

MIET Schools
CCTV POLICY
GDPR COMPLIANT (MAY 2018)

SCHOOL NAME: MIHSG

Statement of intent

At MIET Schools, we take our responsibility towards the safety of staff, visitors and pupils very seriously. To that end, we use CCTV cameras to monitor any instances of aggression or physical damage to our school and its members. Each of the CCTV systems is owned by MIET.

The purpose of this policy is to manage and regulate the use of the CCTV systems at the school and ensure that:

- We comply with data protection legislation, including the Data Protection Act 1998 and the General Data Protection Regulation (GDPR) – the latter of which comes into effect on 25 May 2018.
- The images that are captured are useable for the purposes we require them for.
- We reassure those persons whose images are being captured, that the images are being handled in accordance with data protection legislation.
- This policy covers the use of CCTV systems which capture moving and still images of people who could be identified, as well as information relating to individuals for any of the following purposes:
 - Observing what an individual is doing
 - Taking action to prevent a crime
 - Using images of individuals that could affect their privacy

Legal framework

This policy has due regard to legislation and statutory guidance, including, but not limited to the following:

- The Regulation of Investigatory Powers Act 2000
- The Protection of Freedoms Act 2012

- The General Data Protection Regulation (GDPR)
- The Data Protection Act 1998
- The Freedom of Information Act 2000
- The Education (Pupil Information) (England) Regulations 2005 (as amended in 2016)
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- The School Standards and Framework Act 1998
- The Children Act 1989
- The Children Act 2004
- The Equality Act 2010

This policy operates in conjunction with the following school policies:

- Photography and Videos at School Policy
- Violence Policy
- Privacy Notice Policy

The role of the data protection officer (DPO) includes:

- Dealing with freedom of information requests and subject access requests (SAR) in line with legislation, including the Freedom of Information Act 2000.
- Ensuring that all data controllers at the school handle and process surveillance and CCTV footage in accordance with data protection legislation.
- Ensuring that the CCTV footage is obtained in line with legal requirements.
- Ensuring consent is clear, positive and unambiguous. Pre-ticked boxes and answers inferred from silence are non-compliant with the GDPR.
- Ensuring that the CCTV footage is destroyed in line with legal requirements when it falls outside of its retention period.
- Keeping comprehensive and accurate records of all data processing activities, including CCTV footage, detailing the purpose of the activity and making these records public upon request.
- Informing data subjects of how their data captured in CCTV footage will be used by the school, their rights for the data to be destroyed and the measures implemented by the school to protect individuals' personal information.

- Preparing reports and management information on the school's level of risk related to data protection and processing performance.
- Reporting to the Board of Trustees.
- Abiding by confidentiality requirements in relation to the duties undertaken while in the role.
- Monitoring the performance of the school's privacy impact assessment (PIA), and under the GDPR the data protection impact assessment (DPIA), and providing advice where requested.
- Presenting reports regarding data processing at the school to senior leaders and the board of Trustees.

MIET, as the corporate body, is the data controller. The Trustees therefore has overall responsibility for ensuring that records are maintained, including security and access arrangements in accordance with regulations.

The role of the data controller includes:

- Processing CCTV footage legally and fairly.
- Collecting CCTV footage for legitimate reasons and ensuring that it is used accordingly.
- Collecting CCTV footage that is relevant, adequate and not excessive in relation to the reason for its collection.
- Ensuring that any CCTV footage identifying an individual is not kept for longer than is necessary.
- Protecting footage containing personal data against accidental, unlawful destruction, alteration and disclosure – especially when processing over networks.

The role of the Head Teachers includes:

- Meeting with the DPO to decide where CCTV is needed to justify its means.
- Conferring with the DPO with regard to the lawful processing of the CCTV footage.
- Reviewing the CCTV Policy to ensure it is compliant with current legislation.
- Monitoring legislation to ensure the school is using CCTV fairly and lawfully.
- Communicating any changes to legislation with all members of staff.

Objectives of the CCTV schemes

- To increase personal safety of staff, students, visitors and clients and reduce the fear of crime.
- To protect the school buildings, their assets and vehicles
- To support the Police in a bid to deter and detect crime
- To assist in identifying, apprehending and prosecuting offenders
- To assist in managing the school and its grounds and what takes place therein

Statement of intent The CCTV schemes are registered with the Information Commissioner under the terms of the Data Protection Act 1998 and will seek to comply with the requirements both of the Data Protection Act and the Commissioner's CCTV Code of Practice.

The school will treat the systems and all information, documents and recordings obtained and used as data, which is protected by the Act.

Cameras will be used to monitor activities within the school grounds and other sites controlled by MIET.

They will be used to identify criminal activity anticipated, perceived to be or actually occurring, and for the purpose of securing the safety and well-being of the schools' students, staff and its visitors.

Responsible persons have been instructed that static cameras are not to focus on private homes, gardens and other areas of private property.

CCTV will not be used specifically for monitoring the work of employees or the activities of students, parents and visitors.

CCTV evidence may be used in the event that the facts of an incident need to be clarified or in disciplinary proceedings, against an employee where such evidence tends to show, in the reasonable belief of the employer, that the employee has been guilty of misconduct.

The employee or other individual e.g. parents, (perhaps with their child) involved in the matter/incident will be given the chance to see and respond to the images in these circumstances.

Covert CCTV will only ever be set up for the investigation or detection of crime or serious misconduct.

The use of covert CCTV will be justified only in circumstances where the investigator has reasonable suspicion that the crime or serious misconduct is taking place and where CCTV use is likely to be a proportionate means of securing evidence.

The use of covert CCTV can only be authorised by the Head Teacher.

Materials or knowledge secured as a result of CCTV will not be used for any commercial purpose.

Images will only be released to the media for use in the investigation of a specific crime and with the written authority of the police.

Images will never be released to the media for purposes of entertainment.

The planning and design of the CCTV systems has endeavoured to ensure that the systems 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.

Warning signs, as required by the Code of Practice of the Information Commissioner, have been placed at all access routes to areas covered by the CCTV.

Operation of the system

The schemes will be administered and overseen by the Trust Administrative Manager or nominees, in accordance with the principles and objectives expressed in the CCTV Code of Practice and this policy.

The day-to-day management will be the responsibility of the Head Teacher or relevant responsible person for each system.

The CCTV systems will be operated 24 hours each day, every day of the year.

The relevant responsible person for each system will be required to regularly check and confirm the efficiency of the system and in particular that the equipment is properly recording and that cameras are working.

An impact assessment of each of the systems will be conducted on an annual basis by the relevant responsible person.

Image monitoring procedures Image monitoring may be maintained at all times.

Viewing of live images on monitors will be restricted to those listed in Appendix 1 unless the monitor displays a scene which is also in plain sight from the monitor location.

Cameras will be pointed and focused on several points/areas agreed by the Head Teacher or relevant responsible person. Only the Head Teacher or relevant responsible person will modify or authorise the modification of camera positions.

Image storage procedures

The Head Teacher or relevant responsible person for each CCTV system will ensure that the images are only held for a maximum of **15 days** and are then overwritten.

On occasions the images may be retained for longer when required for evidential purposes, in which case they will be retained until no longer needed.

Access to the stored images will be strictly controlled by a password system managed by the relevant manager.

Routine viewing of recorded images will be limited to:

- The Head Teacher or relevant responsible person or in their absence a nominated deputy (see appendix 1)
- When circumstances require, the Head Teacher or relevant responsible person will have authority to allow other members of staff to view recorded images.
- The names of staff other than those listed above who view the recorded images will be recorded in an Access Register, see appendix 2, held by the relevant responsible person.
- Images may be viewed by the Police for the prevention and detection of crime, or by the insurers if a claim has been made against the school.
- A record will be made in the Register (maintained by the relevant responsible person) of the viewing.
- Requests by the Police will only be actioned under Section 29 of the GDPR Act May 2018.
- Should images be required as evidence, a copy may be released to the Police under their evidence guidelines.
- A record of this release will be made in the Register.
- Images will only be released to the Police on the clear understanding that they remain the property of the school, and both the disk or file and information contained on it are to be treated in accordance with this policy.
- The school will also retain the right to refuse permission for the Police to pass to any other person the disk or any part of the information contained thereon.
- Applications received from outside bodies (e.g. solicitors, insurers) to view or release disks will be referred to the Head Teacher or relevant responsible person. In these circumstances, disks will normally be released where satisfactory documentary evidence is produced showing that they are required for legal proceedings, an insurance claim, a subject access request, or in response to a Court Order.

Breaches of the Policy (including breaches of security)

- Any breach of the CCTV Policy by staff will be investigated under the school's Disciplinary Policy and Procedure.
- Complaints Any complaints about the school's CCTV system or application of this policy should be addressed in writing to the Head Teacher or relevant responsible person.

Public Information

- This policy will be made available to the public on the School website.

Access by the Data Subject

- The GDPR Act provides Data Subjects (individuals to whom "personal data" relate) with a right to see data held about themselves, including those obtained by CCTV.
- Requests for Data Subject Access, should be made to the DPO in writing by providing the information requested.
- Applicants will receive a response within 1 calendar month of the date the request was received by the School or the DPO.
- A charge of £10 administration fee per request will be applicable.

Monitoring and review

This policy will be monitored and reviewed on a biennial basis, or in light of any changes to relevant legislation by the DPO and the Head Teacher.

The Head teacher will be responsible for monitoring any changes to legislation that may affect this policy and make the appropriate changes accordingly.

The Head teacher will communicate changes to this policy to all members of staff.
The scheduled review date for this policy is May 2020.

Appendix 1

List of authorised persons to view the CCTV live images

Mrs M Mohamed – Head Teacher

Mr Z Hafeez – Data Protection Officer (DPO)

Miss J Kossar – Senior DSL

Mrs E Smart – Assistant Head /DSL

Mrs C Pennington – Assistant Head/H&S Co

Mrs Y Khan – PA to HT

Mrs H Stear – H&S Co

Appendix 2

CCTV Access Register

The names of staff other than those listed in appendix 1 who view the recorded images:

	Full Name	Initials	Post held	Date	Listed person gave authorisation	Reason for viewing images	Signature
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