



CCTV Policy

Document title	CCTV Policy		
Owner	Human Resources Operations Team		
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Purpose	This document outlines the framework which the Academy Trust has in place to help ensure compliance with data protection law, including the UK GDPR and the Data Protection Act 2018 (DPA 2018).		
This policy links to:	Privacy Notices (Staff & Parents), information Security policy Data Protection policy: Practical Guidance for staff Information and records retention policy		

If you would like this information in another language or format, please speak to the Trust Human Resources Operations team.

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1 Introduction

- 1.1 This policy sets out how St Chad's Academies Academy Trust (the **Academy Trust**) will manage the operation and use of CCTV. CCTV is only in operation at Brewood CE Middle Academy.

St Chad's Academies Academy Trust and its academies are referred to in this policy as the Academy Trust or we.

- 1.2 The purposes of this policy are:

- 1.2.1 to help the Academy Trust to regulate and manage its use of CCTV.
- 1.2.2 to help the Academy Trust be transparent about how it uses CCTV.
- 1.2.3 to help ensure that the use of CCTV remains a proportionate and justified response to the problems that it seeks to address; and
- 1.2.4 to provide guidance for all Academy Trust staff on how to comply with data protection legislation in relation to the use of CCTV.

- 1.3 This policy is aimed at colleagues working in the Academy Trust (whether directly or indirectly), whether paid or unpaid, whatever their position, role, or responsibilities, which includes employees, Academy Trustees, local Academy Committee members, contractors, agency staff, work experience / gap year / placement students and volunteers.

- 1.4 This policy is published on the Academy Trust and academy's website and is available on request from the academy office.

- 1.5 This policy applies to all uses of CCTV by the Academy Trust, where installed.

- 1.6 Colleagues should read this policy alongside the Academy Trust's Information Security Policy and Data Protection Policy: Practical Guidance for Staff.

2 The use of CCTV

- 2.1 The Academy Trust's CCTV system comprises several cameras located on the Academy Trust premises.

- 2.2 The Academy Trust uses CCTV for the following purposes:

- 2.2.1 to safeguard the welfare of pupils, parents, colleagues, and visitors.
- 2.2.2 to protect the Academy Trust, pupils, parents, colleagues, and visitors from criminal activity such as theft and vandalism.
- 2.2.3 to increase personal safety.
- 2.2.4 to support the protection of property.
- 2.2.5 to aid in the investigation of accidents, incidents and breaches of our rules and policies.
- 2.2.6 to assist the Academy Trust with its health and safety obligations; and
- 2.2.7 to support law enforcement agencies in the reduction, prevention, and detection of crime and to assist in the identification, apprehension and potentially prosecution of offenders.

- 2.3 CCTV footage may contain the personal information of those individuals captured by the recording.

3 Governance

- 3.1 The Data Protection Officer / Director of Operations / Exec-/Principal has overall responsibility for the management and operation of the CCTV and the implementation of this policy.
- 3.2 The Data Protection Officer / Director of Operations / Exec-/Principal will ensure that the CCTV system is operated according to this policy and that regular audits are carried out to ensure that the relevant procedures are complied with.

4 Minimising privacy risks

- 4.1 The Academy Trust has carried out a Data Protection Impact Assessment on the use of CCTV. The outcome of the assessment was that the use of CCTV is a necessary and proportionate measure to achieve the purposes, listed at 2 above, provided that certain measures are put in place to mitigate the risks.
- 4.2 The Academy Trust appreciates that the use of CCTV impacts on individuals' privacy but considers this intrusion to be justified because less privacy intrusive methods would not be sufficient to meet the Academy Trust's purposes for using CCTV. In coming to this conclusion, the Academy Trust has had regard to the safeguarding and welfare duties it owes to pupils.
- 4.3 The Academy Trust reviews the Data Protection Impact Assessment on an annual basis to ensure that the use of CCTV continues to be justified and that the appropriate measures are in place to mitigate the data protection risks raised by its use.
- 4.4 The Academy Trust will also review its use of CCTV should a concern be raised about its practices.

5 The operation of CCTV

- 5.1 The Academy Trust has sited the cameras to view only areas which need to be monitored, for example, they do not monitor neighbouring private residences.
- 5.2 We display signs in locations where CCTV is used to alert individuals that their image may be recorded. Such signs will identify the Academy Trust as the organisation operating the system, identify the purpose for using the surveillance system and who to contact for further information, where these things are not obvious to those being monitored.
- 5.3 CCTV is not used in areas where individuals will have a heightened expectation of privacy, for example, there are no cameras in toilets or changing rooms.
- 5.4 The cameras have been positioned in a way to ensure their security and to protect them from vandalism.
- 5.5 The Academy Trust has ensured that the cameras can produce images of the necessary clarity and quality to meet the Academy Trust's purposes.
- 5.6 Images can be easily extracted from the system if required. For example, under a disclosure to law enforcement agencies and / or under a subject access request (please see section 11 for more information on subject access requests). The Academy Trust can obscure parts of the images where required to protect the identity of individuals.
- 5.7 The CCTV does not capture sound recordings.

- 5.8 The Academy Trust is solely responsible for the operation of all CCTV in accordance with this policy for the purposes identified at section 2.2 above.
- 5.9 We will never engage in covert monitoring or surveillance (that is, where individuals are unaware that the monitoring or surveillance is taking place) unless, in highly exceptional circumstances, there are reasonable grounds to suspect that criminal activity or equivalent serious malpractice is taking place and, after suitable consideration, we reasonably believe there is no less intrusive way to tackle the issue.
- 5.10 In the unlikely event that covert monitoring is justified, the Academy Trust will carry out a Data Protection Impact Assessment (please see section 4 above for more information). The rights of individuals whose images may be captured will always be considered in reaching any such decision.

6 Maintenance of the CCTV equipment

- 6.1 The site manager/caretaker will check on a weekly basis that the system is operating effectively, and that the equipment is recording properly and that cameras are functional. Any software updates will be applied by the site manager/caretaker (amend accordingly based on the academy colleague who will manage the CCTV equipment).
- 6.2 The system will be regularly serviced and maintained to ensure that clear images are recorded. If any defects are found these will be reported to the site manager/caretaker
- 6.3 The Academy Trust will monitor the operation of the CCTV system by investigating any notifications or concerns regarding the functionality of the CCTV system.

7 Storage and security

- 7.1 The CCTV footage will be stored securely and will only be accessed by designated Academy Trust staff, being Data Protection Officer, Director of Operations, Exec-/Principal, Head of School (**Designated Staff**). Other colleagues may view the CCTV footage as and when required in exceptional circumstances with the permission of the Designated Staff. Designated Staff will be given additional training on CCTV, as appropriate.
- 7.2 CCTV recordings, including any copies made, are encrypted. The Academy Trust will also encrypt any copy before it is shared with a third party (such as a law enforcement agency) unless there is a good reason for not doing so.
- 7.3 The Designated Staff are trained in the Academy Trust's security procedures. The Designated Staff will ensure that camera footage is not accessed by any unauthorised person.
- 7.4 The only locations where CCTV footage can be viewed are in a selected private office.
- 7.5 Only Designated Staff are authorised to make copies (electronic or paper) of the CCTV footage.
- 7.6 Only the Designated Staff may allow external persons or agencies to view the CCTV footage, and this will be done in accordance with section 12 below.
- 7.7 Any personal data breach (for example, any unauthorised access to CCTV footage) must be reported immediately to the Data Protection Officer / Director of Operations / Exec-/Principal in accordance with the Academy Trust's Information Security Policy.
- 7.8 All maintenance of ICT or CCTV equipment which could provide access to CCTV footage will only be carried out by the Designated Staff.

7.9 Colleagues should note that any misuse of the CCTV system might constitute a criminal offence, for example, accessing footage without authorisation from Designated Staff.

7.10 Where footage is saved following an incident this will be done securely.

8 Internal use of the CCTV

8.1 If a member of staff considers that CCTV footage might be needed for an internal matter (e.g. a pupil disciplinary issue) they should speak to the Data Protection Officer / Director of Operations / Exec-/Principal in the first instance.

9 Retention

9.1 Compliance with data protection law means that the Academy Trust does not retain personal data for longer than is required for the purposes for which it was obtained. Recorded images will normally be retained for 30 days from the date of recording in accordance with the Academy Trust's Information and Records Retention Policy.

9.2 However, the Academy Trust has procedures in place to retain information for a longer period if this is required. For example, where an incident caught by the CCTV footage is being investigated or where there has been a subject access request.

9.3 The Academy Trust may permanently delete images after a shorter period, for example where it can be determined more quickly that there has been no incident giving rise to the need to retain the recorded images.

9.4 The Academy Trust has procedures in place to ensure that information is disposed of securely. This is the responsibility of the Data Protection Officer working collaboratively with the Exec-/Principal].

10 Informing individuals about the use of CCTV

10.1 The Academy Trust appreciates the importance of being open and transparent about the use of CCTV. This policy is published on the Academy Trust's and academy's website www.brewood.staffs.sch.uk and is available on request from the academy office.

10.2 The Academy Trust's privacy notices for staff, parents and pupils include information about the use of CCTV, by the Academy Trust, including for what purpose it is used. A copy of the privacy notices can be found here www.brewood.staffs.sch.uk.

10.3 There are prominently displayed signs in areas where CCTV is in operation (for example, at all access routes into and out of the Academy Trust). These signs can be seen before entering the areas covered by the cameras.

11 Subject access requests, other data protection rights and freedom of information

11.1 The Academy Trust has procedures in place to respond to individuals' requests under data protection law involving CCTV footage, for example, subject access requests and right to erasure requests. More information about individuals' rights can be found in the Academy Trust's privacy notices available on the website.

11.2 The Academy Trust also has procedures in place in relation to the Freedom of Information Act 2000 (FOIA) which entitles individuals to request any recorded information held by the Academy Trust.

11.3 Any data protection or FOIA request in relation to recorded CCTV images should include the date and time of the recording, the location where the footage was captured and, if a

subject access request, information to allow us to identify the individual e.g. what they were wearing.

- 11.4 We reserve the right to obscure images of third parties when disclosing CCTV footage as part of our response, where we consider it necessary to do so. We also reserve the right to provide stills rather than a recording, where appropriate.
- 11.5 Members of staff have been trained to recognise when an individual is exercising a right and understand that such a request may cover CCTV footage. Colleagues must refer all rights requests to the Data Protection Officer / Director of Operations / Exec-/Principal immediately because such requests are complex and there is a statutory timeframe for the Academy Trust's response.

12 Disclosure to law enforcement agencies

- 12.1 Images from the CCTV system may be disclosed to law enforcement agencies (e.g. the police) where the Academy Trust considers such disclosure necessary (for example, for the prevention and detection of crime). However, any such disclosure will only be in accordance with data protection law.
- 12.2 Requests from law enforcement agencies should be referred to the Data Protection Officer.
- 12.3 If CCTV footage is disclosed to a law enforcement agency the Academy Trust will record what information has been disclosed, when the disclosure was made, to whom the information was disclosed and for what purpose(s). The Academy Trust has a register containing details of all disclosures of CCTV footage. The law enforcement agency should produce a written request using the appropriate form to support its request for disclosure. The Academy Trust will keep a copy of this on file as well.
- 12.4 The Academy Trust will ensure that the disclosure of CCTV footage is carried out securely. The precise method of communication will be determined by the Data Protection Officer / Director of Operations but encrypting the footage will be considered.
- 12.5 If a law enforcement agency requires the Academy Trust to retain the stored CCTV footage for possible use as evidence in the future, the information will be indexed and securely stored until it is needed.

13 Other requests for information

- 13.1 CCTV footage may be disclosed in other circumstances if this is in accordance with data protection legislation. For example, if required by a court order or if in connection with legal proceedings.
- 13.2 Applications received from outside bodies (e.g. solicitors, insurers) to view footage must be referred by colleagues to the Data Protection Officer / Director of Operations.
- 13.3 CCTV footage will not be made available to the media for commercial or entertainment purposes.
- 13.4 We will maintain a record of all disclosures of CCTV footage.

14 Processors

- 14.1 The Academy Trust is required to have a written agreement in place with any organisation which handles the CCTV footage on its behalf (known as processors under data protection law). For example, if the Academy Trust uses an IT consultant to obscure the footage to protect individuals' privacy. In addition, the Academy Trust must carry out checks on the processor to make sure that they understand, and comply with, data protection in practice.

15 Breaches of this policy

- 15.1 If colleagues consider that this policy is not being followed in any respect, they must inform the Data Protection Officer / Director of Operations immediately.
- 15.2 Any breach of this policy by a colleague will be taken seriously and may result in disciplinary action.

16 Lawful basis for processing

- 16.1 Under data protection law the Academy Trust must identify the bases it is relying on to make and use CCTV footage.
- 16.2 The Academy Trust is relying on the public task lawful basis when processing personal data for the purposes described at paragraph 2.2 above. In addition, the Academy Trust's use of CCTV may be necessary for compliance with a legal obligation, for example, where it is required to disclose a CCTV recording to the police in accordance with a court order.
- 16.3 There may be other lawful bases depending on the circumstances.

17 Complaints

- 17.1 Any complaints or concerns about the use of CCTV by the Academy Trust should be addressed to the Data Protection Officer/ Director of Operations and be in line with the Academy Trust Complaints policy.