

BROCKINGTON COLLEGE



CCTV Policy

Brockington College, a Church of England Academy, has at its heart a distinctive Christian ethos. Based on our Christian foundation and values we seek to promote a culture of developing every person and therefore every school policy is written from this perspective, with a commitment to learning and maturing in the context of communal and individual development. We lay particular stress on the Christian values of perseverance, learning, wisdom, justice, koinonia, forgiveness and compassion for individuals and across the school community.

Signature: Date:

Printed Name: Position:

Date of Review	March 2017
Next Review	March 2019
Approval By	Leadership & Management Committee
Review Frequency	Two Yearly

CCTV Policy

Provenance

This policy has been based upon advice and a model policy provided by The Centre for Education & Finance Management <http://cefm.co.uk/Default> who have been assisting colleges on financial, educational, personnel and legal matters since the inception of Local Management of Schools in 1990. They provide expert advisory services led by solicitors, accountants, occupational health managers and educational practitioners.

While the policy itself is non-statutory there is legislation covering data protection which must be adhered to.

This policy should be read with reference to the Data Protection Act 1998, the Protection of Freedoms Act 2012 and the CCTV code of practice 2015 from the Information Commissioner's Office (ICO) available at
<https://ico.org.uk/media/1542/cctv-code-of-practice.pdf>

This policy should also be read in conjunction with the CEFM Data protection policy and the Site Security Policy: Education Update May 2012i – Behaviour and discipline in colleges and Education Update December 2012i – Data protection, and 'Do you know?' - Use of CCTV in college (March 2013).

Background & Introduction

Under the Protection of Freedoms Act 2012, the processing of personal data captured by CCTV systems (including images identifying individuals) is governed by 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 colleges is covered by the Act, regardless of the number of cameras or how sophisticated the equipment is and Brockington College adheres to the ICO's code of practice.

Brockington College is also committed to regularly informing members of staff, parents and pupils, via the college bulletin, about the presence of and operation of CCTV at Brockington College. This policy will also be available on the college website so that all stakeholders are clear about how CCTV is utilised.

Access to personal information recorded through CCTV cameras is restricted to persons (staff and governors) who need particular information to do their jobs, and is only available when they need it.

Where colleges 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. Colleges can use CCTV in the toilets, but the Data Protection Act requires that CCTV use maintains privacy.

Objectives and targets

This CCTV policy explains how Brockington College will operate its CCTV equipment and comply with the current legislation.

The college uses 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:

- The prevention, investigation and detection of crime.
- The apprehension and prosecution of offenders (including use of images as evidence in criminal proceedings).
- Safeguarding public, pupil and staff safety.
- Monitoring the security of the site.
- To protect members of the public and private property

The college does not use the CCTV system for covert monitoring.

Location

Cameras are located in those areas where the college has identified a need and where other solutions are ineffective. The college's CCTV system is used solely for purposes(s) identified above and is not used to routinely monitor staff, pupil or visitor conduct. Cameras will only be used in exceptional circumstances in areas where the subject has a heightened expectation of privacy eg changing rooms or toilets. In these areas, the college will use increased signage in order that those under surveillance are fully aware of its use.

Static cameras will not focus on private homes, gardens and other areas of private property.

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 authorization being obtained 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. Tapes will only be released to the media for use in the investigation of a specific crime and with the written authority of the Police. Tapes will never be released to the media for purposes of entertainment.

Maintenance

The CCTV system is maintained by Brockington College and includes periodic inspections.

Brockington College is responsible for:

- Ensuring that the college complies with its responsibilities in relation to guidance on the location of the camera.
- Ensuring that 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.

Identification

In areas of entrance to the college site and building, we will ensure that there are prominent signs placed at in these areas.

The signs will:

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

Type of equipment

The college's 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.

Administration

Brockington College is the data controller and the Principal has responsibility for the control of images and deciding how the CCTV system is used. The college 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 are aware of the procedures that need to be followed when accessing the recorded images. All operators are trained in their responsibilities under the 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. Specifically, this includes members of the Senior Leadership Team, members of the pastoral team, members of the premises team and the college network manager and his assistant. Other members of staff requiring access to the CCTV system should direct their enquiry to a member of one of these teams.

All access to the medium on which the images are recorded is documented. All employees are aware of the restrictions in relation to access to, and disclosure of, recorded images. Under the Colleges (Specification and Disposal of Articles) Regulations 2013, college 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.

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 unless the monitor displays a scene which is in plain sight from the monitored location.

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 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 eg corridors (these areas will be identifiable by clear signs).

The college reserves the right to use images captured on CCTV where there is activity that the college 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.

Neither the Data Protection Act nor the Information and Records Management Society prescribe any specific minimum or maximum periods which apply to CCTV recorded images. The college ensures that images are not retained for longer than is necessary. Once the retention period has expired, the images are removed or erased.

Disclosure

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

Disclosure will only be granted:

- If its release is fair to all 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.

It should be noted that the ICO document 'Data protection code of practice for surveillance cameras and personal information', states the following about disclosure:

"It is acceptable to disclose information to law enforcement agencies. Any other requests should be approached with care as wider disclosure may be unfair to the individuals concerned. In some limited circumstances it may be appropriate to release information to a third party, where their needs outweigh those of any individual whose information is recorded." (Page 15)

"Judgements about disclosure should be made by the organisation operating the surveillance system. They have discretion to refuse any request for information unless there is an overriding legal obligation, such as a court order." (Page 16)

"Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purposes such access is granted; the disclosure of information should only take place when it is necessary for such a purpose or for law enforcement purposes." (Page 44)

All requests for access or for disclosure are recorded. If access or disclosure is denied, the reason is documented.

NB: 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.

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 college receives a request under the Data Protection Act it will comply with requests within 40 calendar days of receiving the request. The college may charge a fee for the provision of a copy of the images. If the college receives a request under the Freedom of Information Act it will comply with requests within 20 working days of receiving the request. As a general rule, if the viewer can identify any person other than, or in addition to, the person requesting access, it will be deemed personal data and its disclosure is unlikely as a Freedom of Information request. Those requesting access must provide enough detail to allow the operator to identify that they are the subject of the images, and for the operator to locate the images on the system. Requests for access should be addressed to the data controller.

Refusal to disclose images may be appropriate where its release is:

- Likely to cause substantial and unwarranted damage to that individual.
- To prevent automated decisions from being taken in relation to that individual.

Monitoring and evaluation

The college undertakes regular audits to ensure that the use of CCTV continues to be justified. The audit includes a review of:

- Its stated purpose.
- The location.
- The images recorded.
- Storage length.
- Deletion.

Reviewing

The efficacy of this policy will be reviewed bi-annually by the leadership and management committee of the governing body. If the college decides to change the way in which it uses CCTV, it will inform the Information Commissioner within 28 days.