Staploe Education Trust

Closed Circuit Television Equipment (CCTV) Policy

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Contents

Statement of Intent

At Staploe Education Trust, we take our responsibility towards the safety of staff, visitors and pupils very seriously. To that end, we use surveillance cameras to monitor any instances of aggression or physical damage to our schools and its members, and to monitor any unauthorised access to our site.

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

- We comply with all data protection legislation, including the Data Protection Act 2018.
- 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.

This policy covers the use of surveillance and CCTV systems which capture moving and still images of people who could be identified, as well as information relating to individuals for any of the following purposes:

- Observing what an individual is doing
- Taking action to prevent a crime
- Using images of individuals that could affect their privacy.

1. Legal Framework

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

- The Regulation of Investigatory Powers Act 2000
- The Protection of Freedoms Act 2012
- The UK General Data Protection Regulation (UK GDPR)
- The Data Protection Act 2018
- 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

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

- 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) 'In the picture: A data protection code of practice for surveillance cameras and personal information'

This policy operates in conjunction with the following school policies:

- Data Protection Policy

2. Definitions

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

- Surveillance – monitoring the movements and behaviour of individuals; this can include video, audio or live footage.
- 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.

Staploe Education Trust does not condone the use of covert surveillance when monitoring the Trust's staff, pupils and/or volunteers. Covert surveillance will only be operable in extreme circumstances.

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

3. Roles and Responsibilities

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

- Dealing with freedom of information requests and subject access requests (SAR) in line with legislation, including the Freedom of Information Act 2000.
- Ensuring that all data controllers at the Trust 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 consent is clear, positive and unambiguous. Pre-ticked boxes and answers inferred from silence are non-compliant with the UK GDPR.
- 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 Trust, their rights for the data to be destroyed and the measures implemented by the Trust to protect individuals' personal information.
- Preparing reports and management information on the Trust's level of risk related to data protection and processing performance.

- Reporting to the Trust Infrastructure committee.
- Abiding by confidentiality requirements in relation to the duties undertaken while in the role.
- Monitoring the performance of the Trust's privacy impact assessment (PIA), and under the UK GDPR the data protection impact assessment (DPIA), and providing advice where requested.

Staple Education Trust, as the corporate body, is the Data Controller. The Trust board of Staploe Education Trust therefore has overall responsibility for ensuring that records are maintained, including security and access arrangements in accordance with regulations.

The ICT Systems and Strategy Manager 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.
- Deciding with senior school staff where CCTV is needed to justify its means.
- Reviewing the CCTV Policy to ensure it is compliant with current legislation.
- Monitoring legislation to ensure the Trust is using surveillance fairly and lawfully.
- Communicating any changes to legislation with all members of staff.

4. Purpose and Justification

The Trust will only use surveillance cameras for the safety and security of the Trust and its staff, pupils and visitors.

Surveillance will be used as a deterrent and to investigate inappropriate behaviour, conduct and damage to the Trust.

Under no circumstances will the surveillance cameras be present in any changing facility.

At Soham Village College surveillance cameras may be placed in classrooms to reduce deliberate damage to Trust assets located in a classroom and no other means of identifying the perpetrators exist or have proven effective. Installation of surveillance cameras need to be authorised by the Headteacher and clear signage will be displayed to make all users of the classroom aware that CCTV is in operation. surveillance cameras will not point directly at the teacher's computer or where the

teacher sits or teaches from. Footage from the classroom CCTV shall only be used to identify a student in the case of damage to property or for safeguarding purposes; CCTV footage shall not be used to monitor teaching and learning.

If the surveillance and CCTV systems fulfil their purpose and are no longer required the Trust will deactivate them.

5. The 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.

6. Objectives

The surveillance system will be used to:

- Maintain a safe environment for learning and the purposes of running educational establishments.
- 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.

The location of the cameras and use of the surveillance system will be documented and maintained by the Data Controller.

7. Protocols

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

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

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 schools.

8. Security

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

The Trust's authorised CCTV system operators are listed in Appendix 1.

If, in exceptional circumstances, covert surveillance is planned, or has taken place, copies of the Home Office's authorisation forms will be completed and retained.

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

Surveillance and CCTV systems will not be intrusive.

Any unnecessary footage captured will be securely deleted from the Trust's system.

9. Privacy by Design

The use of surveillance cameras and CCTV will be critically analysed using a DPIA.

A DPIA will be reviewed prior to the installation of any additional surveillance and CCTV system equipment.

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

The Trust 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 Trust will seek alternative provision.

10. Code of Practice

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

The Trust notifies all pupils, staff and visitors of the purpose for collecting surveillance data via signs in the school's grounds where cameras are based.

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 no longer than one month for security purposes; the Data Controller is responsible for keeping the records secure and allowing access.

The Trust has a surveillance 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 surveillance and CCTV system is owned by the Trust and images from the system are strictly controlled and monitored by authorised personnel only.

The Trust will ensure that the surveillance and CCTV system is used to create a safer environment for staff, pupils and visitors to the schools, 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 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 Trust.
- 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.

11. Access

Under the DPA 2018, 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 Trust.

For more information about the details of making a SAR, please see the Trust's Data Protection Policy.

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.

12. Monitoring and Review

This policy will be monitored and reviewed on an annual basis, or in light of any changes to relevant legislation by the Data Controller, and formally reviewed by the DPO on a 3-yearly cycle.

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

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

Appendix 1 – Authorised CCTV System Operators

Staploe Education Trust

- Head of Estates, Contracts and Energy
- ICT Systems & Strategy Manager
- ICT Services Manager
- ICT Technicians (Level 2)

Soham Village College

- Headteacher
- Deputy Heads
- Assistant Headteachers
- Site Manager

The Shade Primary School

- Headteacher
- Assistant Headteachers
- Office (Reception) Staff - For live feeds of entrances

The Weatheralls Primary School

- Headteacher
- Assistant Headteachers
- Office (Reception) Staff - For live feeds of entrances

Appendix 2 – Data Retention

The table below indicates how long CCTV data will be retained for at each site that CCTV is used:

Site	Data retained for
Soham Village College	28 days
The Shade Primary School	28 days