

CCTV POLICY AND CODE OF PRACTICE

Potteries Educational Trust



Policy Family	Health Safety and Security
Reference	HSS-08

Responsible Manager	Chief Operating Officer
----------------------------	-------------------------

Approval Date	January 2020
----------------------	--------------

Issue Number	1
---------------------	---

Review Date	December 2022
--------------------	---------------

Aim

The Potteries Educational Trust has in place a number of CCTV surveillance systems across its Academy Sites. This policy details the purpose, use and management of the CCTV systems and details the steps taken in order to ensure that the Trust complies with relevant legislation and the current Information Commissioner's Office Code of Practice.

The Trust 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 Trust 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.

Scope

The policy and associated operating procedures apply to The Potteries Educational Trust, which includes a number of member and associate member organisations. Collectively, the member organisations within the trust are referred to as The Trust.

Policy

Ownership

The CCTV systems at each Academy are owned by the Board of Trustees of the Potteries Educational Trust, hereinafter referred to as the 'Trust'.

Systems

The systems installed and operated at each Academy site are documented in Appendix A to this policy, alongside details of the post holders with responsibility for the operation, oversight and authorisation of access to images from the systems.

Responsibilities

Within each Academy, a member of the Senior Leadership Team will take overall responsibility for the system, its operation and compliance with this policy.

A member of the Estates team will have responsibility for the day to day operation of the system, security of access, and responses to Subject Access Requests and 3rd Party requests as authorised through the appropriate procedures.

The Designated Safeguarding Lead will oversee any liaison with Police or other relevant authorities in the case of 3rd party access, ensuring that the rights of individuals are protected in providing images to assist in the investigation of a crime.

The Trust Data Protection Officer will advise in all matters of subject access and image release as appropriate.

Purpose

The primary purposes of the CCTV systems installed at Academy sites are:

- i. To help to secure a safe environment and safeguard students and staff
- ii. To provide information relating to safety, security, welfare or disciplinary issues as specifically authorised by the designated senior leader and subject to the safeguards contained within this Code of Practice
- iii. The deterrence and prevention of crime by an overt presence
- iv. The detection of crime by helping to identify offenders
- v. To provide police and the court with visual evidence of an offender committing a crime

In meeting the stated purposes the systems will be operated fairly, within applicable law, and only for the purposes stated. They will be operated with due regard to the privacy of the individual by ensuring the security and integrity of operational procedures as contained in this code and associated procedures.

Monitoring and Recording

Cameras are monitored from Estates Offices at each Academy, which are secure areas, staffed during usual business hours. Incidents identified on CCTV monitors will be reported to Estates, Student Welfare and Senior Leadership staff who will respond as appropriate to the circumstances of the event.

Images are recorded on servers located securely at each Academy and are viewable only in secure areas and by authorised staff. Additional staff may be authorised by the designated member of the Senior Leadership Team to monitor cameras sited within their own areas of responsibility on a view only basis.

The cameras installed provide images that are of suitable quality for the specified purposes for which they are installed and all cameras are checked daily to ensure that the images remain fit for purpose and that the date and time stamp recorded on the images is accurate.

All images recorded by the CCTV System remain the property and copyright of the Trust.

The use of covert cameras will be restricted to rare occasions, when a series of criminal acts have taken place within a particular area that is not otherwise fitted with CCTV. A request for the use of covert cameras will clearly state the purpose and reasons for use and the authority of the Chief Executive Officer will be sought before the installation of any covert cameras.

The CEO should be satisfied that all other physical methods of prevention have been exhausted prior to the use of covert recording.

Covert recording will only take place if informing the individual(s) concerned would seriously prejudice the reason for making the recording and where there is reasonable grounds to suspect that illegal or unauthorised activity is taking place. All such monitoring will be fully documented and will only take place for a limited and reasonable period.

Data Protection

The Data Protection Act (2018) defines CCTV images where an individual may be identified from the material, viewed and/or recorded, as personal data and therefore protected by the provisions of The Act. Live and recorded material from the CCTV system will therefore be subject to the Trust's policy on Data Protection and associated procedures.

The use of CCTV will be detailed in the Privacy Notices for all groups published for each Academy. Notices around the campuses will inform all users that areas are under CCTV surveillance and that data is being collected.

Applications for disclosure of images - Applications by individual data subjects

Requests by individual data subjects for images relating to themselves, "Subject Access Requests", should be submitted in writing to the Trust Data Protection Officer together with proof of identification. Further details of this process are detailed on the Trust Data Protection webpage: <http://www.potteries.ac.uk/dataprotection>

In order to locate the images on the Trust's systems, 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 Trust 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.

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 Data Protection Officer.

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 Chief Executive Officer, with reference to relevant legislation and where necessary, following advice from the Trust's Data Protection Officer.

Use of Images for the Investigation of Staff and Student Conduct

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

The authorised system operator 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.

Retention of images

Unless required for evidential purposes, the investigation of an offence or as required by law, CCTV images will be retained for no longer than 30 days from the date of recording. Images will be automatically overwritten after this point.

Where an image is required to be held in excess of the retention period referred to above, the designated member of the Senior Leadership Team 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.

Complaints

Complaints concerning the Trust's use of its CCTV systems or the disclosure of CCTV images should be made in writing to the Trust Operations Team at info@potteries.ac.uk.

Implementation

The post holders detailed in Appendix A to this policy shall be responsible for implementation within their Academy Site. Training will be provided to all CCTV system operators and authorised users to ensure compliance with related operating procedures and the implementation of this policy with particular regard to system access and disclosure of images to data subjects and authorised 3rd parties.

Communication

All members of the public, students, staff and other users of Academy sites will be aware of the use of CCTV recording equipment through notices clearly displayed in areas subject to monitoring. All staff will be briefed on the content of this policy upon review and renewal.

Monitoring

All staff involved in the operation of the Trust's CCTV Systems will be made aware of this policy and will only be authorised to use the CCTV System in a way that is consistent with the purposes and procedures contained therein.

All staff with responsibility for accessing, recording, disclosing or otherwise processing CCTV images will be required to undertake data protection training.

Associated Information and Guidance

ICO CCTV Code of Conduct

Related Documents

PET Data Protection Policy