

## CCTV POLICY

*'This policy will be implemented in a way which honours the vision that every FCJ school is a community of persons - students, staff, governors - bound together in mutual respect and ready to rely on each other in fulfilling their privileged task as educators in a Catholic school.'*

### 1. Data Protection

Any personal data processed in the delivery of this policy will be processed in accordance with the school Data Protection policy.

### Policy Statement

- 1.1 Upton Hall School uses Closed Circuit Television ("CCTV") within the premises of the School. The purpose of this policy is to set out the position of the School as to the management, operation and use of the CCTV at the School.
- 1.2 This policy applies to all members of our Workforce, visitors to the School premises and all other persons whose images may be captured by the CCTV system.
- 1.3 This policy takes account of all applicable legislation and guidance, including:
  - UK General Data Protection Regulation ("UK GDPR");
  - Data Protection Act 2018
  - CCTV Code of Practice produced by the Information Commissioner;
  - Human Rights Act 1998.
- 1.4 This policy sets out the position of the School in relation to its use of CCTV and should be read in conjunction with the School Data Protection Policy.
- 1.5 The system comprises a number of internal and external cameras and does not use any 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 ("DPO") or their representative has overall responsibility as delegated by the Data Controller.
- 1.6 Access and viewing is restricted and all authorised operators with access to images will be aware of the procedures they are required to follow and their responsibilities under this policy. All employees will be aware of the restrictions in relation to access to, and disclosure of, recorded images. The further introduction of, or changes to, CCTV monitoring will be subject to consultation with staff and parents where appropriate.

### 2. Purpose of CCTV

- 2.1 The School uses CCTV for the following purposes:
  - To provide a safe and secure environment for pupils, staff and visitors;
  - To protect the school buildings and assets;
  - To assist in reducing the fear of crime and for the protection of private property;
  - To monitor intruders should they enter the site;
  - To assist in the prevention of crime and assist law enforcement agencies in apprehending offenders.

### 3. Policy Intent

- 3.1 The school will:
  - treat the system and all information processed on the CCTV system as data which is covered by the Data Protection Act/UK GDPR;
  - use 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 for monitoring student behaviour;
  - not direct cameras outside of the school site at private property, an individual, their property or a specific group of individuals. The exception to this would be where an authorisation was obtained

for Directed Surveillance to take place, as set out in the Regulation of Investigatory Power Act 2000;

- display CCTV warning signs clearly and prominently at all external entrances of the school site where CCTV is operational. The school will ensure that there are prominent signs placed at both the entrance of the CCTV zone and within the controlled area which will contain details of the purpose for using CCTV.
- not guarantee that a system will or can cover or detect every single incident taking place in the areas of coverage;
- not use materials or knowledge for any commercial purpose. Recorded materials will only be released for use in the investigation of a specific crime and with the written authority of the Police and in accordance with the Data Protection Act/UK GDPR.

#### 4. Siting Cameras

- 4.1 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, cameras will not be placed in areas which are reasonably expected to be private such as in toilet cubicles. They will only be used to monitor entry and exit to the bathroom areas. The school will ensure that the location of equipment is carefully considered to ensure that images captured comply with the Data Protection Act/UK GDPR requirements.
- 4.2 CCTV is not sited in classrooms and will not be used in such, except in exceptional circumstances.
- 4.3 Members of staff, on request can access details of CCTV camera locations.

#### 5. Covert Monitoring

- 5.1 The school retains the right in exceptional circumstances to set up covert monitoring. For example:
- Where there are grounds to suspect that criminal activity is taking place, or where there are grounds to suspect serious misconduct;
  - Where notifying the individuals about the monitoring would seriously prejudice the reason for making the recording.

In these circumstances, authorisation must be obtained beforehand from the Head Teacher and Chair of Governors.

Covert Monitoring will cease following completion of an investigation.

Cameras sited for the purpose of covert monitoring will not be used in areas which are reasonably expected to be private, for example toilets.

A Data Protection Impact Assessment will be carried out in respect of the covert monitoring.

#### 6. Storage and Retention of CCTV images

- 6.1 Recorded data will not be retained for longer than is necessary. While retained, the integrity of the recordings will be maintained to ensure their evidential value and to protect the rights of the people whose images have been recorded.
- 6.2 All retained data will be stored securely.
- 6.3 Recordings are kept for 4 weeks and then they are automatically recorded over. Specific recordings which the school wishes to retain after this time will be logged (see Appendix A).
- 6.4 The Data Protection Act/UK GDPR does not prescribe any specific minimum or maximum retention periods that apply to all systems or footage. Rather, retention should reflect the organisation's purposes for recording information, which should be informed by the purpose for which the information is collected, and how long it is needed to achieve this purpose. Storage availability is also a factor to be considered in the ability to retain recordings.

#### 7. Disclosure of Images to Data Subjects (Subject Access Requests)

- 7.1 Any Individual recorded in any CCTV image is a data subject for the purposes of the Data Protection Legislation, and has the right to request access to those images.

- 7.2 Any individual who requests access to images of themselves will be considered to have made a subject access request pursuant to the Data Protection Legislation. Such a request should be considered in the context of the Subject Access Request provisions in its Privacy policy.
- 7.3 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. For example, date, time and location.
- 7.4 When such a request is made, the Director of Business, as the CCTV system administrator will review the CCTV footage, in accordance with the request.
- 7.4.1 If the footage contains only the individual making the request then the individual may be permitted to view the footage. This must be strictly limited to that footage which contains only images of the individual making the request. The CCTV system administrators must take appropriate measures to ensure that the footage is restricted in this way.
- 7.4.2 If the footage contains images of other individuals then the School must consider whether:
- The request requires the disclosure of the images of individuals other than the requester, for example whether the images can be distorted so as not to identify other individuals;
  - The other individuals in the footage have consented to the disclosure of the images, or their consent could be obtained; or
  - If not, then whether it is otherwise reasonable in the circumstances to disclose those images to the individual making the request.
- 7.5 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.

7.6 A record must be kept (see Appendix B), and held securely, of all disclosures which sets out:

- When the request was made;
- The process followed by the Director of Business (as the CCTV system administrators) in determining whether the images contained third parties;
  - The considerations as to whether to allow access to those 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.

## 8. Disclosure of Images to Third Parties

- 8.1 The School will only disclose recorded CCTV images to third parties where it is permitted to do so in accordance with the Data Protection Legislation.
- 8.2 Third parties acting on behalf of a data subject will be dealt with in accordance with the School's Subject Access Request Policy.
- 8.3 CCTV images will only be disclosed to law enforcement agencies in line with the purposes for which the CCTV system is in place.
- 8.4 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 subject access requests. Detail should be obtained from the law enforcement agency as to exactly what they want the CCTV images for, and any particular individuals of concern. This will then enable proper consideration to be given to what should be disclosed, and the potential disclosure of any third party images. The information above must be recorded in relation to any disclosure (see Appendix B).
- 8.5 If an order is granted by a Court for disclosure of CCTV images then this should be complied with. However very careful consideration must be given to exactly what the Court order requires. If there are any concerns as to disclosure then the Data Protection Officer should be contacted in the first instance and appropriate legal advice may be required.

## 9. Access to CCTV Images

- 9.1 The ability to view live and historical CCTV data is limited to authorised persons only. Direct access to recorded data is limited to the Director of Business,

- 9.2 Data from CCTV may be used within the school's' discipline and grievance procedures as required, and will be subject to the usual confidentiality requirements of those procedures.

## 10. Complaints

Complaints and enquiries about the operation of CCTV within the school should be directed to the Head Teacher or Data Protection Officer in the first instance.

## 11. Further Information

For further information on CCTV and its use please see below:

- Data Protection Act 2018
- UK General Data Protection Regulation (UK GDPR)
- CCTV Code of Practice (ICO website <https://ico.org.uk> )

