



Swinemoor Primary School

CCTV Policy

Effective Date:	July 2021
Date Reviewed:	July 2023
Contact Officer:	Julie Robinson (Operations Manager)

1. Background

Surveillance cameras are used by Swinemoor Primary School in a number of areas and are a valuable tool to assist in areas such as public and employee safety, enhancing security and in protecting property.

The camera installations are owned by Swinemoor Primary School and are operated in line with data protection legislation¹, the Human Rights Act 1998 and guidelines, such as those issued by the Information Commissioner's Office (ICO) and the Surveillance Camera Commissioner, to ensure, for example, that the need for public protection is balanced with respect for the privacy of individuals.

2. Definitions for the Purposes of this Policy

For the purposes of this policy, the following definitions apply in relation to Data Protection.

Personal data – any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Data controller – the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data

Caretaker/ICT Technician – the people with day to day responsibility for making decisions about how the cameras are used and the processing of images captured, including maintaining the relevant code of practice under the guidance of the Senior Leadership Team.

Overt surveillance - means any use of surveillance for which authority does not fall under the Regulation of Investigatory Powers Act (RIPA) 2000.

¹ "The data protection legislation" means—

(a) the GDPR, including the applied GDPR,

(b) DPA 2018, including regulations made under DPA 2018, and

(c) Regulations made under section 2(2) of the European Communities Act 1972 which relate to the GDPR or the Law Enforcement Directive.

Covert surveillance - is carried out in a manner calculated to ensure that the person subject to the surveillance is unaware of it taking place.

Surveillance camera systems - is taken to include: (a) closed circuit television (CCTV) or automatic number plate recognition (ANPR) systems; (b) any other systems for recording or viewing visual images for surveillance purposes; (c) any systems for storing, receiving, transmitting, processing or checking the images or information obtained by (a) or (b); (d) any other systems associated with, or otherwise connected with (a), (b) or (c).

3. Policy Statement

This policy applies to all overt surveillance cameras controlled by Swinemoor Primary School as a data controller.

Surveillance cameras are a valuable resource, which help the school in areas such as protecting the public and its employees, enhancing security, crime prevention and protecting property. Swinemoor Primary School recognises that whilst there is a high level of public support for surveillance camera schemes, there are also increasing concerns about the role of cameras and their impact upon the privacy of members of the public, employees, parents and students.

To help address these concerns Swinemoor Primary School is committed to ensuring compliance with data protection legislation, the Human Rights Act 1998 and all relevant guidelines issued by the ICO and Surveillance Camera Commissioner. Swinemoor Primary School regards the lawful use and correct installation of surveillance cameras as essential to its successful operations and to maintaining confidence between the School and those with whom it carries out business. The School fully endorses the twelve guiding principles set out in the Surveillance Camera Code of Practice (see section 7) and is committed to privacy by design and default.

4. Corporate Requirements

Swinemoor Primary School is a data controller as defined by data protection legislation. The Senior Leadership Team holds responsibility for ensuring compliance with this policy.

The Schools Data Protection Officer is responsible for ensuring that a data protection impact assessment has been completed on surveillance camera systems. The Data Protection Officer will ensure that codes of practice are kept up to date and that a central register of all cameras is kept up to date.

System managers are responsible for the day to day operation of surveillance camera systems, and will act as the main point of contact.

5. Policy Development including Consultation

This policy has been developed in accordance with the Schools processes and the following people and groups were consulted in development of this policy:

- Data Protection Officer
- Schools Senior Leadership Team

- The School Board of Governors
- East Riding of Yorkshire Council as part of the Information Governance Training and Support SLA

6. Links with other Policies and Strategies

This policy links to other Schools documents, as follows:

- GDPR/Data Protection Policy

7. Guiding Principles

Swinemoor Primary School will follow 12 guiding principles set out in the Surveillance Camera Code of Practice when operating surveillance cameras:

1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
2. The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
3. There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
4. There must be clear responsibility and accountability for all surveillance camera system activities, including images and information collected, held and used.
5. Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
6. No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
7. Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
10. There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.

11. When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement, with the aim of processing images and information of evidential value.
12. Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

Data protection legislation also requires the School to comply with the six data protection principles if it is processing personal data.

8. Establishing the purpose

The primary objectives of the school using surveillance cameras are:

- Prevent, investigate and detect crime
- Help reduce the fear of crime
- Assist with the apprehension and prosecution of offenders
- Enhance the safety of employees and the public
- To safeguard children
- Provide evidential material for court or committee proceedings
- Reduce incidents of public disorder and anti-social behaviour
- Evidence in investigations of gross misconduct (including protecting employees from allegations)
- Protect property
- Process Subject Access Requests

Any data captured by any system may also be used for other purposes where it is reasonable, justified and proportionate to do so and where relevant authorisation exists. Advice should be sought from the School's Data Protection Officer at this point.

The image quality required for these purposes may vary, any technical and competency standards should be considered prior to the installation of any surveillance cameras. The need to record audio should be limited and advice should always be sought due to the increased privacy concerns associated with this type of surveillance.

9. Impact Assessments

When operating any surveillance cameras, Swinemoor Primary School will ensure that the effect on individuals and their privacy is considered.

Data Protection Impact Assessments (DPIAs) must be carried out on all surveillance camera systems, for which the School is the data controller, regardless of whether or not the processing is undertaken by another organisation, DPIAs must be carried out.

Consideration will also be given to the human rights implications.

10. Transparency and Accountability

Cameras operated under this policy will not be hidden. Every effort will be made to ensure that individuals know the purpose of any surveillance cameras and who to

contact in the event of any complaint or issue. Adequate signage must be displayed when any cameras are in use.

The wording and location of any signage must take into account the following:

- Clearly identify when individuals are entering into an area under surveillance, this should be supplemented by further signs depending on the size of the area and the privacy expectations of the area under surveillance.
- Signs must be clear and legible (lettering and size)
- Signs must identify who is responsible for the scheme, the purpose and who to contact
- Where public announcements are already made, signs can be backed up with audio announcements
- Detail how to get further information

The School will also ensure that surveillance cameras are covered in a privacy notice on its website.

Individuals also have the right to complain to the School in relation to the use of surveillance cameras. These will be handled in the first instance by the Senior Leadership team who will contact the GDPR LA officer for further guidance and advice.

11. Storage and Access

Swinemoor Primary School will not keep data for longer than is necessary. The retention period for any cameras will be set out in the Schools retention schedule. Retention periods must be established in all circumstances to ensure compliance with the data protection legislation. As a general rule, Swinemoor Primary School will aim to store images for 14 days but no longer than 30 days. Specific images may be stored for longer if they are required for a legitimate purpose outlined in section 8.

Data captured through cameras will include personal information that could identify someone. This means that appropriate security must be in place at all times to protect the information.

Access to recorded images by the School employees must be restricted to those who need access to achieve the purpose of the surveillance. All access must be recorded and advice should always be sought if there are any concerns regarding the access of surveillance.

Any request by an individual (data subject)/organisation to access images must be logged with the Data Protection Officer. In these circumstances, individuals have rights which must be adhered to, this includes timescales for release. Personal data should not be disclosed about a third party except in accordance with data protection legislation. If it appears absolutely necessary to disclose information about a third party, advice should be sought from the DPO. Consideration should always be given to releasing still images.

Codes of practice can outline bespoke processes for releasing images. This must be agreed with the Data Protection Officer only if appropriate safeguards to protect privacy are incorporated.

Any images which are downloaded from the surveillance system must be recorded; this is to ensure that a clear audit trail exists. The following information should be captured:

- Date and time
- Name of person removing the footage (as well as anyone who has viewed the footage)
- Reason for viewing
- Date and time of destruction if no longer required
- Date and time images were returned to the secure area (new retention period)

12. Workplace

Employees should be monitored only when it is a proportionate and necessary means of detecting the conduct in question and where the monitoring would not be continuous or intrusive. Alternatives to surveillance should always be considered and a record of any decisions kept.

Where footage is used, the workers should be allowed to see and respond to the images. Consideration should be given to using still images.

Covert monitoring should not be used unless it is in line with the Regulation of Investigatory Powers Act 2000 (RIPA)

13. Code of Practice

Surveillance in the workplace will be used to support employees in their roles. If an employee's conduct is in question, it will only be used when it is a proportionate and necessary means of reviewing the conduct. It would not be continuous or intrusive and alternatives to surveillance will always be considered, a record of any decisions will be kept.

Where footage is used, employees should be allowed to see and respond to the images. Consideration should be given to using still images.

A code of practice can cover a number of cameras on school premises depending on the purpose of the cameras and its users.

Each code of practice must specifically cover the following:

- The purpose of the cameras and the key risk factors.
 - This should expand upon the primary objectives outlined in section 8.
- The location of the camera is very important and must be planned carefully. Some areas have a heightened expectation of privacy, such as changing rooms; additional safeguards should be applied in these circumstances.
 - The space needing to be covered must be clearly defined.
 - Cameras must be in a position to effectively capture images
 - Details of privacy shields
 - If unintended spaces are covered the owner of that space should be consulted
 - Physical conditions and environment must be considered
 - The camera must be protected against vandalism and theft
- System access, this should be limited to those who need access for the purpose outlined above.

- Who has access to the images and why
- Log of all activity so the process is auditable
- Security in place to prevent unauthorised access
- System checks and maintenance schedule
 - Who is responsible for routinely checking the cameras are still in working order
 - What to do if a malfunction is reported/found
 - Image capture quality is of the required standard
- Retention of surveillance
 - How long the images are stored for and why
 - How are images that need to be saved/are requested, saved, for how long and where
- Detail the use of reference tables
 - Adequate processes must be in place to ensure matches are accurate and up to date.
- Disclosure of images
 - How requests are logged and handled
- Signage
 - What signs are on display and their wording
- Contact details

14. Outcomes and Impacts

- Prevent the inappropriate use of surveillance cameras by the School.
- Ensure employees are aware of their responsibilities and that failure to do so could result in disciplinary and legal proceedings.
- Ensure parents, pupils and employees know who to contact for advice.
- Ensure the School use of surveillance cameras is transparent.
- All camera systems are documented and covered by a code of practice as specified in this policy.
- Swinemoor Primary School is compliant with relevant legislation and guidelines.

15. Evaluation

The Surveillance Camera Policy will be subject to an annual review to ensure that it is appropriate and responsive to all relevant legislation and guidance.

16. References

Human Rights Act 1998
Data Protection Act 2018
General Data Protection Regulation
Regulation of Investigatory Powers Act 2000
Freedom of Information Act 2000
Protection of Freedoms Act 2012
Surveillance Camera Code
ICO CCTV Code of Practice - <https://ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf>