



AQUINAS Church of England Education Trust “Life - Transforming – Learning”

Policy Title: CCTV
LT Responsibility: Head of School
Review Body: Trust Improvement Partner
Date: February 2020
Review: February 2022

Together we aim believe and achieve

At Cudham CE Primary School we want the very best for the children in our care so that they flourish in our Christian community and realise their potential. We strive to provide an enriching environment where each child will be happy, thrive and succeed.

We recognise that our pupils bring with them a wide variety of behaviours influenced by life experiences outside school. We aim to respond to each case professionally, objectively and compassionately. We are sensitive when working with children and families with specific needs and experiences and we continuously seek ways to promote successful partnerships. The basis of differentiation will vary dependant on the needs of each case but we will take into account the views of parents and families, colleagues and external agencies together with any Statement of Special Educational Need or Education, Health and Care Plan. We will also ensure compliance with the trust’s Equality Policy taking into account pupils with protected characteristics and making reasonable adjustments for pupils with a disability within the meaning of the Equality Act 2010. Both the school and trust respects the Public Sector Equality Duty (PSED) that requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. By following the trust’s Equality Policy, the school seeks to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by such legislation.

*This policy should be read in conjunction with the Trust’s Equality Policy.
<https://www.aquinastrust.org/>*

Introduction

The processing of personal data captured by CCTV systems (including images identifying individuals) is regulated by the General Data Protection Regulations (GDPR) and the Data Protection Act 2018 (the Legislation); thus the use of CCTV by Aquinas Church of England Trust’s (the Trust) and Cudham C.E Primary School (the Academy) is undertaken in accordance with the Legislation regardless of the number of cameras or the sophistication of the equipment. This policy explains how the CCTV equipment will be operated in compliance with the Legislation and guidance issued by the Information Commissioner’s Office (ICO).

References to Headteacher hereafter shall include Head of School. Where an academy has an Executive Headteacher, references to Headteacher shall also include the relevant Executive Headteacher.

Administration

The CCTV system at the Academy is owned by the Trust and operated by the Headteacher of the Academy Mr Finch Head of Cudham School in accordance with the delegation to him from the Trustees.



The Trust is the data controller and has responsibility for the control of images and recordings and in deciding how the CCTV system is used; this is undertaken in accordance with the Legislation as embodied in the Trust's Data Protection Policy. The responsibility for implementing this policy, ensuring that the CCTV system is compliant with the Legislation and implementing the Trust's Data Protection Policy rests with the Head of school under the terms of the delegation from the Trustees.

The Trust has notified the ICO of both the name of the data controller and the purpose for which the images are used. The Academy is named within this registration.

Registration Number: ZA222574

The Head of School has delegated the day to day administration of the CCTV system to a system administrator (School Business Manager) Mrs Peck who is trained in relation to the responsibilities under the Legislation and any guidance provided by the ICO.

Access to recorded images is restricted to the Head of school and the System Administrator. In order to achieve the purpose of using the equipment as detailed in the action plan below, other staff may, from time to time, need to have access to the recorded images. Such access must be approved by the Head of school. In addition, these images may be shared with third parties as detailed below.

The System Administrator is aware of the procedures that need to be followed when storing and accessing the recorded images as detailed at part 1 of appendix 1. All access to the medium on which the images are recorded is logged as detailed at part 2 of appendix 1.

All employees are aware of the restrictions in relation to access to, and disclosure of, recorded images.

Under the Schools (Specification and Disposal of Articles) Regulations 2012, 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.

Action plan

The Academy processes images captured through the use CCTV equipment, being personal data, in accordance with the Trust's Data Protection Policy. It does so in order to provide a safer, more secure environment for pupils and staff and to safeguard members of the school community 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 pupils.
- Dealing with incidences of pupil behaviour in contravention of the Academy's behaviour policy.
- Dealing with incidences of misconduct by a member of staff in contravention of the Trust' Staff Disciplinary Policy.
- Ensuring public, pupil and staff safety.
- Monitoring the security of the site.
- Assist in managing the school life.

Covert monitoring may be set up in exceptional circumstances such as where there is good cause to suspect an illegal or unauthorised action is taking place or where there are grounds to suspect serious misconduct. In these circumstances the Head of school must authorise the monitoring which must cease following completion of the investigation.

We use CCTV cameras around the Academy's site for security purposes and for the protection of staff and pupils. Covert surveillance will only be carried out in exceptional circumstances where there is no less intrusive way of



tackling the issue. Where covert monitoring is undertaken it will be done for the shortest period possible and affect as few individuals as possible. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or investigate other issues. CCTV footage will only be processed to the extent that it is lawful to do so

The CCTV System

Location - Cameras are located in those areas where the Academy has identified a need and where other solutions are ineffective. 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.

The Academy's CCTV system is used solely for purposes of the action plan above and is not used to routinely monitor staff conduct. Cameras will only be used in exceptional circumstances in areas where an individual has a heightened expectation of privacy e.g. changing rooms or toilets. Where there is a need to use cameras in these areas, they will be positioned with due regard to the individual's privacy and in consideration of the potential harm to the individual. In these areas, the Academy will use increased signage in order that those under surveillance are fully aware of its use and the Academy will comply with data protection requirements. In addition, static cameras are not focused on private homes, gardens and other areas of private property.

Maintenance - The CCTV system is maintained by Securus (UK) Ltd under a maintenance contract which includes the necessary provisions in compliance with the requirements of the Legislation GDPR.

The contractors are responsible for:

- Providing guidance to the Academy in relation to the location of the camera(s).
- Ensuring the date and time reference on the recordings are accurate.
- Ensuring that suitable maintenance and servicing is undertaken so that images are recorded clearly.
- Ensuring that cameras are protected from vandalism so that they remain in good working order.

Identification - In areas where CCTV is used the Academy will ensure that signs are placed at both the entrance of the CCTV zone and within the controlled area. The signs will be:

- Prominent, clearly visible and readable.
- The purpose for using the CCTV.
- The name of the Academy
- The contact number for enquires.

Type of equipment - The Academy's CCTV system comprises of a number of fixed cameras. The Academy's standard CCTV cameras record visual images only and do not record sound. Where two-way audio feeds (e.g. call for help systems) are used, they will only be capable of activation by the person requiring help.

Image storage, viewing and retention

Storage - Recorded images will be stored in a way that ensures the integrity of the image and allows for the times and dates of the images to be identified. Access to live images is restricted to the System Administrator(s) unless the monitor displays a scene which is in plain sight, the purpose is for site security and pupil safety and the monitor is situated in the school office and cannot be viewed other than by the office staff.

Viewing - Recorded images can only be viewed in a restricted area by the System Administrator and the Head of School. Staff approved by the Head of school may, from time to time, need to have access to the recorded images and this will be undertaken in the restricted area.

The recorded images are viewed only in relation to the uses identified in the action plan above 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.

Retention - Images retained for evidential purposes will be retained in a locked area accessible by the System Administrator, the Head of school and staff approved by the Head of school who may need access to it. Where



images are retained for such purposes, the System Administrator (in liaison with the Academy's data protection lead), will keep a log (see appendix 1 part 2) detailing the following information:

- i. The reason/ purpose for the retention of the image(s).
- ii. Where the image is stored.
- iii. Any use made of the image(s) including who within the Academy it was shared with and any third party.
- iv. When the image(s) is destroyed.

Images not retained for evidential purposes are not retained for longer than is necessary and in any event not in excess of 6 months in accordance with the Trust's Management and Retention of Records Policy, after which time the images will be overwritten.

Disclosure

Disclosure of the recorded images to third parties will be undertaken by the Trust and /or the Academy where it is lawful to do so and one of the conditions for processing is satisfied, namely:

- i. The individual has consented to the disclosure.
- ii. Disclosure is necessary in compliance with a legal obligation.
- iii. Disclosure is necessary to protect the vital interest of the individual or another person
- iv. Disclosure is necessary for the performance of a task carried out in the public interest by the Trust and/ to the Academy, that is the provision of education.

In all cases the Trust and/ or the Academy will consider whether it is fair to release the images, whether the individual has received a privacy notice in relation to the images and whether disclosure is consistent with the purpose for which the system was established.

All requests for access or for disclosure are recorded in the log (see appendix 1 part 2). If access or disclosure is denied, the reason is documented. 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.

Data Security

The Head of school must ensure that the CCTV system is secure and suitably maintained by a reputable company who is compliant with the Legislation. The Head of school must ensure that access to CCTV images is restricted as detailed in this policy.

Where there is a breach of data security in terms of the CCTV system, the System Administrator must inform the Head of school and Academy data protection lead immediately. The Head of school must follow the Trust's Data Protection Policy and procedures.

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 Academy receives a subject access request it will generally comply with it within 1 calendar month of receiving the request. For further details regarding subject access requests please see the Trust's data protection policy.

The Trust and the Academy reserves the right to refuse access to CCTV footage where this would prejudice the legal rights of other individuals or jeopardise an ongoing investigation.

Complaints

Complaints regarding the operation of the CCTV system should be made under the Academy's complaint's policy which can be found on the Academy's website <https://www.cudham.bromley.sch.uk>. Where the complaint is of a data protection nature the complaint should be made to the Trust's data protection officer, Mary Capon who can be contacted by writing to: Aquinas Trust, Magpie Hall Lane, Bromley BR2 8HZ. Tel No: 020 3949 7000 or emailing info@aquinatrust.org.



Monitoring and evaluation

The Academy undertakes regular audits to ensure that the use of CCTV continues to be justified. The audit includes a review of the purpose for the use of CCTV, its location, the images recorded, storage length and deletion.

Reviewing

This policy will be reviewed by the Head of school together with the school business manager.

DATA PROTECTION

Cudham CE Primary School [The Academy] processes personal data, some of which will be sensitive personal data, in accordance with the data protection principles embodied in the General Data Protection Regulations (GDPR) and the Data Protection Act 2018. The Academy complies with the requirements of the data protection legislation as detailed in the Trust Data Protection Policy.

All staff are aware of the principles of data protection and will not process personal data unless necessary. The Academy safeguards the personal data it collects through the operation of the Trust's data protection policy and processes and the IT policy. In addition, the Academy has taken steps to ensure that all its contracts that process data have the GDPR compliant provisions.



Appendix 1 to the CCTV Policy

Part 1 – Procedure for storing CCTV images

[include details as to how the CCTV recordings are stored, backed up and how access to this area is monitored if relevant.]

Part 1 – Procedure for accessing CCTV images

1. The monitoring of live images is restricted to the System Administrator(s) unless the monitor displays a scene which is in plain sight, the purpose is for site security and pupil safety and the monitor is situated in the school office which cannot be viewed other than by the office staff.
2. The Head of school is responsible for authorising access to the System Administrator(s).
3. The Head of school or the System Administrator(s) should only access the recorded CCTV images for the purposes detailed in the action plan.
4. Where, the Head of school/ System Administrator(s) access the recorded CCTV images they must log the access as detailed in appendix 1 part 2.
5. Where the CCTV images are exported to staff at the Trust or the Academy, it should be undertaken with the authority of the Head of school and the details logged.
6. Where CCTV images are exported onto a CD/DVD for evidential purposes, it must be dated, sealed and stored securely by the System Administrator. If the CD/DVD is archived the reference must be noted.

Part 2 – Log of Access to CCTV images

The Academy's log will include the following information:

- i. Date of request.
- ii. Location or area for the access area and camera number.
- iii. The reason/ purpose for which access to CCTV images is requested. This must reflect the purposes detailed in the action plan within the policy OR the reason for refusing access
- iv. The date access is provided or refused.
- v. The reason/ purpose for the retention of the image(s) and where the images are stored.
- vi. The date of export of the images.
- vii. To whom the images are exported to and the means of doing so and the data protection condition relied upon for export.
- viii. The date of retrieval and destruction of the images once the purpose at (v) has been satisfied.