

# Sunning Hill Primary School



## CCTV Policy

**July 2019**

***Linked Documents:** Data Protection Act 2018, Information Management Policy, GDPR, CCTV Code of Practice (ICO website).*

***Governing Body Review date:** July 2019*

***Previous review date(s):***

## **General Principles**

Sunning Hill Primary School used Close Circuit Television (CCTV) within the premises of the school. This policy is to set out the position of the school as to the management, operation and use of the CCTV at the school.

## **Scope**

This policy applies to all members of our workforce, pupils, parents and all visitors to the school premises who images maybe captured by the CCTV system.

This policy takes into account:-

- General Data Protection Regulation (GDPR)
  - Legitimate interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)
- CCTV code of practice produced by the Information Commissioner's Office.
- Human Rights Act 1998.

The system comprises a number of external cameras and does not have sound recording capability. The CCTV system is owned and operated by the school and the deployment of it is determined by the Senior Leadership Team. The Data Protection Officer or their representative has overall responsibility as delegated by the Board of Governors through the schools Service Level Agreement with Bolton & Manchester City Council's.

## **Access**

Access and viewing is restricted and all authorised operators with access to view the images will follow this policy. Those operators will be either members of the Senior Leadership Team, (Head teacher, Deputy Head, Assistant Head's or School Business Manager) or the Site Manager. Employees will be appropriately trained and made aware of the following restrictions:-

- CCTV images must not be shared, if they contain images of other pupils and or stakeholders, unless they can be removed/ anonymised.
- CCTV images must only be viewed by members of the schools SLT, Site Manager or the School ICT technician where images need to be disclosed.
- Images will only be shared with the consent of the individual, unless they are required by the police/safeguarding board as part of an investigation.
- CCTV may be used within the schools discipline and grievance procedures as required, and will be subject to the usual confidentiality requirements of those processes.

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### **Purpose**

The CCTV is in operation to:-

- Provide a safe and secure environment for pupil, staff and visitors.
- To protect the school building and assets.
- To resolve disputes between stakeholders, that may be caught on footage. Including incidents between pupils, parents or members of staff.
- To assist in the prevention of crime and assist law enforcement agencies in apprehending offenders.

### **Policy Intent**

The school will:-

- Notify the information commissioner's officer of its use of CCTV as part of the annual data protection registration.
- Complete a CCTV Privacy Impact Assessment (PIA) for the use of the CCTV and will update this as appropriate when the system is upgraded or significantly modified.
- Review the system on an annual basis to ensure that it is achieving its stated purpose.
- Treat the system and all information processed on the CCTV system as data which is covered by the GDPR.
- Use the cameras to monitor activities within the school grounds to identify potential criminal activity for the purpose of securing the safety and well-being of the school, as well as monitoring student behaviour.
- Not direct cameras at private properties or an individual. However, part of Florence Street is covered near the main reception.
- Display CCTV warning signs at all external entrances and where the CCTV cameras are situated, including school gates.
- Not guarantee the system will or can cover or detect every single incident take place in the areas of coverage.
- Not use the material or knowledge for any commercial purpose.

### **Sittings Cameras**

Cameras will be sited so they only capture images relevant to the purposes for which they are installed (described above) and care will be taken to ensure that reasonable privacy expectations are not violated. For example, there are no internal cameras. The school will ensure that the location of equipment is carefully considered to ensure that images captured comply with GDPR.

Cameras are located in KS1 and KS2 playgrounds to cover the playgrounds and gates.

### **Storage and Retention of CCTV images**

- Recorded data will not be retained for longer than is necessary. While retained the integrity of the recording will be maintained to ensure their evidential value and to protect the rights of the people whose images have been recorded.
- Recordings are routinely kept for a period 6 weeks on a secure hard drive in school, which is password protected and only accessible inside the Governors. This time period has been chosen to cover the longest period of school holiday in summer.
- The information can only be replayed during this period from specific school terminals, held by members of the SLT /Site manager.
- GDPR does not prescribe any specific max and min retention levels that apply to forage. Rather, retention should reflect the organisations purpose for recording the information, which should be informed by the purpose for which the information is collected.

### **Disclosure of images to Data Subjects**

- Any individual recorded in a CCTV image is data subject for the purposes of GDPR and has the right to request access to those images.
- Any individual who requests access to images of themselves will be considered to have made a subject access request.
- All requests should be made in writing to the Head Teacher or Data Protection Officer, or their representative. Individuals submitting requests for access will be asked to provide sufficient information to enable the footage relating to them to be identified. I.e. date, time, camera location.
- When such a request is made a member of SLT will review the CCTV in accordance with the request.
  - If the footage contains only the individual making the request the individual may be permitted to review the footage. This must be strictly limited to that footage which contain only their image.
  - If the footage contains images of other individuals then school must consider whether:-
    - The request requires the disclosure of the images of individuals other than the requester, for example where the images can be distorted as to not identify others.
    - The other individuals in the footage have consented to the disclosure of the images.
    - If not, then whether it is otherwise reasonable in the circumstances to disclose those images to the individual making the request.

The school reserves the right to refuse access to CCTV footage where this would prejudice the legal rights of other individuals or jeopardise an ongoing investigation.

A record must be kept and held securely, of all disclosures which set out:-

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- When the request was made.
- The process followed by SLT in determining the images.
- Considerations as to whether to allow access to the images.
- The individuals that were permitted to view the images and when, and
- Whether a copy of the images was provided, and if so to whom, when and in what format.

### **Disclosure to 3<sup>rd</sup> Parties**

- The school will only disclose record CCTV images to third parties where it is permitted to do so under GPDR.
- Third parties acting on behalf of a duty subject will be handled in accordance with a subject access request.
- CCTV images will only be disclosed to law enforcement agencies in line with the purposes for which the CCTV system is in place.
- If a request is received from a law enforcement agency for disclosure of CCTV images then the school must follow the same process as above in relation to a subject access request. Detail should be obtained from law enforcement agency as to exactly what they want the CCTV images for and any particular individual concerns. This will enable proper consideration to be given to what should be disclosed and the potential disclosure of third party images.
- If an order is granted by a court for disclosure of CCTV images then this should be complied with. However careful consideration must be given to exactly what the court order requires. If there are any concerns regarding disclosure the Data Protection Officer (DPO) should be contacted in the first instance, so specialist advice can be sought.
- Where information is required by the local authority or Social Services for safeguarding purposes this would be discussed with the Head teacher and DPO.

### **Complaints**

Complaints and enquiries about the operation of CCTV within the school should be directed to the Schools Business Manager, Miss Atkinson or the Head teacher Miss Whalley. This can also be sent to our Data Protection Officer Tom Powell (Head of Internal Audit and Risk, Bolton Council, 3rd Floor Town Hall Bolton, BL1 1RU) or email [schools.dpo@manchester.gov.uk](mailto:schools.dpo@manchester.gov.uk) / phone 0161 600 7993.

Approved by Governors: 3<sup>rd</sup> July 2019

Reviewed

Review Date: July 2021

*Our school aims to support all families and the wider community. Any queries or concerns regarding individual policies will be considered on an individual basis.*