



CCTV Code of Practice

PURPOSE

This Code of Practice contains an outline template that schools can use to record and communicate the use of CCTV on site.

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Component	Element
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Introduction

The purpose of this Policy is to regulate the management, operation and use of the closed circuit television (CCTV) system at Ark Atwood Primary Academy hereafter referred to as 'the School'.

The School has in place a CCTV surveillance system "the CCTV system" across its site. This policy details the purpose, use and management of the CCTV system at the School and details the procedures to be followed in order to ensure that the School complies with relevant legislation and the current Information Commissioner's Office Code of Practice.

The School will have due regard to the Data Protection Act 1998, the General Data Protection Regulation (GDPR) and any subsequent data protection legislation, and to the Freedom of Information Act 2000, the Protection of Freedoms Act 2012 and the Human Rights Act 1998. Although not a relevant authority, the University will also have due regard to the Surveillance Camera Code of Practice, issued under the Protection of Freedoms Act 2012 and in particular the 12 guiding principles contained therein.

The CCTV system is owned by the school.

The system comprises of 8 CCTV cameras located in and around the school premises. Appended to this document is a plan of the School showing the location of all cameras, monitors and the system control centre within the school buildings and on the school site.

All cameras are monitored by selected senior and administrative staff together with those

Operation of the School CCTV Policy will be reviewed annually by the School Governing Body and will include consultation, as appropriate, with interested parties.

Objectives of the CCTV Scheme

- (a) To protect the School buildings, their assets and grounds
- (b) To increase personal safety and reduce the fear of crime and / or intimidation
- (c) To support the Police in a bid to deter and detect crime by assist in identifying, apprehending and disciplining of offenders
- (d) To protect members of staff, pupils, contractors and member of the public and private property.

The CCTV system will be used to observe the Schools Site and areas under surveillance in order to identify incidents requiring a response. Any response should be proportionate to the incident being witnessed.

The School seeks to operate its CCTV system in a manner that is consistent with respect for the individual's privacy.

Statement of Intent

This policy is based upon guidance issued by the Information Commissioner's Office, 'In the picture: A data protection code of practice for surveillance cameras and personal information'¹ ("the Information Commissioner's Guidance").

The CCTV Scheme will be registered with the Information Commissioner (ICO) under the terms of the Data Protection Act 1998 and will seek to comply with the requirements both of the Data Protection Act, the Commissioner's Code of Practice and the [Surveillance Camera Code of Practice](#) issued under the Protection of Freedoms Act (POFA code).

The School will treat the system and all information, documents and recordings obtained and used as data which are protected by the Act.

Cameras will be used to monitor activities within the school playground and the outside perimeter of the building to identify criminal activity actually occurring, anticipated, or perceived, and for the purpose of securing the safety and well-being of the School, its Pupils and its visitors.

Staff have been instructed to ensure cameras are not able to focus on private homes, gardens and other areas of private property.

Unless an immediate response to events is required, staff must not direct cameras at an individual, their property or a specific group of individuals, without an authorisation being obtained 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. Recorded materials will only be released to the media for use in the investigation of a specific crime and with the written authority of the Police. Recorded materials will never be released to the media for purposes of entertainment.

The planning and design has endeavoured to ensure that the CCTV Scheme 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 school CCTV.

Operation of the CCTV System

The system will be administered and managed by Vitor Gomes in accordance with the principles and objectives expressed in this Policy.

The day-to-day management will be the responsibility of Vitor Gomes during the day, out of hours and at weekends.

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

Viewing of live images on monitors should be restricted to the operator and any other authorised person where it is necessary for them to see it, for example to monitor congestion for health and safety purposes, unless the monitor displays a scene which is also in plain sight from the monitor location.

¹ <https://ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf>

Operational Control

The Operational Controller will check and confirm the efficiency of the system daily and in particular that the equipment is properly recording and that cameras are functional.

The System Administrator will ensure that **all** staff involved with the operation of the CCTV system are properly trained and fully understand their roles and responsibilities in respect of data protection issues e.g.

- (a) The user's security policy (procedures to have access to recorded images;
- (b) The user's disclosure policy;
- (c) Rights of individuals in relation to their recorded images.

Training records will be maintained accordingly.

Access to the viewing monitors will be strictly limited to selected senior and administrative staff together with those directly involved in the security of the School.

Unless an immediate response to events is required, staff must not direct cameras at an individual or a specific group of individuals.

Staff, visitors and others entering areas with CCTV viewing monitors will be subject to particular arrangement as outlined below.

Authorised staff must satisfy themselves over the identity of any other visitors and the purpose of their visit. Where any doubt exists the CCTV images must be turned off.

The system may generate a certain amount of interest. It is vital that operations are managed with the minimum of disruption. Casual observations will not be permitted.

If an emergency arises out of hours, permission must be obtained from Vitor Gomes to view or process recorded material.

Other operational functions will include maintaining recorded materials and hard disc space, filing and maintaining occurrence and system maintenance logs.

Incidents involving the Emergency Services must be notified to Vitor Gomes.

Liaison

Liaison meetings will be held as required with all staff involved in the support of the system.

Monitoring Procedures

Camera surveillance may be maintained at all times.

Pictures will be continuously recorded or when activated by movement.

No covert monitoring will be undertaken until the circumstances have been considered by, and written authorisation obtained from, the Headteacher or Finance & Resources Director/Operations Manager.

Covert surveillance activities of law enforcement agencies are not covered here because they are governed by the Regulation of Investigatory Powers Act (RIPA) 2000.

Prior to any request for covert surveillance to be considered, the applicant must be able to justify the request as being exceptional for the following reasons:

- The monitoring relates to behaviour, not to contract performance;
- It is carried out to investigate a suspected criminal activity or malpractice; and
- informing staff is likely to prejudice the above purpose and certain standards for covert monitoring are complied with.

The standards relating to covert monitoring are satisfied if:

- Specific criminal activity has been identified;
- A need to obtain evidence by covert monitoring is established;
- Following assessment, it is concluded that informing employees would prejudice the gathering of evidence;
- A time period for monitoring has been identified; and
- The provisions of RIPA are complied with.

At the conclusion of any investigation, all covert cameras must be removed from their location(s) and all none relevant data destroyed as soon as possible.

Recorded Material Procedures

In order to maintain and preserve the integrity of the recorded material 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:

- (i) Each item of recorded material must be identified by a unique mark.
- (ii) Before use each item on which images will be recorded must be cleaned of any previous recording.
- (iii) The person making the recording shall register the date and time of recorded material insert, including recorded material reference.
- (iv) Any recorded material required for evidential purposes must be sealed, witnessed, and signed by the controller, dated and stored in a separate, secure recorded material store. If recorded material is not copied for the Police before it is sealed, a copy may be made at a later date providing that it is then resealed, witnessed, signed by the controller, dated and returned to the evidence material store.
- (v) If the recorded material is archived the reference must be noted.

Recorded materials may be viewed by the Police for the prevention and detection of crime, authorised officers of the Police for supervisory purposes, authorised demonstration and training.

A record will be maintained of the release of recorded materials to the Police or other authorised applicants. A register will be made available for this purpose (*provided by the School*)

Viewing of recorded materials by the Police must be recorded in writing and in a log book. Requests by the Police can only be actioned under section 29 of the Data Protection Act, 1998.

Should recorded material be required as evidence, a copy may be released to the Police under the procedures described in paragraph 8.1(iv). Recorded materials will only be released to the Police on the clear understanding that the recorded material remains the property of the school, and both the recorded material and information contained on it are to be treated in accordance with this document.

The School retains the right to refuse permission for the Police to pass to any other person the recorded material or any part of the information contained thereon. On occasions when a Court requires the release of an original recorded material this will be produced from the secure recorded material store, complete in its sealed bag.

If the Police require the School to retain the stored recorded materials for use as evidence in the future, such recorded materials will be properly indexed and properly and securely stored until they are needed by the Police.

Applications received from outside bodies (e.g. solicitors) to view or release recorded materials will be referred to *the Head Teacher*. In these circumstances recorded materials will normally be released where satisfactory documentary evidence is produced showing that they are required for legal proceedings, a subject access request, or in response to a Court Order. If there are uncertainties as to the validity of any request, clarification should be sought initially from Ark Head of Estates (020 3116 07920).

A fee can be charged in such circumstances: £10 for subject access requests; a sum not exceeding the cost of materials in other cases.

Record Keeping / Incident Logs

The School will maintain adequate and comprehensive records relating to the management of the system and incidents. Model documents from the installers/providers of CCTV system may be utilised for this purpose.

Retention of Data

There are no specific guidelines about the length of time data images should be retained. Consequently, the period of retention will be determined locally, will be documented and understood by those operating the system and will be for the minimum period necessary to meet the objectives of the CCTV scheme. Images will be automatically overwritten after 30 days.

Measures to permanently delete data should be clearly understood by persons that operate the system

Systematic checks should be carried out to ensure the deletion regime is strictly followed.

Where an image is required to be held in excess of the retention period, the *Head Teacher* or their nominated deputy, will be responsible for authorising such a request.

Images held in excess of their retention period will be reviewed on a three monthly basis and any not required for evidential purposes will be deleted.

Access to retained CCTV images is restricted to the *Head Teacher* and other persons as required and as authorised by the *Head Teacher*.

Where CCTV data is required to assist in the prosecution of a criminal offence, data will need to be retained until collected by the Police.

Breaches of the Policy (including breaches of security)

Any breach of the Policy by School staff will be initially investigated by the System Administrator (identified in section 4.1) to determine disciplinary action, if necessary, and to make recommendations on how to remedy the breach.

Assessment of the CCTV System

An annual assessment will be undertaken by *the Head Teacher* to evaluate the effectiveness of the CCTV system.

The outcome of the assessment will be reported to a meeting of the School Governors who will determine if the system is achieving the objectives of the scheme, or if the system requires modification.

Complaints

Any complaints about the School's CCTV system should firstly be made, in writing, *the Head Teacher*. Complaints will be investigated in accordance with schools complaints procedure.

Access by the Data Subject

The Data Protection Act provides Data Subjects (individuals to whom "personal data" relate) with a right to data held about themselves, including those obtained by CCTV.

Requests by individual data subjects for images relating to themselves "Subject Access Request" should be submitted in writing to the *Head Teacher* together with proof of identification.

In order to locate the images on the Schools system, sufficient detail must be provided by the data subject in order to allow the relevant images to be located and the data subject to be identified.

Where the School is unable to comply with a Subject Access Request without disclosing the personal data of another individual who is identified or identifiable from that information, it is not obliged to comply with the request unless satisfied that the individual has provided their express consent to the disclosure, or if it is reasonable, having regard to the circumstances, to comply without the consent of the individual.

If the individual is not the focus of the footage i.e. they have not been singled out or had their movements tracked then the images are not classed as 'personal data' and the individual is not entitled to the image under the provisions of Subject Access – Data Protection Act 1998.

Access to and disclosure of images to third parties

A request for images made by a third party should be made in writing to the *Head Teacher*.

In limited circumstances it may be appropriate to disclose images to a third party, such as when a disclosure is required by law, in relation to the prevention or detection of crime or in other circumstances where an exemption applies under relevant legislation.

Such disclosures will be made at the discretion of the *Head Teacher*, with reference to relevant legislation and where necessary, following advice from the Ark Central Estates Team.

Where a suspicion of misconduct arises and at the formal request of the Investigating Officer or HR Manager/Advisor, the *Head Teacher* may provide access to CCTV images for use in staff disciplinary cases.

The *Head Teacher* may provide access to CCTV images to Investigating Officers when sought as evidence in relation to student discipline cases.

A record of any disclosure made under this policy will be held on the CCTV management system, itemising the date, time, camera, requestor, authoriser and reason for the disclosure.

Public Information

Copies of this Policy will be available to the public from the School Office and via the web site.

Further Information

Information and advice about the purchase, operation and maintenance of CCTV systems is available from the Ark Head of Estates (Tel: 020 3116 0792)

Information in respect of data protection issues may be obtained from the Ark Schools Data Protection/Freedom of Information Officer (Tel: 0203 116 6305)

The Information Commissioners website <https://ico.org.uk/> will contain the most up to date information and should be consulted on a regular basis to ensure all elements of this policy continue to reflect current guidance.

Summary of Key Points

The CCTV system is owned and operated by the School and complies with the Data Protection Act 1998. From 25 May 2018, the School will also comply with the General Data Protection Regulation.

Due regard is given to the data protection principles embodied in the Data Protection Act and contained within Article 5 of the GDPR. These principles require that personal data shall be:

- a) Processed lawfully, fairly and in a transparent manner;
- b) Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- c) Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) Accurate and, where necessary, kept up to date;
- e) Kept in a form which permits identification of the data subjects for no longer than is necessary for the purposes for which the personal data are processed;

and

- f) Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures.

g) kept secure; and

h) Not be transferred outside the European Economic Area unless the recipient country ensures an adequate level of protection.

To achieve this the CCTV system will be reviewed annually to evaluate its effectiveness and the School Principle and the Board of Governors will determine if the system is achieving the objectives of the scheme or if modifications are required.

Liaison meetings may be held with the Police and other bodies when a requirement is identified.

Recorded materials will be properly indexed, stored and destroyed after an appropriate period. A period of 31 days is considered adequate unless determined otherwise.

Recorded materials may only be viewed by authorised School staff and the Police.

Recorded materials required as evidence will be properly recorded witnessed and packaged before copies are released to the Police.

Recorded materials will not be made available to the media for commercial or entertainment purposes.

Recorded materials will be deleted from the computer hard drive after a defined period.

No covert surveillance will be undertaken without the written consent of The *Head Teacher*.

Breaches of this policy will be initially investigated by the System Administrator of this Policy to determine disciplinary action, if necessary, and to make recommendations on how to remedy the breach.

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