

Date: January 2022
Review date: January 2023
Responsibility: DR

Bishop Challoner School



CCTV Policy

CCTV POLICY

Relevant Acts: Data Protection Act 2018
 General Data Protection Regulations (GDPR) 2018
 Protection of Freedoms Act 2012
 Education Act 2011

This policy should be read in conjunction with:
 Data Protection Policy
 Information Security Policy
 Retention Policy
 Privacy Notice

This policy should be read with reference to the Data Protection Act 2018, the Protection of Freedoms Act 2012 and the CCTV code of practice 2008 from the Information Commissioner's Office (ICO) available at. <https://ico.org.uk/media/1542/cctv-code-of-practice.pdf>

Background

Under the Protection of Freedoms Act 2012 the processing of personal data captured by CCTV systems (including images identifying individuals) is governed by the Data Protection Act and the Information Commissioner's Office (ICO) has issued a code of practice on compliance with legal obligations under that Act. The use of CCTV by schools is covered by the Act, regardless of the number of cameras or how sophisticated the equipment is and schools should adhere to the ICO's code of practice.

Parents and pupils are informed that CCTV cameras are in operation around the school through effective signage. They must be clear and transparent in informing pupils and staff that CCTV will be in operation and about how they will use any personal information they collect. Access to personal information should be restricted only to persons (staff and governors) who need particular information to do their jobs, and only when they need it.

Where schools wish to use CCTV images in order to make a decision as to whether to conduct a search for an item, this is allowed under the Education Act 2011. However, staff should follow the ICO's CCTV code of practice. Schools can use CCTV in the toilets, but the Data Protection Act requires that CCTV use maintains privacy. Bishop Challoner School currently has no plans to use CCTV in toilet areas.

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Introduction

Under the Protection of Freedoms Act 2012 the processing of personal data captured by CCTV systems (including images identifying individuals) is governed by the Data Protection Act and the Information Commissioner's Office (ICO) has issued a code of practice on compliance with legal obligations under that Act. The use of CCTV by schools is covered by the Act, regardless of the number of cameras or how sophisticated the equipment is.

Objectives and targets

This CCTV policy explains how Bishop Challoner School will operate its CCTV equipment and comply with the current legislation.

Action plan

The school uses CCTV equipment to provide a safer, more secure environment for pupils and staff and to prevent bullying, vandalism and theft. Essentially it is used for:

- The prevention, investigation and detection of crime.
- The apprehension and prosecution of offenders (including use of images as evidence in criminal proceedings).
- Safeguarding public, pupil and staff safety.
- Monitoring the security of the site.

The school does not use the CCTV system for covert monitoring.

Location

Cameras are located in those areas where the school has identified a need and where other solutions are ineffective. The school's CCTV system is used solely for purposes identified above and is not used to routinely monitor staff conduct. Cameras will only be used in exceptional circumstances in areas where the subject has a heightened expectation of privacy e.g. changing rooms or toilets. In these areas, the school will use increased signage in order that those under surveillance are fully aware of its use. There is a camera in the medical room to enable the office to monitor continuously and remotely when occupied.

Maintenance

The CCTV system is maintained by Sunstone IP Systems Ltd under an annual maintenance contract that includes periodic inspections.

The contractors are responsible for:

- Ensuring the school complies with its responsibilities in relation to guidance on the location of the camera.
- Ensuring the date and time reference are accurate.
- Ensuring that suitable maintenance and servicing is undertaken to ensure that clear images are recorded
- Ensuring that cameras are protected from vandalism in order to ensure that they remain in working order.

Identification

In areas where CCTV is used the school will ensure that there are prominent signs placed at both the entrance of the CCTV zone and within the controlled area. Notification signs regarding CCTV usage are placed at all entry points to the grounds of Bishop Challoner School, namely the main vehicle entrance, the pedestrian entrance by St Catherine's Cottage, the pedestrian entrance by the vehicle exit and the pedestrian entrance on Scotts Avenue near the Forest School.

The signs will:

- Be clearly visible and readable.
- Contain details of the organisation operating the scheme, the purpose for using CCTV and who to contact about the scheme.
- Be an appropriate size depending on context.

Type of equipment

The school's standard CCTV cameras record visual images only and do not record sound. Where two way audio feeds (e.g. call for help systems) are used, they will only be capable of activation by the person requiring help.

Administration

The Compliance Officer (data), the school Bursar, has responsibility for the control of images and deciding how the CCTV system is used. The school has notified the Information Commissioner's Office that the school is the data controller and the purpose for which the images are used. All operators and employees with access to images are aware of the procedures that need to be followed when accessing the recorded images (see Appendix 1). All operators are trained in their responsibilities under the CCTV Code of Practice.

Access to recorded images is restricted to staff that need to have access in order to achieve the purpose of using the equipment. All employees are aware of the restrictions in relation to access to, and disclosure of, recorded images. Under the Schools (Specification and Disposal of Articles) Regulations 2013, school staff can view CCTV footage in order to make a decision as to whether to search a pupil for an item. If the recorded footage reveals that theft has been committed by a member of staff, this evidence may be used in a disciplinary case.

Image storage, viewing and retention

Recorded images will be stored in a way that ensures the integrity of the image and in a way that allows specific times and dates to be identified. Access to live images is restricted to the CCTV operator unless the monitor displays a scene which is in plain sight from the monitored location. Recorded images can only be viewed in a restricted area by approved staff. The recorded images are viewed when there is suspected criminal activity and not for routine monitoring of pupils, staff or visitors unless the camera(s) are installed to monitor the safe movement of persons through a designated area e.g. corridors (these areas will be identifiable by clear signs).

The school reserves the right to use images captured on CCTV where there is activity that the school cannot be expected to ignore for example criminal activity, nuisance behaviour, potential gross misconduct, or behaviour which puts others at risk. Images retained for evidential purposes will be retained in a locked area accessible by the system administrator only. Where images are retained, the system administrator will ensure the reason for its retention is recorded, where it is kept, any use made of the images and finally when it is destroyed.

Neither the Data Protection Act nor the Information and Records Management Society prescribe any specific minimum or maximum periods which apply to CCTV recorded images. The school ensures that images are not retained for longer than is necessary. Once the retention period has expired, the images are removed or erased.

Disclosure

Disclosure of the recorded images to third parties can only be authorised by Compliance Officer (data). Disclosure will only be granted:

- If its release is fair to the individuals concerned.
- If there is an overriding legal obligation (e.g. information access rights).
- If it is consistent with the purpose for which the system was established.

All requests for access or for disclosure are recorded. If access or disclosure is denied, the reason is documented.

NB: Disclosure may be authorised to law enforcement agencies, even if a system was not established to prevent or detect crime, if withholding it would prejudice the prevention or detection of crime.

Subject access requests

Individuals whose images are recorded have a right to view images of themselves and, unless they agree otherwise, to be provided with a copy of the images. Where an individual feels that their privacy has been infringed, enquiries can be made with Bishop Challoner School to view any images that have been stored. Should this be the case, an application form (see Appendix 2) can be obtained from the Bursar. If the school receives a request under the Data Protection Act it will comply with requests within 30 calendar days of receiving the request where images have been retained. Where an individual feels they have a grievance with regards to the action taken by Bishop Challoner School, the standard complaints procedure should be followed. All formal complaints should be sent to the Head at Bishop Challoner School. As a general rule, if the viewer can identify any person other than, or in addition to, the person requesting access, it will be deemed personal data and its disclosure is unlikely. Bishop Challoner School, as an independent school, is not subject to Freedom of Information requests. Those requesting access must provide enough detail to allow the operator to identify that they are the subject of the images, and for the operator to locate the images on the system. Requests for access should be addressed to the Compliance Officer (data). Refusal to disclose images may be appropriate where its release is:

- Likely to cause substantial and unwarranted damage to that individual.
- To prevent automated decisions from being taken in relation to that individual.

Monitoring and evaluation

The school undertakes regular audits to ensure that the use of CCTV continues to be justified. The audit includes a review of:

- Its stated purpose.
- The location.
- The images recorded.
- Storage length.
- Deletion.

Reviewing

The efficacy of this policy will be reviewed annually by the Trustee body. If the school decides to change the way in which it uses CCTV, it will inform the Information Commissioner within 28 days.

Reviewed by David Rolls January **2022**

Next school review due: January **2023**

Appendix 1 – CCTV Operator Form

Form to be completed by all staff having access to or using CCTV at Bishop Challoner School

Name: _____

Job Title: _____

Department: _____

I the undersigned have received and read a copy of the CCTV CODE OF PRACTICE and CCTV Policy of Bishop Challoner School. I agree to be bound by the conditions of the Code of Practice insofar as they apply to me.

Signature: _____

Date: _____

Complete this form after you have read the above documents and return to the Bursar.

Appendix 2 – CCTV Subject Access Request Form

As part of Bishop Challoner School’s CCTV policy, individual requests for access to view CCTV images may be made by completion of this form. A response will be provided as promptly as possible and in any event within 30 days.

Name of Applicant: _____

Address: _____

Contact Tel. No: _____

Date of Request: _____

- 1) Please indicate the information required in order to locate the images requested; eg. times and dates and/or descriptions in order to identify an individual. (Please note that if the individual is unknown to the user of the equipment, a photograph of the individual may be requested in order to locate the correct image):

- 2) Please indicate whether you simply wish to become aware of details of images stored, or indicate if you wish to view such images:

