

CCTV Policy

Eggar's School

March 2022

1 Introduction

- 1.1 This policy sets out how Eggar's School (the **Trust**) will manage the operation and use of CCTV.
- 1.2 The purposes of this policy are:
 - 1.2.1 to help the Trust to regulate and manage its use of CCTV;
 - 1.2.2 to help the Trust be transparent about how it uses CCTV;
 - 1.2.3 to help ensure that the use of CCTV remains a proportionate and justified response to the problems that it seeks to address; and
 - 1.2.4 to provide guidance for all Trust staff on how to comply with data protection legislation in relation to the use of CCTV.
- 1.3 This policy is aimed at members of staff working in the Trust (whether directly or indirectly), whether paid or unpaid, whatever their position, role or responsibilities, which includes employees, trustees, contractors, agency staff, work experience / placement students and volunteers.
- 1.4 It is available to pupils, parents and visitors on request from the school office.

2 The use of CCTV

- 2.1 The Trust's CCTV system comprises a number of cameras located on the Trust premises.
- 2.2 The Trust uses CCTV for the following purposes:
 - 2.2.1 to safeguard the welfare of pupils, staff and visitors;
 - 2.2.2 to protect the Trust, pupils, parents, staff and visitors from criminal activity such as theft and vandalism;
 - 2.2.3 to increase personal safety;
 - 2.2.4 to support the protection of property;
 - 2.2.5 to aid in the investigation of accidents and incidents and the monitoring of health and safety; and
 - 2.2.6 to support law enforcement agencies in the reduction, prevention and detection of crime and to assist in the identification, apprehension and potentially prosecution of offenders.
- 2.3 CCTV footage may contain the personal information of those individuals captured by the recording.

3 Governance

- 3.1 The Head Teacher has overall responsibility for the management and operation of the CCTV and the implementation of this policy.
- 3.2 The Head Teacher will ensure that the CCTV system is operated according to this policy and that regular audits are carried out to ensure that the relevant procedures are complied with.

4 Minimising privacy risks

- 4.1 The Trust has carried out a Data Protection Impact Assessment on the use of CCTV. The outcome of the assessment was that the use of CCTV is a necessary and proportionate measure to achieve the purposes listed at 2 above provided that certain measures are put in place to mitigate the risks.
- 4.2 The Trust appreciates that the use of CCTV impacts on individuals' privacy but considers this intrusion to be justified because less privacy intrusive methods would not be sufficient to meet the Trust's purposes for using CCTV. In coming to this conclusion, the Trust has had particular regard to the safeguarding and welfare duties it owes to pupils.
- 4.3 The Trust reviews the Data Protection Impact Assessment on an annual basis to ensure that the use of CCTV continues to be justified and that the appropriate measures are in place to mitigate the data protection risks raised by its use.
- 4.4 The Trust will also review its use of CCTV should a concern be raised about its practices.

5 The operation of CCTV

- 5.1 The Trust has sited the cameras to view only areas which need to be monitored, for example, they do not monitor neighbouring private residences.
- 5.2 We display signs in locations where CCTV is used in order to alert individuals that their image may be recorded. Such signs will identify the Trust as the organisation operating the system, identify the purpose for using the surveillance system and who to contact for further information, where these things are not obvious to those being monitored.
- 5.3 CCTV is not used in areas where individuals will have a heightened expectation of privacy, for example, there are no cameras in toilets or changing rooms.
- 5.4 The cameras have been positioned in a way to ensure their security and to protect them from vandalism.
- 5.5 The Trust has ensured that the cameras can produce images of the necessary clarity and quality to meet the Trust's purposes.
- 5.6 Images can easily be extracted from the system if required, for example, under a disclosure to law enforcement agencies and or under a subject access request (please see section 11 for more information on subject access requests). The Trust is able to obscure parts of the images where required to protect the identity of individuals.
- 5.7 The CCTV has sound recordings disabled and therefore does not capture sound.
- 5.8 The CCTV cameras which record the perimeter of the Trust's school sites are in operation 24 hours a day every day of the year because this is necessary to meet the purposes for which they were installed for example, to detect intruders.
- 5.9 The Trust is solely responsible for the operation of all CCTV in accordance with this policy for the purposes identified at section 2.2 above.
- 5.10 We will never engage in covert monitoring or surveillance (that is, where individuals are unaware that the monitoring or surveillance is taking place) unless, in highly exceptional circumstances, there are reasonable grounds to suspect that criminal activity or equivalent

serious malpractice is taking place and, after suitable consideration, we reasonably believe there is no less intrusive way to tackle the issue.

- 5.11 In the unlikely event that covert monitoring is considered to be justified, the Trust will carry out a Data Protection Impact Assessment (please see section 4 above for more information). The rights of individuals whose images may be captured will always be taken into account in reaching any such decision.

6 Maintenance of the CCTV equipment

- 6.1 The Site Manager will check on a weekly basis that the system is operating effectively and in particular that the equipment is recording properly and that cameras are functional. Any software updates will be applied by the Network Manager. Specialist contractors are engaged to make repairs or fit new cameras.
- 6.2 The system will be regularly serviced and maintained to ensure that clear images are recorded. If any defects are found these will be reported to the Site Manager for rectification.
- 6.3 The Trust will monitor the operation of the CCTV system by investigating any notifications or concerns regarding the functionality of the CCTV system.

7 Storage and security

- 7.1 The CCTV footage will be stored securely and will only be accessed by designated Trust staff, being the IT Manager, the Site Team and the Leadership Team (Designated Staff). Other staff may view the CCTV footage as and when required in exceptional circumstances with the permission of the Designated Staff. Designated Staff will be given additional training on CCTV, as appropriate.
- 7.2 CCTV recordings, including any copies made, are encrypted. The Trust will also encrypt any copy before it is shared with a third party (such as a law enforcement agency) unless there is a good reason for not doing so.
- 7.3 The Designated Staff are trained in the Trust's security procedures. The Designated Staff will ensure that camera footage is not accessed by any unauthorised person.
- 7.4 The only locations where CCTV footage can be viewed are in selected offices. The monitors which live stream the CCTV footage are in the Site Office, which is a secure area. Live footage can also be accessed by the Network Manager, from the Network Manager's office, which is also secure. All members of Leadership Team are permitted to view the footage and members of the Leadership Team have access to the live streaming, from their offices. The Reception Team support with identifying students. These staff members are responsible for ensuring no unauthorised personnel have access to the CCTV footage.
- 7.5 Only Designated Staff are authorised to make copies (electronic or paper) of the CCTV footage.
- 7.6 Only the Designated Staff may allow external persons or agencies to view the CCTV footage and this will be done in accordance with section 12 below.
- 7.7 Any personal data breach for example, any unauthorised access to CCTV footage must be reported immediately to the Trust's Data Protection Officer.

- 7.8 All maintenance of ICT or CCTV equipment which could provide access to CCTV footage will only be carried out by the Designated Staff.
- 7.9 Staff should note that any misuse of the CCTV system might constitute a criminal offence, for example, accessing footage without authorisation from Designated Staff.
- 7.10 Where footage is saved following an incident this will be done securely.

8 Internal use of the CCTV

- 8.1 If a member of staff considers that CCTV footage might be needed for an internal matter e.g. a pupil disciplinary issue they should speak to the Data Protection Officer in the first instance.

9 Retention

- 9.1 Compliance with data protection law means that the Trust does not retain personal data for longer than is required for the purposes for which it was obtained. The Trust operates two CCTV surveillance systems. Recorded images on system 1 (newer system) are retained for 10 days and then automatically recycled (this will be reduced depending on the number of cameras in use with a minimum of 7). System 2 (older system) overrides previous recordings using space restrictions.
- 9.2 However, the Trust has procedures in place to retain information for a longer period if this is required. For example, where an incident caught by the CCTV footage is being investigated or where there has been a subject access request.
- 9.3 The Trust may permanently delete images after a shorter period, for example where it can be determined more quickly that there has been no incident giving rise to the need to retain the recorded images.

10 Informing individuals about the use of CCTV

- 10.1 The Trust appreciates the importance of being open and transparent about the use of CCTV. This policy is available on request from the school office.
- 10.2 The Trust's privacy notices for staff, parents and pupils include information about the use of CCTV by the Trust including for what purpose it is used. A copy of the privacy notices can be found here <https://www.eggars.net/downloadcentre> or are available from the School Office.
- 10.3 There are prominently displayed signs in areas where CCTV is in operation (for example, at all access routes into and out of the Trust).

11 Subject access requests

- 11.1 Under data protection law individuals have the right to access information about themselves which may include images of them in CCTV footage.
- 11.2 In order for us to locate relevant footage, any subject access requests for copies of recorded CCTV images should include the date and time of the recording, the location where the footage was captured and, if necessary, information to allow us to identify you e.g. what you were wearing.
- 11.3 We reserve the right to obscure images of third parties when disclosing CCTV data as part of a subject access request, where we consider it necessary to do so.

- 11.4 Members of staff have been trained to recognise subject access requests and understand that such a request may cover CCTV footage. Staff must refer all subject access requests to the Data Protection Officer immediately because such requests are complex and there is a statutory timeframe for the Trust's response.

12 Disclosure to law enforcement agencies

- 12.1 Images from the CCTV system may be disclosed to law enforcement agencies such as the police where the Trust considers such disclosure necessary, for example for the prevention and detection of crime. However, any such disclosure will only be in accordance with data protection law.
- 12.2 Requests from law enforcement agencies should be referred to the Data Protection Officer.
- 12.3 If CCTV footage is disclosed to a law enforcement agency the Trust will record what information has been disclosed, when the disclosure was made, to whom the information was disclosed and for what purpose(s). The Trust has a register containing details of all disclosures of CCTV footage. The law enforcement agency should produce a written request using the appropriate form to support its request for disclosure. The Trust will keep a copy of this on file as well.
- 12.4 The Trust will ensure that the disclosure of CCTV footage is carried out securely. The precise method of communication will be determined by the Data Protection Officer and encrypting the footage will be considered.
- 12.5 If a law enforcement agency requires the Trust to retain the stored CCTV footage for possible use as evidence in the future the information will be indexed and securely stored until it is needed.

13 Other requests for information

- 13.1 CCTV footage may be disclosed in other circumstances if this is in accordance with data protection legislation. For example, if required by a court order or if in connection with legal proceedings.
- 13.2 Applications received from outside bodies such as solicitors to view footage must be referred by staff to the Data Protection Officer.
- 13.3 CCTV footage will not be made available to the media for commercial or entertainment purposes.
- 13.4 We will maintain a record of all disclosures of CCTV footage.

14 Processors

- 14.1 Eggar's Trust does not use processors to handle its CCTV footage on its behalf (it is required to have a written agreement in place with any organisation which handles the CCTV footage on the Trust's behalf (known as processors). In addition, the Trust must carry out checks on the processor to make sure that they understand, and comply with, data protection in practice).

15 Breaches of this policy

- 15.1 If staff consider that this policy is not being followed in any respect, they must inform the Data Protection Officer immediately.

15.2 Any breach of this policy by a member of staff will be taken seriously and may result in disciplinary action.

16 **Lawful basis for processing**

16.1 Under data protection law the Trust must identify the bases it is relying on to make and use CCTV footage.

16.2 The Trust is relying on the public interest task lawful basis when processing personal data for the purposes described at paragraph 2.1 above. In addition, the Trust's use of CCTV may be necessary for compliance with a legal obligation, for example, where it is required to disclose a CCTV recording to the police in accordance with a court order.

16.3 There may be other lawful bases depending on the circumstances.

17 **Complaints**

17.1 Any complaints or concerns about the use of CCTV by the Trust should be addressed to the Data Protection Officer.