BURTON GREEN PRIMARY SCHOOL CCTV POLICY

(in conjunction with the Hope Sentamu Learning Trust's Data Protection Policy (GDPR), Subject Access Request Policy and Procedures, Health and Safety Policy and the Trust's Complaints Procedure)

THIS POLICY APPLIES TO ALL HOPE SENTAMU LEARNING TRUST SCHOOLS/ACADEMIES

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Policy updates

Date	Page	Policy updates
June 2021		Policy presented as Version 2.0 due to the large number of updates

Statement of Intent

Hope Sentamu Learning Trust take responsibility towards the safety of staff, visitors and pupils very seriously. To that end, the Trust use surveillance cameras to monitor any instances of aggression or physical damage to the academies/schools within the Trust.

The purpose of this policy is to regulate the management, operation and use of the surveillance and closed-circuit television (CCTV) system in the academies/schools within Hope Sentamu Learning Trust where applicable, hereafter referred to as 'the academy/school'.

The CCTV Scheme will be registered with the Information Commissioner under the terms of the UK General Data Protection Regulation and will seek to comply with the requirements both of GDPR and the Commissioner's Code of Practice.

The Trust will treat the systems and all information, documents and recordings obtained and used as data which is protected by GDPR.

Each academy/school will not focus static cameras on private homes, gardens and other areas of private property.

Unless an immediate response to events is required, each academy/school will not direct cameras at an individual, their property or a specific group of individuals, without authorisation being obtained using the academy's/school's forms for Directed Surveillance to take place, as set out in the Regulation of Investigatory Power Act 2000.

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

The planning and design has endeavoured to ensure that the system will give maximum effectiveness and efficiency, but it is not possible to guarantee that the system will cover or detect every single incident taking place in the areas of coverage.

Warning signs, as required by the Code of Practice of the Information Commissioner, have been placed at all access routes to areas covered by the academy/school CCTV.

The CCTV system will be registered with the ICO in line with data protection legislation.

Signed by:

_____ Headteacher/Principal Date: _____

_____ Chair of Governors Date: _____

1. Introduction

1.1. The system comprises of:

- Cameras - fixed
- Cameras - dome

1.2. The Code of Practice will be subject to review periodically, but at least biennially, to include consultation as appropriate with interested parties.

1.3. The CCTV system is owned by the by the academy/school.

2. Definition

2.1. The CCTV is the 'Closed Circuit Television System' which is used within the academy/school buildings and grounds only. The system is monitored locally within each academy/school and is used for 'Application' purposes only.

3. Legal Framework

3.1. This policy has due regard to legislation, including but not limited to the following:

- General Data Protection Regulation (GDPR) 2018
- UK General Data Protection Regulation
- Data Protection Act 2018
- Freedom of Information Act 2000
- Protection of Freedoms Act 2012
- School Standards and Framework Act 1998
- Children Act 1989 and 2004
- Equality Act 2010
- Surveillance Camera Code of Practice 2013
- Regulation of Investigatory Power Act 2000

3.2. This policy has been created with regard to the following statutory and non-statutory guidance:

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

4. Roles and Responsibilities

4.1. **Trust Board**

The Trust Board are ultimately responsibility for the systems and ensuring compliance with each academy/school.

4.2. **Data Protection Officer (DPO)**

The role of the Data Protection Officer (DPO) includes:

- Dealing with Freedom of Information requests and Subject Access Requests (SARs) in line with legislation, including the Freedom of Information Act 2000.
- Ensuring that all data controllers at the academy/school handle and process surveillance and CCTV footage in accordance with data protection legislation.
- Ensuring that surveillance and CCTV footage is obtained in line with legal requirements.
- Ensuring that surveillance and CCTV footage is destroyed in line with legal requirements when it falls outside of its retention period.
- Keeping comprehensive and accurate records of all data processing activities, including surveillance and CCTV footage, detailing the purpose of the activity and making these records public upon request.
- Informing data subjects of how their data captured in surveillance and CCTV footage will be used by the academy/school, their rights for the data to be destroyed and the measures implanted by the academy/school to protect individuals' personal information.
- Abiding by confidentiality requirements in relation to the duties undertaken while in the role.
- Monitoring the performance of the academy's/school's Data Protection Impact Assessment (DPIA) and providing advice where requested.
- Presenting reports regarding data processing at the academy/school to relevant personnel.

4.3. **Principal/Headteacher**

The Principal/Headteacher is responsible for:

- Delegating day-to-day matters relating to data protection to designed personnel.
- Conferring with the DPO with regard to the lawful processing of the surveillance and CCTV footage.
- Reviewing the CCTV Policy to ensure it is compliant with current legislation.
- Monitoring legislation to ensure the academy/school is using surveillance fairly and lawfully.
- Communicating any changes to legislation with all members of staff.

4.4. **Designated Person/s**

The designated person/s 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.

4.5. **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.

5. Objectives

5.1. To protect the academy/school building and their assets. The systems function is 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 who have committed an offence

6. Purpose and justification

6.1. The academy/school will only use surveillance cameras for the safety and security of the academy/school and its staff, pupils and visitors.

6.2. Surveillance will be used as a deterrent for violent behaviour and damage to the academy/school.

6.3. The academy/school will only conduct surveillance as a deterrent and under no circumstances will the surveillance and the CCTV cameras be present in classrooms or any changing facility.

6.4. If the surveillance and CCTV systems fulfil their purpose and are no longer required the academy/school will deactivate them.

7. Operation of the System/Security

7.1. The system will be administered and managed by the **Principal/Headteacher**, in accordance with the principles and objectives expressed in the code.

7.2. The CCTV system will be operated 24 hours each day, every day of the year.

7.3. The Site Team will check and confirm the efficiency of the system on a monthly basis and that the equipment is properly recording and that cameras are functional.

7.4. Access to the CCTV monitors and the recordings will be strictly limited to Senior Leadership Team (including the Principal's/Headteacher's PA), the Site Team and any member of staff who has been delegated authority by the Principal/Headteacher.

7.5. Surveillance and CCTV systems will not be intrusive.

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

7.7. Any cameras that present faults will be repaired as soon as possible as to avoid any risk of a data breach.

7.8. The system may generate a certain amount of interest. It is vital that operations are managed with the minimum of disruption.

7.9. Visual display /control monitors are located in Headteacher's office, the site team's office and in the server room.

8. Monitoring procedures

8.1. Camera surveillance may be maintained at all times. Approved personnel may have remote access to the CCTV system via their academy/school hardware for security purposes.

9. Media procedures

9.1. In order to maintain and preserve the integrity of the media used to record events from the hard drive and the facility to use them in any future proceedings, the following procedures for their use and retention must be strictly adhered to:

a. Before using, each media form must be cleaned of any previous recording.
b. The controller shall register the date and time of media form insert, including media reference.
c. If copies of the media form are required for the Police, these must be referenced and marked 'copy'.

9.2. Media forms may be viewed by the Police for the prevention and detection of crime. A register will be maintained of the release of media form to the Police or other authorised applicants. The register will be available for this purpose.

9.3. Viewing of Media by the Police must be recorded in writing and in the register. Requests by the Police can only be actioned under Section 19 of GDPR 2018.

9.4. Should a media form be required as evidence, a copy may be released to the Police under the procedures of the Code of Practice for Surveillance cameras and personal Information 2017. Media will only be released to the Police on the clear understanding that the media form remains the property of the academy/school and both the media form and information contained on it are to be treated in accordance with this Code. The academy/school also retains the right to refuse permission for the Police to pass to any other person the media form or any part of the information contained thereon.

9.5. The Police may require the academy/school to retain the stored media for possible use as evidence in the future. Such media will be correctly indexed and securely stored until they are needed by the Police.

9.6. Applications received from outside bodies (e.g. solicitors) to view or release media will be referred to the Principal/Headteacher.

10. Breaches of the code (including breaches of security)

10.1. Any breach of the Code of Practice by academy/school staff will be initially investigated by the Headteacher, in order for them to take the appropriate disciplinary action. Any breach of the Code will be reported to the Board of Trustees.

10.2. Any serious breach of the Code of Practice will be immediately investigated, and an independent investigation carried out to make recommendations on how to remedy the breach.

11. Assessment of the scheme and code of practice

11.1. Performance monitoring, including random operating checks, may be carried out by the Headteacher.

12. Privacy by design

12.1. The use of CCTV will be critically analysed using a Data Protection Impact Assessment (DPIA), in consultation with the **Data Protection Officer (DPO)**.

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

12.3. If the DPIA reveals any potential security risks or other data protection issues, the academy/school will ensure they have provisions in place to overcome these issues.

12.4. Where the academy/school identifies a high risk to an individual's interests, and it cannot be overcome, the academy/school will consult the (Information Commissioner's Office) ICO before they use CCTV, and the academy/school will act on the ICO's advice.

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

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

13. Complaints

13.1. Complaints about the academy's/school's CCTV system should be addressed to the **Principal/Headteacher**. Complaints will be investigated in accordance with this Code and the Trust's Complaints Procedure.

14. Code of Practice

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

14.2. The academy/school notifies all pupils, staff and visitors of the purpose for collecting surveillance data via notice boards, letters and emails.

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

14.4. All surveillance footage will be kept for a minimum of 40 days for security purposes; the Principal/Headteacher is responsible for keeping the records secure and allowing access.

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

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

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

15. Access

15.1. The General Data Protection Regulations (GDPR) provides Data Subjects (individuals to whom "personal data" relates) with a right to data held about themselves, including those obtained by CCTV. See the Trust's Subject Access Request Policy and Procedures for further details.

15.2. All media containing images belong to, and remain the property of the academy/school.

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

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

16. Monitoring and Review

This policy will be monitored and reviewed on **an annual basis** by the Trust.