

CHULMLEIGH ACADEMY TRUST

CCTV SYSTEM POLICY

Adopted by the Senior Leadership Team on 22 May 2020

CCTV System Policy

1. Introduction

The Data Protection Act 2018, and Regulation of Investigatory Powers Act 2000 (RIPA) and CCTV Code of Practice issued by the Information Commissioner explains how CCTV systems should be used, so that schools and individuals can enjoy security and safety whilst ensuring that individual rights are upheld. Complying with the Code and adopting good standards of practice will help towards realising this objective.

The aim of this guidance sheet is to provide information for schools on how to achieve compliance. It is intended for those who are responsible for the operation of CCTV and similar surveillance schemes in schools. Use of CCTV can be affected by a number of Acts including the Data Protection Act, the Human Rights Act and the Regulation of Investigatory Powers Act (RIPA).

Failure to comply with these Acts or the related codes could cause the Trust to be in breach of the Law, render any evidence as inadmissible or carry penalties for the Trust, as the CCTV user, or individual members of staff. Compliance with this policy will help to ensure that the Trust's CCTV system remains within the law and those images can be used for crime prevention.

1.1 The purpose of this Policy is to regulate the management, operation and use of the closed circuit television (CCTV) system at Chulmleigh Community College (the School). CCTV is not currently in use within any of the Primary Schools within Chulmleigh Academy Trust (the Trust).

1.2 The system comprises a number of fixed motion activated cameras located around the School and are only available to selected staff

1.3 This Code follows Data Protection Act guidelines.

1.5 The CCTV system is owned by the Trust.

2. Objectives of the CCTV scheme

- 2.1 (a) To protect the School buildings and the Trust's assets
- (b) To increase personal safety and reduce the fear of crime
- (c) To support the Police in a bid to deter and detect crime
- (d) To assist in identifying, apprehending and prosecuting offenders
- (e) To protect members of the public and private property
- (f) To assist in managing the School

3. Statement of intent

3.1 The CCTV Scheme does not currently need to be registered with the Information Commissioner under the terms of the Data Protection Act 2018 as the cameras are fixed.

3.2 The Trust will treat the system and all information, documents and recordings obtained and used as data which are protected by the Act.

3.3 Cameras will be used to monitor activities within the School and its car parks and other public areas to identify criminal activity actually occurring, anticipated, or perceived, and for the purpose of securing the safety and well being of the School, together with its visitors.

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

3.4.2 Unless an immediate response to events is required, staff must not direct cameras at an individual, their property or a specific group of individuals, without an authorisation being obtained using the Trust's forms for Directed Surveillance to take place, as set out in the Regulation of Investigatory Power Act 2000.

3.5 Materials or knowledge secured as a result of CCTV will not be used for any commercial purpose. Recordings will only be released to the media for use in the investigation of a specific crime and with the written authority of the police. Recordings will never be released to the media for purposes of entertainment.

3.6 The planning and design has endeavoured to ensure that the Scheme 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.

3.7 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 School CCTV.

4. Operation of the system

4.1 The Scheme will be administered and managed by the Executive Headteacher, in accordance with the principles and objectives expressed in the code.

4.2 The day-to-day management will be the responsibility of the Estate Manager.

4.3 Viewings shall only be in the presence of authorised members of staff.

4.4 The CCTV system will be operated 24 hours each day, every day of the year, with recording prompted by detected motion.

4.5 The Executive Headteacher may authorise any requests by interested parties employed by the college to view the recordings

5. General

5.1 The Estate Manager or his deputy will check and confirm the efficiency of the system daily and in particular that the equipment is properly recording and that cameras are functional.

5.2 Access to the CCTV will be strictly limited to authorised members of staff.

5.3 The system may generate a certain amount of interest. It is vital that operations are managed with the minimum of disruption. Casual viewings will not be permitted.

5.4 Other administrative functions will include maintaining data and hard disc space, filing and maintaining occurrence and system maintenance logs.

5.5 Emergency procedures will be used in appropriate cases to call the Emergency Services.

6. Liaison

6.1 Liaison meetings may be held with all bodies involved in the support of the system.

7. Monitoring procedures

7.1 Camera surveillance may be maintained at all times.

7.2. Images will be continuously recorded when activated by the motion sensor.

7.3 A fixed camera will be used, set in an appropriate direction to view the maximum area

8. Recording data procedures

8.1 In order to maintain and preserve the integrity of the data used to record events from the hard drive and the facility to use them in any future proceedings, the following procedures for their use and retention must be strictly adhered to:

- (i) Each recording must be identified by a unique mark.
- (ii) Before use all data must be cleaned of any previous recording.
- (iii) A recording required for evidential purposes must be sealed, witnessed, signed by the Executive Headteacher, dated and stored in a separate, secure store.
- iv) If the recording is archived the reference must be noted.

8.2 Recordings may be viewed by the Police for the prevention and detection of crime.

8.3 A record will be maintained of the release of recordings to the Police or other authorised applicants. A register will be available for this purpose.

8.4 Viewings by the Police must be recorded in writing. Requests by the Police can only be actioned under section 29 of the Data Protection Act 1998.

8.5 Should a recording be required as evidence, a copy may be released to the Police under the procedures described in this paragraph 8. Recordings will only be released to the Police on the clear understanding that the data remains the property of the Trust, and both the data and information contained on it are to be treated in accordance with this code. The Trust also retains the right to refuse permission for the Police to pass to any other person the recording or any part of the information contained thereon. On occasions when a Court requires the release the original data this will be produced from the hard disc drive, complete in its sealed bag.

8.6 The Police may require the Trust to retain the recordings for possible use as evidence in the future. Such recordings will be properly indexed and securely stored until they are needed by the Police.

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

8.8 Recorded images should not be kept for longer than is necessary. The only exception to this is if the image(s) are required for legal proceedings. In these circumstances, recordings should be kept securely and in line with the Trust's security policy.

9. Breaches of the code (including breaches of security)

9.1 Any breach of the Code of Practice by Trust staff will be initially investigated by the Executive Headteacher, in order for him to take the appropriate disciplinary action.

9.2 Any serious breach of the Code of Practice will be immediately investigated by the Executive Headteacher and Directors and an independent investigation carried out to make recommendations on how to remedy the breach.

10. Assessment of the scheme and code of practice

10.1 Performance monitoring, including random operating checks, may be carried out by the Estate Manager.

11. Complaints

11.1.1 Any complaints about the School's CCTV system should be addressed to the Executive Headteacher.

11.2 Complaints will be investigated in accordance with paragraph 9 of this Code.

12 Access by the Data Subject

12.1 The Data Protection Act provides Data Subjects (individuals to whom "personal data" relate) with a right to data held about themselves, including those obtained by CCTV.

12.2 Requests for Data Subject Access should be made to the Executive Headteacher.

13. Public information

Copies of this Policy will be available to the public from the School Office and the Executive Headteacher.

Summary of Key Points

- This Code of Practice will be reviewed every three years.
- The CCTV system is owned and operated by the Trust.
- Liaison meetings may be held with the Police and other bodies.
- Recordings will be used properly indexed, stored and destroyed after appropriate use.
- Recordings may only be viewed by Authorised Trust Officers, and the Police.
- Data required as evidence will be properly recorded witnessed and packaged before copies are released to the police.
- Recordings shall not be made available to the media for commercial use or entertainment.
- Any breaches of this policy will be investigated by the Executive Headteacher. An independent investigation will be carried out for serious breaches.
- Breaches of the Policy and remedies will be reported to the Executive Headteacher.

