

THE TONBRIDGE FEDERATION



CCTV POLICY

First Written: September 2015

Review Date: September 2021

Next Review: September 2024

1. Legality

This policy should be read with reference to the Data Protection Act 1998, the Protection of Freedoms Act 2012, GDPR policies and the CCTV code of practice 2008 from the Information Commissioner's Office (ICO).

2. Background

Under the Protection of Freedoms Act 2012 the processing of personal data captured by CCTV systems (including images identifying individuals), is governed by the GDPR regulations 2018 and the Data Protection Act and the Information Commissioner's Office (ICO) has issued a code of practice on compliance with legal obligations under that Act. The use of CCTV by schools is covered by the Act, regardless of the number of cameras or how sophisticated the equipment is and schools should adhere to the ICO's code of practice.

Prior to installation and operation of CCTV schools should issue a privacy notice to parents and pupils. They must be clear and transparent in informing pupils and staff that CCTV will be in operation and about how they will use any personal information they collect. Access to personal information should be restricted only to persons (staff and governors) who need particular information to do their jobs, and only when they need it.

Where schools wish to use CCTV images in order to make a decision as to whether to conduct a search for an item, this is allowed under the Education Act 2011. However, staff should follow the ICO's CCTV code of practice.

3. Policy Objectives and targets

This CCTV policy explains how The Tonbridge Federation will operate its CCTV equipment and comply with the current legislation. It also acts to officially inform all stakeholders (including Parents and students) that CCTV will be in operation and about how it will be used.

This policy will be available to all stakeholders on the school website.

4. Purpose of CCTV

The schools use CCTV equipment to provide a safer, more secure environment for pupils and staff and to prevent bullying, vandalism and theft. Essentially it is used for:

- Safeguarding all stakeholders, the public and all visitors to the school site
- Monitoring the security of the school site
- The prevention, investigation and detection of crime.
- The apprehension and prosecution of offenders (including use of images as evidence in criminal proceedings).

The schools do not use the CCTV system for covert monitoring.

5. Location of the Cameras

Cameras are located on the external walls of the school and internally in corridors. The schools' CCTV systems are used solely for the purposes identified above and are not used to routinely monitor staff conduct. Cameras will only be used, in exceptional circumstances, in areas where a subject has a heightened expectation of privacy eg changing rooms or toilets. In these areas, the school will use increased signage in order that those under surveillance are fully aware of its use.

6. Maintenance

The CCTV systems are maintained by MITIE at Hugh Christie and by an external contractor (Midnight) at Long Mead, both under an annual maintenance contract that includes periodic inspections.

The contractors/MITIE are responsible for:

- Ensuring the school complies with its responsibilities in relation to guidance on the location of the camera.
- Ensuring the date and time reference are accurate.
- Ensuring that suitable maintenance and servicing is undertaken to ensure that clear images are recorded.
- Ensuring that cameras are protected from vandalism in order to ensure that they remain in working order.

7. Identification

The school will ensure that there are prominent signs placed at the entrance of the CCTV zone and inside the CCTV controlled areas. The signs will:

- Be clearly visible and readable.
- Contain details of the purpose for using CCTV and who to contact about the scheme.
- Be an appropriate size depending on context.

8. Type of equipment

The schools' standard CCTV cameras record visual images only and do not record sound. Where two way audio feeds (eg call for help systems) are used, they will only be capable of activation by the person requiring help.

9. Administration

During designated school hours, The Head of School has responsibility for the control of images and deciding how the CCTV system is used. At Hugh Christie, outside of these times, MITIE has responsibility for the control of images and deciding how the

CCTV system is used. MITIE has notified the Information Commissioner's Office of both the name of the data controller and the purpose for which the images are used.

All operators and employees with access to images follow the procedures as outlined under the ICO Data Protection CCTV Code of Practice.

Access to recorded images is restricted to staff that need to have access in order to achieve the purpose of using the equipment. The Head of School and Executive Principal have access to the images. In addition, the following school personnel have been granted access by the Head of School:

- All Senior Managers
- All student support managers
- All safeguarding leads
- The Business Manager

All access to the medium on which the images are recorded is documented by MITIE at Hugh Christie and Long Mead administration staff. Under the Schools (Specification and Disposal of Articles) Regulations 2013, school staff can view CCTV footage in order to make a decision as to whether to search a pupil for an item. If the recorded footage reveals that theft has been committed by a member of staff, this evidence may be used in a disciplinary case.

10. Image storage, viewing and retention

Recorded images will be stored in a way that ensures the integrity of the image and in a way that allows specific times and dates to be identified. Access to live images is restricted to the CCTV operator and administration front desk staff.

Recorded images can only be viewed in a restricted area by approved staff. The recorded images are viewed only when there is suspected criminal activity, a health and safety concern or a safeguarding concern and not for routine monitoring of pupils, staff or visitors unless the camera(s) are installed to monitor the safe movement of persons through a designated area e.g. corridors.

The schools reserve the right to use images captured on CCTV where there is activity that the school cannot be expected to ignore such as criminal activity, potential gross misconduct, or behaviour which puts others at risk. Images retained for evidential purposes will be retained in a locked area accessible by the system administrator only. Where images are retained, the system administrator will ensure the reason for its retention is recorded, where it is kept, any use made of the images and finally when it is destroyed.

11. Disclosure

Disclosure of the recorded images to third parties can only be authorised by the data controller or Head of School.

Disclosure will only be granted:

- If its release is fair to the individuals concerned.
- If there is an overriding legal obligation (eg information access rights).
- If it is consistent with the purpose for which the system was established.

Disclosure may be authorised to law enforcement agencies, even if a system was not established to prevent or detect crime, if withholding it would prejudice the prevention or detection of crime.

12. Subject access requests

Individuals whose images are recorded have a right to view images of themselves and, unless they agree otherwise, to be provided with a copy of the images. If the school receives a request under the Data Protection Act it will comply with requests within 40 calendar days of receiving the request. The school will charge an administration fee of £15 for the provision of a copy of the images.

However, if the data controller or Head of School can identify any person other than, or in addition to, the person requesting access, it will be deemed personal data and its disclosure will not be deemed as a Freedom of Information request. In these cases, the images will not be provided to the subject.

13. Reviewing

The efficacy of this policy will be reviewed by the governing body every 3 years. If the school decides to change the way in which it uses CCTV, it will inform the Information Commissioner within 28 days.

Next school review due: September 2024