

CCTV

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Request to carry out Covert Recording

Request for CCTV Data Release

Agreed by staff and Governors – Summer term 2022

Review date – Summer term 2025

1. Introduction

Grand Avenue Primary and Nursery School is fully committed to operating a safe environment, it therefore has in place a closed circuit television (“CCTV”) system to assist in providing a safe and secure environment for students, staff and visitors, as well as to protect school property.

CCTV systems are based around digital technology and therefore are treated as information that will be processed under the Data Protection Act 1998. The person ultimately responsible for data protection within the school is the Headteacher.

The system comprises 16 fixed cameras located externally around the school site. All cameras are monitored and are only available for use by approved members of staff. The CCTV system is owned by the school and will be subject to regular review.

The purpose of this Policy is to regulate the management, operation and use of the CCTV system at our school. This document sets out the accepted use and management of the CCTV system and images to ensure the school complies with the Data Protection Act 2018 (DPA), Human Rights Act 1998 (HRA) and other legislation.

2. Purpose of the CCTV System

The system will be provided and operated in a way that is consistent with an individual’s right to privacy.

The school has installed a CCTV system to:

Protect school buildings and its assets to ensure they are kept free from intrusion, vandalism, damage or disruption

Increase the personal safety of staff and students and reduce the fear of physical abuse, intimidation and crime.

Support the Police in a bid to deter and detect crime.

Assist in the prevention and detection of crime.

Assist with the identification, apprehension and prosecution of offenders.

Assist with the identification of actions/activities that might result in disciplinary proceedings against staff and students.

Assist in the usage and management of the school buildings on a day to day basis.

Monitor security of the buildings on the school site.

Identify vehicle movement problems on site.

The system will not be used to:

- Provide images to the world wide web
- Record sound

3. Operation

The CCTV surveillance system is owned by the school. The Business Manager is responsible for the day-to-day operation of the system and ensuring compliance with this policy.

The CCTV system is registered with the Information Commissioner under the terms of the Data Protection Act 2018 and will seek to comply with the requirements both of the Data Protection Act 2018 and the Commissioner's Code of Practice.

Cameras will be used to monitor activities within the school buildings, the car parks and other areas to record activity actually occurring and for the purpose of securing the safety and wellbeing of the occupants and visitors within the school grounds.

Our cameras do not focus on private homes, gardens and other areas of private property.

Materials or knowledge secured as a result of CCTV system will not be used for any commercial purpose.

Downloads will only be released to the media for use in the investigation of a specific crime and with the written authority of the police. Downloads will never be released to the media for purposes of entertainment.

The planning and design of the CCTV system has endeavoured to ensure that the system 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 access routes and areas covered by the CCTV System.

4. Covert Recording

Any covert recording will be carried out for a limited and reasonable period of time consistent with the objectives of making the recording and will only relate to the specific suspected illegal or unauthorised activity. (See appendix for form to complete regarding a request for covert recording.)

Prior to authorisation, the requesting applicant/member of staff must have demonstrated and documented that all reasonable procedures and practices have already been put in place to prevent suspected illegal or unauthorised activity from taking place.

The decision to undertake covert recording will be fully documented and will set out how the decision to use covert recording was reached and by whom. The school will obtain legal advice before approving and assessing the need for covert recording in all instances.

Covert recording will be undertaken under the following circumstances on the written authorisation of the Headteacher;

- That informing the individual(s) concerned that recording was taking place would seriously prejudice the objective of making the recording.
- That there is reasonable cause to suspect that illegal or unauthorised activity is taking place or is about to take place, that may seriously or substantially affect the operation or reputation of the school.

Retaining data

Unless required for evidential purposes or the investigation of crime or otherwise required by law, covertly recorded images will be retained for no longer than 31 days from the date of recording. A record of data destruction will be made on the covert recording request form. (See appendix)

5. Image Viewing and Download Procedure

Viewing

The Business Manager is authorised to review CCTV recordings to ascertain the circumstances relating to potential incidents involving pupils and visitors. If, in the course of an initial investigation it is suspected that the incident may involve a member of staff, the review will be halted and the Headteacher notified.

Recordings may be also viewed by the police in the presence of the Headteacher or School Business Manager. Otherwise, permission to view CCTV data from other legal bodies will depend on the subject of the potential investigation.

The Business Manager may authorise other members of staff to view the CCTV images relating to a pupil incident, in that it may be appropriate for that member of staff to see the footage. (See Appendix)

Potential incidents involving staff may be viewed in the presence of the Business Manager and others authorised by the Headteacher , using the Data Viewing Release Form. (See Appendix)

The Business Manager may also take action to secure footage that may relate to an incident involving staff and others until such time that it has been decided that it is required for viewing and/or download.

Download Procedure (as governed by the Data Protection Act)

Should a download be required as evidence, an electronic copy may only be made the School Business Manager . Where this is to be released to the Police this will only be released to the Police on receipt of a completed Data Release Form and sight of a warrant card.

When a download is requested by Headteacher a CCTV Data Release Form will be completed and given to the Business Manager.

When a download is requested by other legal parties, a CCTV Data Request Form will be completed by the Chair of Governors and given to the Business Manager.

All requests for downloads will be retained by the Business Manager for 12 months.

6. Breaches of this Policy

Any suspected breach of this Policy by school staff will be considered under the School Disciplinary Policy and Procedures.

7. Overview of System

The CCTV system runs 24 hours a day, 7 days a week.

The CCTV system comprises fixed position cameras, digital recorders and public information signs.

CCTV cameras are located at strategic points on site, principally at the entrance and exit point for the site and various buildings.

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.

8. Data Protection Act 2018

For the purpose of the Data Protection Act 2018 the school is the data controller.

CCTV digital images, if they show a recognisable person, are personal data and are covered by the Data Protection Act 2018.

If further, new cameras are to be installed on the school premises, Part 4 of the ICO's CCTV Code of Practice will be followed before installation:

- The appropriateness of and reasons for using CCTV will be assessed and documented;
- The purpose of the proposed CCTV system will be established and documented;
- Responsibility for day-to-day compliance with this policy will be established and documented;

9. Access to Images

Subject Access Rights (SAR)

The Data Protection Act 2018 gives individuals the right to access personal information about themselves, including CCTV images. If the images are those of the person making the request, then the request would be handled under the Data Protection Act as a Subject Access Request. If, however, other people are identifiable in the CCTV pictures, then the images would be considered personal information and it is likely they would be exempt from the Freedom of Information Act.

All requests for access to view/copy CCTV footage by individuals need to be made in writing to the Chair of Governors. Requests for access to CCTV images must include:-

- The reason for the request
- The date and time the images were recorded
- Information to identify the individual, if necessary
- The location of the CCTV camera
- Proof of Identity

The school will respond promptly and at the latest within 30 calendar days of receiving the request , and sufficient information to identify the images requested.

If the school cannot comply with the request, the reasons will be documented. The requester will be advised of these in writing.

Access to Images by Third Parties

Third parties who wish to have a copy of CCTV images (i.e. images not of the person making the request) do not have a right of access to images under the DPA.

Requests from third parties will only be granted if the requestor satisfies the following criteria:

- Law enforcement agencies (where the images recorded would assist in a specific criminal enquiry)
- Prosecution Agencies and their Legal Representatives
- Insurance Companies and their Legal Representatives

All third party requests for access to a copy of CCTV footage need to be made in writing to the Chair of Governors.

If a law enforcement or prosecution agency is requesting access they need to make a request under Section 29 of the Data Protection Act 2018.

10. Retention and Disposal

Recorded images will be retained for no longer than 31 days from the date of recording, unless required for evidential purposes or the investigation of crime or otherwise required and retained as a download with the requisite approval form.

All images on electronic storage will be erased by automated system overwriting.

All downloads, still photographs and hard copy prints will be securely disposed of as confidential waste. The date and method of destruction will be recorded on the original 'approval to copy' request held by the Business Manager.

11. Central Responsibilities

The Headteacher is responsible for producing and reviewing this Policy. The Governing Body is responsible for approving this Policy. The Chair of Governors is responsible for compliance with and implementation of procedures to comply with this policy.

12. Complaints regarding operation of system

Complaints regarding the CCTV system and its operation need to be made under the school complaints procedure.

13. Associated Policies and Guidance

- School Handbook and Code of Conduct
- CCTV Code of Practice - ICO
- Home Office Surveillance Camera Code of Practice.

14. Appendix - Forms for Use with this Policy

Appendix

Viewing/release form for data from CCTV system at Grand Avenue Primary and Nursery School

To Business Manager ;

Please receive this form as authority to allow CCTV data from the school system to be downloaded/viewed by those listed below.

Authorised by

Headteacher signature

Name of staff authorised to receive downloaded data

Data received by

Name

Signature

Date

Names of staff authorised to view downloaded data

- 1.
- 2.
- 3.
- 4.
- 5.

Data viewed by

Name

Signature

Date

Incident date/time

Brief description of required incident

Business Manager to confirm data has been disposed of:

Method of destruction

Signed	Print name	Date

Agreed by Governors - Summer term 2019

Next review - Summer term 2022