



The Three Rivers

Learning Trust

Name of Policy	CCTV
The Three Rivers	
Named Person(s)	Mark Tait
Review Committee	Board
Last review date	Autumn 2018
Next review date	Autumn 2021

Key Changes	<ul style="list-style-type: none">• New policy to reflect GDPR requirements•
Sources	DfE, School Bus, ICO, SBM Forum, Avec, Muckles
Statutory/Non-Statutory	Non-statutory

Contents:

[Statement of intent](#)

1. [Legal framework](#)
2. [The data protection principles](#)
3. [Objectives](#)
4. [Protocols](#)
5. [Security](#)
6. [Privacy](#)
7. [Code of practice](#)
8. [Access](#)
9. [Monitoring and review](#)

Statement of intent

At The Three Rivers Learning Trust, we take our responsibility towards the safety of staff, visitors and pupils very seriously. To that end, we use CCTV cameras to monitor the parts of our schools.

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

- We comply with data protection legislation, including the Data Protection Act 2018 and the General Data Protection Regulation (GDPR) – the latter of which came into effect on 25 May 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 CCTV and other 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:

- Monitoring the health, safety and security of Trust assets, staff and students
- Observing activity in specific areas of higher risk
- Taking action to prevent a crime
- Using images of individuals that could affect their privacy

For the purposes of this policy, data protection legislation refers to both the Data Protection Act 2018 and the GDPR, that came into effect on 25 May 2018. As a result of this, this policy is compliant with the principles of the GDPR.

Legal framework

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

- The General Data Protection Regulation (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 will also have regard to the following statutory and non-statutory guidance:

- Home Office (2013) 'The Surveillance Camera Code of Practice'
- Information Commissioner's Office (2017) 'Overview of the General Data Protection Regulation (GDPR)'
- Information Commissioner's Office (2017) 'Preparing for the General Data Protection Regulation (GDPR) 12 steps to take now'
- Information Commissioner's Office (2008) '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:

- E-safety Policy
- Freedom of Information Policy
- ICT Control & Security Policy
- GDPR Data Protection Policy

1. The data protection principles

Data collected from 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 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.

2. Objectives

The CCTV system will be used to:

- Monitor maintenance of a safe and secure environment.
- Ensure the welfare of pupils and staff.
- Deter criminal acts against persons and property.
- Assist the police in identifying persons who have committed an offence.

3. Protocols

The CCTV system will be included in the Trust's registration with the Information Commissioner's Office (ICO) in line with data protection legislation by the SBM.

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. SBM is responsible for this.

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.

4. Security

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

The Trust's authorised CCTV system operators are:

- Chief Executive Officer
- Business Director
- Headteacher
- School Business Manager (SBM)
- Data Protection Officer (DPO)

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

If covert surveillance is planned, or has taken place, copies of the Home Office's [authorisation forms](#) will be completed and retained.

CCTV systems will be properly maintained at all times.

Visual display monitors are located in offices and other secure locations.

5. Privacy

Live and recorded materials will only be viewed by authorised operators for the purpose of investigating incidents.

Images may be released to the police for the detection of crime in line with data protection legislation.

Viewings of images by the police will be recorded by the SBM in a confidential log.

Data protection impact assessments will be conducted for any new CCTV systems implemented in the school.

In the event of a data breach, the DPO will report the breach to the ICO within 72 hours, as outlined in data protection legislation.

6. 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 regularly notifies all pupils, staff and visitors of the purpose for collecting CCTV images via notice boards, letters and emails.

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

All CCTV footage will be kept for 28 days or longer if there were an investigation or other valid need to retain the images; the SBM is responsible for keeping the records secure and allowing access.

The Trust has CCTV surveillance systems for the purpose of

Monitor maintenance of a safe and secure environment.

Ensure the welfare of pupils and staff.

Deter criminal acts against persons and property.

Assist the police in identifying persons who have committed an offence

The 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 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 policy is available from the Trust's websites.

The CCTV system will:

- Only be used for the purpose specified, which has a lawful basis.
- Be designed to take into account its effect on individuals and their privacy and personal data.

- Be transparent and include a contact point, 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 regularly 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 a 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, protection of pupils and staff, and law enforcement.
- Be accurate and well maintained to ensure information is up-to-date.

7. Access

Under the 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.

The Trust will share CCTV images with their insurers if required to support their work

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 supervisory authority 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 CCTV 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 Headteacher will make the final decision as to whether recorded images may be released to persons other than the police.