



CLOSED CIRCUIT TELEVISION (CCTV) POLICY

Introduction

- 1.1 Orchard Park Primary School uses closed circuit television (CCTV) images to deter criminals and monitor the school buildings in order to provide a safe and secure environment for pupils, staff and visitors, and to prevent the loss or damage to school property.
- 1.2 The system comprises of 9 cameras. Seven of which are fixed and two with pan, tilt, zoom capability (car park area).
- 1.3 The system does not have sound recording capability.
- 1.4 The CCTV system is owned and operated by the school, the deployment of which is determined by the school's governing body.
- 1.5 The school's CCTV Scheme is registered with the Information Commissioner under the terms of the Data Protection Act 1998. The use of CCTV, and the associated recordings, is covered by the Data Protection Act 1998. This policy outlines the school's use of CCTV and how it complies with the Act.
- 1.6 Recorded footage is only viewed by the Headteacher, Deputy Headteacher and the site manager. Other members of staff may only view the footage after authorisation from the Headteacher.
- 1.7 Those authorised to view the footage are aware of the procedures that need to be followed when accessing the recorded images and are trained by the school's Headteacher in their responsibilities under the CCTV Code of Practice. All employees are aware of the restrictions in relation to access to, and disclosure of, recorded images.

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2. Statement of Intent

2.1 The school complies with Information Commissioner's Office (ICO) CCTV Code of Practice to ensure it is used responsibly and safeguards both trust and confidence in its continued use. The Code of Practice is published at:

http://www.ico.gov.uk/~media/documents/library/Data_Protection/Detailed_specialist_guides/ICO_CCTVFINAL_2301.ashx

2.2 The school has lawful basis, under the data protection law, to use CCTV cameras for the legitimate interest of the school. Individual's rights and freedoms are not overridden.

2.3 CCTV warning signs will be clearly and prominently placed at all external entrances to the school. Signs will contain details of the purpose for using CCTV (see appendix B). In areas where CCTV is used, the school will ensure that there are prominent signs placed at both the entrance of the CCTV zone and within the controlled area.

2.4 The planning and design 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.

3. Siting the Cameras

3.1 Cameras are sited so they only capture images relevant to the purposes for which they are installed (as described above) and care will be taken to ensure that reasonable privacy expectations are not violated. The School will ensure that the location of equipment is carefully considered to ensure that images captured comply with the Data Protection Act.

3.2 The school ensures that the cameras are positioned so that their coverage is restricted to the school premises but do not include internal areas other than the main entrance foyer of the building.

3.3 Members of staff have access to details of where CCTV cameras are situated.

4. Additional Monitoring

4.1 The school may in exceptional circumstances set up covert monitoring. For example:

- i) Where there is good cause to suspect that an illegal or unauthorised action(s), is taking place, or where there are grounds to suspect serious misconduct;
- ii) Where notifying the individuals about the monitoring would seriously prejudice the reason for making the recording.

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4.2 In these circumstances authorisation must be obtained from the Headteacher for an agreed purpose and duration of time.

4.3 Additional monitoring must cease following completion of an investigation.

5. Storage and Retention of CCTV images

5.1 Recorded data is kept for no longer than 28 days at which point they are automatically recorded over, unless it is evidence as part of a criminal investigation. 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.

5.2 All retained data will be stored securely.

6. Access to CCTV images

6.1 Access to recorded images will be restricted to those staff authorised to view them, and will not be made more widely available.

7. Subject Access Requests (SAR)

7.1 Individuals have the right to request access to CCTV footage relating to themselves under the Data Protection Act.

7.2 All requests should be made to the Headteacher. 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.

7.3 The school will respond to requests within 5 calendar days. . The school has up to 1 month to provide a copy of the footage should a request be granted.

7.4 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.

8. Access to and Disclosure of Images to Third Parties

8.1 There will be no disclosure of recorded data to third parties other than to authorised personnel such as the Police.

8.2 Images will only be released to 3rd Parties if authorised by one of those named above. Images will only be released if they are required for the performance of a task in the public interest or necessary for the compliance with a legal obligation.

8.3 CCTV footage may be viewed by the Police for the prevention and detection of crime. If

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an unsolicited request is made by the police for any images, we will follow this protocol:

- The request must be in written form, specifying the date and time (as far as possible) of the image.
- The rank of the requesting officer must be Sergeant or above.
- The school must provide a response to a request within 5 days
- If the decision is taken not to release the images, then the image in question must be held and not destroyed until all legal avenues have been exhausted.

8.4 Should footage be required as evidence, a copy may be released to the Police (on CD-ROM/DVD clearly labelled and sealed in plastic box or envelope. Footage will only be released to the Police on the clear understanding that the CD Rom/DVD remains the property of the school, and both the CD Rom/DVD and information contained on it are to be treated in accordance with this code. The school also retains the right to refuse permission for the Police to pass to any other person the CD Rom/DVD or any part of the information contained thereon. On occasions when a Court requires the release of original footage this will be produced from the secure evidence store, complete in its sealed bag. The Police may require the school to retain the stored CD Rom/DVDs for possible use as evidence in the future. Such CD Rom/DVDs will be properly indexed and properly and securely stored until they are needed by the Police.

8.5 Applications received from outside bodies (e.g. solicitors) to view or release footage will be referred to the Headteacher. In these circumstances recordings will normally be released where satisfactory documentary evidence is produced showing that they are required for legal proceedings, a subject access request, or in response to a Court Order. A fee can be charged in some circumstances.

9 Right to Erasure

9.4 Under article 17 of GDPR, an individual has the right to request that the school erases all the data captured of them through a CCTV camera.

9.5 All requests will be made to the Headteacher.

9.6 The school will respond to requests within 5 calendar days.

10. Complaints

10.1 Complaints and enquiries about the operation of CCTV within the school should be directed to the Governing Body, via the school's complaint policy available on the website.

Further Information

Further information on CCTV and its use is available from the following:

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- CCTV Code of Practice Revised Edition 2008 (published by the Information Commissioners Office)
- www.ico.gov.uk
- Regulation of Investigatory Powers Act (RIPA) 2000
- General Data Protection Regulation 2018

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Appendix A - Checklist

This CCTV system and the images produced by it are controlled by the headteacher who is responsible for how the system is used and for notifying the Information Commissioner about the CCTV system and its purpose (which is a legal requirement of the Data Protection Act 1998).

Orchard Park Primary School has considered the need for using CCTV and has decided it is required for the prevention and detection of crime and for protecting the safety of all stakeholders. It will not be used for other purposes. We conduct a review of our use of CCTV every three years.

	Checked (Date)	By	Date of next review
Notification has been submitted to the Information Commissioner and the next renewal date recorded.			
There is a named individual who is responsible for the operation of the system.			
A system had been chosen which produces clear images which the law enforcement bodies (usually the police) can use to investigate crime and these can easily be taken from the system when required.			
Cameras have been sited so that they provide clear images.			
Cameras have been positioned to avoid capturing the images of persons not visiting the premises.			
There are visible signs showing that CCTV is in operation. Where it is not obvious who is responsible for the system contact details are displayed on the sign(s).			
Images from this CCTV system are securely stored, where only a limited number of authorised persons may have access to them.			
The recorded images will only be retained long enough for any incident to come to light (e.g. for a theft to be noticed) and the incident to be investigated.			
Except for law enforcement bodies, images will not be provided to third parties.			
The organisation knows how to respond to individuals making requests for copies of their own images. If unsure the controller knows to seek advice from the Information Commissioner as soon as such a request is made.			
Regular checks are carried out to ensure that the system is working properly and produces high quality			

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Appendix B - CCTV Signage

It is a requirement of the Data Protection Act 1998 to notify people entering a CCTV protected area that the area is monitored by CCTV and that pictures are recorded. The school is to ensure that this requirement is fulfilled.

The CCTV sign should include the following:

- That the area is covered by CCTV surveillance and pictures are recorded
- The purpose of using CCTV
- The name of the school
- The contact telephone number or address for enquiries



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Appendix C – Data Protection Act

The Data Protection Act 1998: Data Protection Principles

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless:
 - (a) at least one of the conditions in Schedule 2 is met, and
 - (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under this Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

This is not a full explanation of the principles, for further information refer to the Data Protection Act.

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