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## CCTV POLICY

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Date of Next Review: Summer 2022

Responsible Officer(s): Trust IT Manager

## **1. Introduction**

At Vision Academy Learning Trust, we take our responsibility towards the safety of staff, visitors and pupils very seriously.

The purpose of this policy is to manage and regulate the use of the surveillance and CCTV systems at our schools to ensure that:

- We comply with the UK GDPR.
- The images that are captured are useable for the purposes we require them for.
- We reassure those persons whose images are being captured, that the images are being handled in accordance with data protection legislation.

## **2. CCTV Objectives**

To assist in safeguarding staff, students and visitors.

To protect school assets and property.

## **3. Frameworks**

The use of CCTV at Vision Academy Learning Trust schools will comply with the requirements of the following legislation:

- Regulation of Investigatory Powers Act 2000
- Protection of Freedoms Act 2012
- The UK General Data Protection Regulation
- Data Protection Act 2018
- 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
- School Standards and Framework Act 1998
- Children Act 1989
- Children Act 2004
- Equality Act 2010

This policy has been created with regards to the following statutory and non-statutory guidance:

- Home Office (2013) 'The Surveillance Camera Code of Practice'
- ICO (2021) 'Guide to the UK General Data Protection Regulation (UK GDPR)'
- ICO (2017) 'In the picture: A data protection code of practice for surveillance cameras and personal information'

## 4. Roles and Responsibilities

Vision Academy Learning Trust, as the corporate body, is the data controller. The governing board of each School therefore has overall responsibility for ensuring that records are maintained, including security and access arrangements in accordance with regulations.

The Headteacher or delegated individual deals with the day-to-day matters relating to data protection and thus, for the benefit of this policy will act as the data controller.

The role of the data controller includes:

- Processing surveillance and CCTV footage legally and fairly.
- Collecting surveillance and CCTV footage for legitimate reasons and ensuring that it is used accordingly.
- Collecting surveillance and CCTV footage that is relevant, adequate and not excessive in relation to the reason for its collection.
- Ensuring that any surveillance and CCTV footage identifying an individual is not kept for longer than is necessary.
- Protecting footage containing personal data against accidental, unlawful destruction, alteration and disclosure – especially when processing over networks.

The role of the headteacher includes:

- Meeting with the DPO to decide where CCTV is needed to justify its means.
- Conferring with the DPO with regard to the lawful processing of the surveillance and CCTV footage.
- Monitoring legislation to ensure the school is using surveillance fairly and lawfully.
- Communicating any changes to legislation with all members of staff.

## 5. Objectives

The CCTV system will be used to:

- Maintain a safe environment.
- Ensure the welfare of pupils, staff and visitors.
- Deter criminal acts against persons and property.
- Assist the police in identifying persons for their investigations.

## 6. Definitions

For the purpose of this policy a set of definitions will be outlined, in accordance with the surveillance code of conduct:

- **Surveillance** – monitoring the movements and behaviour of individuals; this can include video, audio or live footage. For the purpose of this policy only video and audio footage will be applicable. Please note, Audio Recording is only applicable in the behaviour units within our schools.

- **Overt surveillance** – any use of surveillance for which authority does not fall under the Regulation of Investigatory Powers Act 2000.
- **Covert surveillance** – any use of surveillance which is intentionally not shared with the subjects it is recording. Subjects will not be informed of such surveillance.

The school does not condone the use of covert surveillance. Covert surveillance will only be operable in extreme circumstances.

Any overt surveillance footage will be clearly signposted around the school.

## **7. Data protection principles**

Data collected from surveillance and CCTV will 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; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial 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; every reasonable step will be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; 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 UK GDPR in order to safeguard the rights and freedoms of individuals.
- 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.

## **8. Protocols**

The CCTV system will be 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 CCTV system is active, as mandated by the ICO's Code of Practice.

The CCTV system has been designed for maximum effectiveness and efficiency; however, the school cannot guarantee that every incident will be detected or covered and 'blind spots' may exist.

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

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

## **9. Security**

Access to the CCTV system, software and data will be strictly limited to authorised operators and will be password protected.

The school's authorised CCTV system operators are:

- The Headteacher of each premises.
- Trust DPO.
- Approved SLT or representatives at each school.

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

Surveillance and CCTV systems will be tested for security flaws regularly to ensure that they are being properly maintained at all times.

Surveillance and CCTV systems will not be intrusive.

The DPO and headteacher will decide when to record footage, e.g. a continuous loop outside the school grounds to deter intruders.

Any unnecessary footage captured will be securely deleted from the school system.

Each system will have a separate audio and visual system that can be run independently of one another. Audio CCTV will only be used in the case of deterring aggressive or inappropriate behaviour.

Visual display monitors are located in secure locations

## **10. Data protection by design and default**

The use of surveillance cameras and CCTV will be critically analysed using a DPIA, in consultation with the DPO.

A DPIA will be carried out prior to the installation of any surveillance and CCTV system.

Where the school identifies a high risk to an individual's interests, and it cannot be overcome, the school will consult the ICO before they use CCTV, and the school will act on the ICO's advice.

The school will ensure that the installation of the surveillance and CCTV systems will always justify its means.

If the use of a surveillance and CCTV system is too privacy intrusive, the school will seek alternative provision.

## **11. Code of practice**

The school understands that recording images of identifiable individuals constitutes as processing personal information, so it is done in line with data protection principles.

The school notifies all pupils, staff and visitors of the purpose for collecting surveillance data.

CCTV cameras are only placed where they do not intrude on anyone's privacy and are necessary to fulfil their purpose.

All surveillance footage will be kept for up to 6 months for security purposes; (depending on system capacity) the headteacher and the data controller are responsible for keeping the records secure and controlling access.

The school has a CCTV system for the purpose of the prevention and detection of crime and the promotion of the health, safety and welfare of staff, pupils and visitors.

The CCTV system is owned by the school and images from the system are strictly controlled and monitored by authorised personnel only.

The school will ensure that the surveillance and CCTV system is used to create a safer environment for staff, pupils and visitors to the school, and to ensure that its operation is consistent with the obligations outlined in data protection legislation.

The surveillance and CCTV system will:

- Be designed to take into account its effect on individuals and their privacy and personal data.
- Be transparent and include a contact point, the Trust DPO, through which people can access information and submit complaints.
- Have clear responsibility and accountability procedures for images and information collected, held and used.
- Have defined policies and procedures in place which are communicated throughout the school.
- Only keep images and information for as long as required.
- Restrict access to retained images and information with clear rules on who can gain access.
- Consider all operational, technical and competency standards, relevant to the surveillance and CCTV system and its purpose, and work to meet and maintain those standards in accordance with the law.
- Be subject to stringent security measures to safeguard against unauthorised access.

- Be regularly reviewed and audited to ensure that policies and standards are maintained.
- Only be used for the purposes for which it is intended, including supporting public safety, the protection of pupils, staff and volunteers, and law enforcement.

Be accurate and well maintained to ensure information is up-to-date.

## **12. Access**

Under the UK GDPR, individuals have the right to obtain confirmation that their personal information is being processed.

All disks containing images belong to, and remain the property of, the school.

Individuals have the right to submit an SAR to gain access to their personal data in order to verify the lawfulness of the processing.

The school will verify the identity of the person making the request before any information is supplied.

A copy of the information will be supplied to the individual free of charge; however, the school may impose a 'reasonable fee' to comply with requests for further copies of the same information.

Where an SAR has been made electronically, the information will be provided in a commonly used electronic format.

Requests by persons outside the school for viewing or copying disks, or obtaining digital recordings, will be assessed by the headteacher, who will consult the DPO, on a case-by-case basis with close regard to data protection and freedom of information legislation.

Where a request is manifestly unfounded, excessive or repetitive, a reasonable fee will be charged.

All fees will be based on the administrative cost of providing the information.

All requests will be responded to without delay and at the latest, within one month of receipt.

In the event of numerous or complex requests, the period of compliance will be extended by a further two months. The individual will be informed of this extension, and will receive an explanation of why the extension is necessary, within one month of the receipt of the request.

Where a request is manifestly unfounded or excessive, the school holds the right to refuse to respond to the request. The individual will be informed of this decision and the reasoning behind it, as well as their right to complain to the ICO and to a judicial remedy, within one month of the refusal.

In the event that a large quantity of information is being processed about an individual, the school will ask the individual to specify the information the request is in relation to.

It is important that access to, and disclosure of, the images recorded by surveillance and CCTV footage is restricted and carefully controlled, not only to ensure that the rights of individuals are preserved, but also to ensure that the chain of evidence remains intact, should the images be required for evidential purposes.

Releasing the recorded images to third parties will be permitted only in the following limited and prescribed circumstances, and to the extent required or permitted by law:

- The police – where the images recorded would assist in a specific criminal inquiry
- Prosecution agencies – such as the Crown Prosecution Service (CPS)
- Relevant legal representatives – such as lawyers and barristers
- Persons who have been recorded and whose images have been retained where disclosure is required by virtue of data protection legislation and the Freedom of Information Act 2000

Requests for access or disclosure will be recorded and the DPO will make the final decision as to whether recorded images may be released to persons other than the police.

### **13. Monitoring and review**

This policy will be monitored and reviewed on an annual basis by the DPO and the Trust IT Manager

The Trust will be responsible for monitoring any changes to legislation that may affect this policy, and make the appropriate changes accordingly.

The headteacher will communicate changes to this policy to all members of staff.