overview of the General Data Protection Regulation (GDPR)'
- ICO (2017) 'Preparing for the General Data Protection Regulation (GDPR) 12 steps to take now'
- ICO (2017) 'In the picture: A data protection code of practice for surveillance cameras and personal information'

Legal basis for the use of CCTV

The use of CCTV and the images recorded must comply with the data protection principles and must be:

Processed lawfully, fairly and in a transparent manner in relation to individuals.

Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;

Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

Accurate and, where necessary, kept up-to-date;

Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed.

Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures

Personal data may be stored for longer periods, insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals.

Protocols

The school is registered with the ICO in line with data protection legislation

The CCTV system is a closed digital system which does not record audio.

Warning signs have been placed throughout the premises where the surveillance system is active, as mandated by the ICO's Code of Practice.

The surveillance system will not be trained on individuals unless an immediate response to an incident is required.

The surveillance system will not be trained on private vehicles or property outside the perimeter of the school.

The CCTV system has been designed to give optimum coverage of the school and maximise effectiveness; however, the school cannot guarantee that every incident will be detected or covered by the system.

Responsibilities for CCTV operation

The CCTV system will be administered and managed by the Headteacher in accordance with this policy and with guidance from the local authority where applicable.

The day to day management of the CCTV will be the responsibility of the Site manager and the Assistant Headteacher –Pastoral, during the day.

Access to CCTV footage and the system is limited to those members of staff with a legitimate need to access it. The system is password protected and any staff with access must ensure they adhere to any guidance or security precautions.

CCTV general footage is kept for a period of no longer than 28 days.

Where incidents have been recorded on CCTV the footage will be down loaded and kept securely until the incident has been resolved.

In exceptional circumstances where CCTV footage has been requested by the police or is used as evidence that leads to a student being excluded this may be retained in line with the school's retention policy.

All retained data is stored securely.

Security

The CCTV system use is restricted to those members of staff who have the software downloaded onto their PC.

The authorised users of the software are:

Site and Facilities Manager

IT Technician

TEAM Hub Manager

Headteacher

Assistant Headteacher Pastoral

The main control facility is kept secure and locked when not in use.

The school will not routinely conduct any covert surveillance

Access

Any Individual recorded in any CCTV image is a data subject for the purposes of the Data Protection Legislation, and has the right to request access to those images.

Any individual who requests access to images of themselves will be considered to have made a subject access request pursuant to the Data Protection Legislation. Such a request should be considered in the context of the School's Subject Access Request Policy.

All requests should be made in writing to the Head Teacher or Data Protection Lead 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.

When such a request is made an authorised user of the system will review the CCTV footage, in accordance with the request.

If the footage contains only the individual making the request, then the individual may be permitted to view the footage. This must be strictly limited to that footage which contains only images of the individual making the request.

If the footage contains images of other individuals, then the School must consider whether:

- The request requires the disclosure of the images of individuals other than the requester, for example whether the images can be distorted so as not to identify other individuals;
- The other individuals in the footage have consented to the disclosure of the images, or their consent could be obtained; or
- If not, then whether it is otherwise reasonable in the circumstances to disclose those images to the individual making the request.

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

The School will only disclose recorded CCTV images to third parties where it is permitted to do so in accordance with the Data Protection Legislation.

If a request is received from a law enforcement agency for disclosure of CCTV images, then the School must follow the same process as above in relation to subject access requests. Detail should be obtained from the law enforcement agency as to exactly what they want the CCTV images for, and any particular individuals of concern. This will then enable proper consideration to be given to what should be disclosed, and the potential disclosure of any third party images

If an order is granted by a Court for disclosure of CCTV images, then this should be complied with. However very careful consideration must be given to exactly what the Court order requires. If there are any concerns as to disclosure, then the Data Protection Officer should be contacted in the first instance and appropriate legal advice may be required

Complaints

Complaints and enquiries about the operation of CCTV within the school should be directed to the Headteacher in the first instance.

Review

This policy will be reviewed and approved by the governing board in four years' or when there are changes to legislation or changes to the system.

June 2019