St John's, Marlborough

GDPR CCTV (Closed Circuit Television) Policy and Code of Conduct

Version: 2.0 Release date: Oct 2021 Review date: Oct 2022
Authorised by: School Business Manager - St John's, Marlborough

GDPR CCTV Policy

Background and Policy Overview

The UK is recognised as a leading user of CCTV and the public are used to seeing CCTV cameras on virtually every high street. Such systems continue to enjoy general public support, but they do involve intrusion into the lives of ordinary people as they go about their day to day business and can raise wider privacy concerns.

The Information Commissioners Office (ICO) has issued guidance to help organisations who use CCTV, such as schools, to comply with data protection rules and the GDPR 2018 to help them inspire confidence that they are using CCTV responsibly. This Policy adheres to ICO Guidance.

Images of people are covered by the Data Protection Act and GDPR, and so is information about people which is derived from images – for example, vehicle registration numbers. Most uses of CCTV by organisations or businesses will be covered by the Regulation, regardless of the number of cameras or how sophisticated the equipment is.

Surveillance cameras are no longer a passive technology that only records and retains images but is now a proactive one that can be used to identify people of interest and keep detailed records of people's activities, such as with ANPR cameras. The use of surveillance cameras in this way has aroused public concern due to the technology no longer being used solely to keep people and their property safe, but increasingly being used to collect evidence to inform other decisions, such as the eligibility of a child to attend a school in a particular area.

This policy outlines our intended use of CCTV and offers transparency regarding the processing of CCTV data.

Updated: Oct 2021
School Business Manager
Network Manager

CCTV Policy

INTRODUCTION

Closed Circuit Television Systems (CCTVS) are installed in:

Description	Detail
School name	St John's, Marlborough
School address	Granham Hill
School address 1	Marlborough
School address 2	Wiltshire
School Post code	SN8 4AX
ICO registration number	ZA106446

Main contact information for the CCTV system:

Description	Detail
Named Contact	Network Manager
Contact phone number	01672 516156
Contact email address	helpdesk@stjohns.excalibur.org.uk

New CCTV systems and additional cameras will be introduced in consultation with staff, senior management and Governors. Where systems are already in operation, their operation will be reviewed regularly in consultation with staff, senior management and Governors.

PURPOSE OF POLICY

"The purpose of this policy is to regulate the use of Closed Circuit Television and its associated technology in the monitoring of both the internal and external environs of the premises under the remit of St John's, Marlborough".

CCTV systems are installed (both internally and externally) in the premises for the purpose of enhancing security of the building and its associated equipment as well as creating a mindfulness among the occupants, at any one time, that a surveillance security system is in operation within and/or in the external environs of the premises during both the daylight and night hours each day. CCTV surveillance at the School\Trust is intended for the purposes of:

- protecting the school buildings and school assets, both during and after school hours;
- promoting the health and safety of staff, pupils and visitors;
- reducing the likelihood bullying and helping to identify those at fault;
- reducing the incidence of crime and anti-social behaviour (including theft and vandalism);
- supporting law enforcement in a bid to deter and detect crime;
- assisting in identifying, apprehending and prosecuting offenders; and
- ensuring that the school rules are respected so that the school can be properly managed.

SCOPE

This policy relates directly to the location and use of CCTV and the monitoring, recording and subsequent use of such recorded material. St John's, Marlborough will ensure that CCTV systems are operated only in a way that is compatible with the provisions of this policy.

GENERAL PRINCIPLES

St John's, Marlborough, as the corporate body, has a statutory responsibility for the protection of its property, equipment and other plant as well providing a sense of security to its employees, students and invitees to its premises. St John's, Marlborough operates a duty of care under the provisions of Safety, Health and Welfare at Work Act 2005 and associated legislation and utilises CCTV systems and their associated monitoring and recording equipment as an added mode of security and surveillance for enhancing the quality of life of the school community by integrating the best practices governing the public and private surveillance of its premises.

The use of the CCTV system will be conducted in a professional, ethical and legal manner and any diversion of the use of CCTV security technologies for other purposes is prohibited by this policy e.g. CCTV will not be used for monitoring employee performance.

Information obtained through the CCTV system may only be released when authorised by a member of the Senior Leadership Team or a Head of Year.

CCTV monitoring of public areas for security purposes will be conducted in a manner consistent with all existing policies adopted by the school, including Equality & Diversity Policy, Dignity at Work Policy, Codes of Practice for dealing with complaints of Bullying & Harassment and Sexual Harassment and other relevant policies, including the provisions set down in equality and other educational and related legislation.

This policy prohibits monitoring based on the characteristics and classifications contained in equality and other related legislation e.g. race, gender, sexual orientation, national origin, disability etc.

Video monitoring of public areas for security purposes within the School premises is limited to uses that do not violate the individual's reasonable expectation to privacy.

Information obtained in violation of this policy may not be used in a disciplinary proceeding against an employee of St John's School or Excalibur Academies Trust or a student attending the school.

All CCTV systems and associated equipment will be required to be compliant with this policy following its adoption by the School. Recognisable images captured by CCTV systems are "personal data." They are therefore subject to the provisions of the General Data Protection Regulation 2018.

JUSTIFICATION FOR USE OF CCTV

Section 2(1)(c)(iii) of the General Data Protection Regulation 2018 requires that data is "adequate, relevant and not excessive" for the purpose for which it is collected. The use of CCTV to control the perimeter of the school buildings for security purposes is deemed to be justified to protect property. The system is intended to capture images of intruders or of individuals damaging property or removing goods without authorisation.
In other areas of the school where CCTV is to be installed, e.g. hallways, stairwells, locker areas or classrooms with high value ICT equipment, there is a proven risk to security and/or health & safety and that the installation of CCTV is proportionate in addressing such issues that have arisen prior to the installation of the system.

CCTV systems will not be used to monitor normal teacher/student classroom activity in school.

LOCATION OF CAMERAS

Use of CCTV to monitor areas where individuals would have a reasonable expectation of privacy is difficult to justify. St John's, Marlborough has endeavoured to select locations for the installation of CCTCV cameras which are least intrusive to protect the privacy of individuals. Cameras placed so as to record external areas are positioned in such a way as to prevent or minimise recording of passers-by or of another person's private property.

CCTV Video Monitoring and Recording of Public Areas in St John's will support the:

- **Protection of school buildings and property:** The building's perimeter, entrances and exits, lobbies and corridors, special storage areas, cashier locations, receiving areas for goods/services
- **Monitoring of Access Control Systems:** Monitor and record restricted access areas at entrances to buildings and other areas
- **Verification of Security Alarms:** Intrusion alarms, exit door controls, external alarms
- **Video Patrol of Public Areas:** Main entrance/exit gates, Traffic Control in unauthorised areas
- **Criminal Investigations (carried out by law enforcement):** Robbery, burglary and theft surveillance

COVERT SURVEILLANCE

St John's, Marlborough will not engage in covert surveillance.

NOTIFICATION – SIGNAGE

The Principal will provide a copy of this CCTV Policy on request to staff, students, parents and visitors to the school. This policy describes the purpose of CCTV monitoring, a contact number for those wishing to discuss CCTV monitoring and guidelines for its use. Adequate signage will be placed at each location in which a CCTV camera(s) is sited to indicate that CCTV is in operation. Adequate signage will also be prominently displayed at the entrance to St John's. Signage shall include contact details as well as the specific purpose(s) for which the CCTV camera is in place in each location.

The signage will be similar in format to the following example:

WARNING
CCTV cameras in operation
Images are being monitored and recorded for the purpose of crime-prevention, the prevention of anti-social behaviour, the prevention of bullying, for the safety of our staff and students and for the protection of St John's, Marlborough and its property. This system will be in operation 24 hours a day, every day. These images may be passed to law enforcement.
This scheme is controlled by St John's.
For more information contact the Network Manager: 01672 516156

Appropriate locations for signage will include:

- At entrances to premises i.e. external doors, school gates
- Reception area
- At or close to each internal camera

STORAGE & RETENTION OF DATA

Section 2(1)(c)(iv) of the General Data Protection Regulation 2018 states that data "shall not be kept for longer than is necessary for" the purposes for which it was obtained. Accordingly, the images captured by the CCTV system will be retained for a maximum of 28 days, except where the image identifies an issue and is retained specifically in the context of an investigation/prosecution of that issue.

The images/recordings will be stored in a secure environment with a log of access kept. Access will be restricted to authorised personnel. Supervising the access and maintenance of the CCTV System is the responsibility of the Principal. The Principal may delegate the administration of the CCTV System to another staff member. In certain circumstances, the recordings may also be viewed by other individuals to achieve the objectives set out above (such individuals may include the Police or other members of staff, representatives of the Department of Education and Skills, representatives of the HSE and/or the parent of a recorded student). When CCTV recordings are being viewed, access will be limited to authorised individuals on a need-to-know basis.

Data will be stored in a secure environment with a log of access kept. Access will be restricted to authorised personnel. Similar measures will be employed when using disk storage, with logs of access to the system\data created.

ACCESS TO RECORDED DATA

Tapes/DVDs/removable media storing the recorded footage and the monitoring equipment will be securely stored in a restricted area. Unauthorised access to that area will not be permitted at any time. The area will be locked when not occupied by authorised personnel. A log of access to data will be maintained.

Access to the CCTV system and stored images will be restricted to authorised personnel only.

In relevant circumstances, CCTV footage may be accessed:

- By law enforcement where St John's is required by law to make a report regarding the commission of a suspected crime; or
- Following a request by law enforcement when a crime or suspected crime has taken place and/or when it is suspected that illegal/anti-social behaviour is taking place on St John's property, or
- To the HSE and/or any other statutory body charged with child safeguarding; or
- To assist the Principal in establishing facts in cases of unacceptable student behaviour, in which case, the parents/guardians will be informed; or
- To data subjects (or their legal representatives), pursuant to an access request where the time, date and location of the recordings is furnished to St John's, Marlborough, or
- To individuals (or their legal representatives) subject to a court order.

To the School's insurance provider where the company requires information in order to pursue a claim for damage done to the insured property.

Requests by law enforcement agencies: Information obtained through video monitoring will only be released when authorised by the Principal. All requests will be logged with details of the data provided.

Subject Access requests: On written request, any person whose image has been recorded has a right to be given a copy of the information recorded which relates to them, provided always that such an image/recording exists i.e. has not been deleted and provided also that an exemption/prohibition does not apply to the release. Where the image/recording identifies another individual, those images may only be released where they can be redacted/anonymised so that the other person is not identified or identifiable. To exercise their right of access, a data subject must make an application in writing to the school. The School must respond **within 30 days.**

Subject access requests can be made to the following contacts:
In the first instance please contact the school lead below.

Position	Name	Email	Phone
Joint School Leads	**Network Manager** **School Business Manger**	helpdesk@stjohns.excalibur.org.uk	**01672 516156** **01672 516156**
GDPR Lead	**Vice Principal**		**01672 516156**

A person should provide all the necessary information to assist St John's in locating the CCTV recorded data, such as the date, time and location of the recording. If the image is of such poor quality as not to clearly identify an individual, that image may not be considered to be personal data and may not be handed over by the School.
In giving a person a copy of their data, the School may provide a still/series of still pictures, a tape or a disk with relevant images. However, other images of other individuals will be obscured before the data is released.

RESPONSIBILITIES

The Principal will:

- Ensure that the use of CCTV systems is implemented in accordance with the policy set down by St John's, Marlborough
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within St John's, Marlborough
- Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy
- Ensure that the CCTV monitoring at St John's, Marlborough is consistent with the highest standards and protections
- Review camera locations and be responsible for the release of any information or recorded CCTV materials stored in compliance with this policy
- Ensure a record of access (e.g. an access log) is maintained for the release of data or any material recorded or stored in the system
- Ensure that the perimeter of view from fixed location cameras conforms to this policy both internally and externally
- Give consideration to both students and staff feedback/complaints regarding possible invasion of privacy or confidentiality due to the location of a particular CCTV camera or associated equipment
- Ensure that all areas being monitored are not in breach of an enhanced expectation of the privacy of individuals within the school and be mindful that no such infringement is likely to take place
- Co-operate with the Health & Safety Officer of St John's, Marlborough in reporting on the CCTV system in operation in the school
- Ensure that adequate signage is located at appropriate and prominent locations and displayed as detailed above
- Ensure that external cameras are non-intrusive in terms of their positions and views of neighbouring residential housing and comply with the principle of "Reasonable Expectation of Privacy"
- Ensure that monitoring systems and data are stored in a secure place with access by authorised personnel only
- Ensure that images recorded on tapes/DVDs/digital recordings are stored for a period not longer than 28 days and are then erased unless required as part of a criminal investigation or court proceedings (criminal or civil) or other bona fide use as approved by the Principal.
- Ensure that when a zoom facility on a camera is being used, there is a second person present with the operator of the camera to guarantee that there is no unwarranted invasion of privacy
- Ensure that camera control is solely to monitor suspicious behaviour, criminal damage etc. and not to monitor individual characteristics
- Ensure that camera control is not infringing an individual's reasonable expectation of privacy in public areas

IMPLEMENTATION & REVIEW

APPENDIX 1 – DEFINITIONS

Definitions of words/phrases used in relation to the protection of personal data and referred to in the text of the policy;

CCTV – Closed-circuit television is the use of video cameras to transmit a signal to a specific place on a limited set of monitors. The images may then be recorded on video tape or DVD or other removable digital recording mechanisms.

The Data Protection Acts – The General Data Protection Regulation 2018 confer rights on individuals as well as responsibilities on those persons handling, processing, managing and controlling personal data. All school staff must comply with the provisions of the General Data Protection Regulation when collecting and storing personal information. This applies to personal information relating both to employees of the organisation and individuals who interact with the organisation

Data - information in a form that can be processed. It includes automated or electronic data (any information on computer or information recorded with the intention of putting it on computer) and manual data (information that is recorded as part of a relevant filing system or with the intention that it should form part of a relevant filing system).
Personal Data – Data relating to a living individual who is or can be identified either from the data or from the data in conjunction with other information that is in, or is likely to come into, the possession of the data controller.
Subject Access Request – this is where a person makes a request to the organisation for the disclosure of their personal data under Section 3 and/or section 4 of the Data Protection Acts.
Data Processing - performing any operation or set of operations on data, including:

- Obtaining, recording or keeping the data,
- Collecting, organising, storing, altering or adapting the data,
- Retrieving, consulting or using the data,
- Disclosing the data by transmitting, disseminating or otherwise making it available,
- Aligning, combining, blocking, erasing or destroying the data.

Data Subject – an individual who is the subject of personal data.
Data Controller - a person who (either alone or with others) controls the contents and use of personal data.
Data Processor - a person who processes personal information on behalf of a data controller but does not include an employee of a data controller who processes such data in the course of their employment, for example, this might mean an employee of an organisation to which the data controller out-sources work. The General Data Protection Regulation place responsibilities on such entities in relation to their processing of the data.

APPENDIX 2 - PRIVACY IMPACT ASSESSMENT

Before St John's installs a new CCTV system, a documented privacy impact assessment will be carried out to ensure the system does not contravene the provisions of the General Data Protection Regulation 2018. Not completing a PIA may result in action being taking against St John's by the Information Commissioners Office (ICO) or may expose St John's to a claim for damages from a student.

Some of the points that are likely to be included in the Privacy Impact Assessment are:

- What is the School's purpose for using CCTV images? What are the issues/problems it is meant to address?
- Is the system necessary to address a pressing need, such as staff and student safety or crime prevention?
- Are the CCTV cameras intended to operate on the outside of the premises only?
- Is it justified under the circumstances?
- Is it proportionate to the problem it is designed to deal with?
- Is it intended that CCTV cameras will operate inside of the building?
- Are internal CCTV cameras justified under the circumstances?
- Are internal CCTV cameras proportionate to the problem they are designed to deal with?
- What are the benefits to be gained from its use?
- Can CCTV systems realistically deliver these benefits? Can less privacy-intrusive solutions, such as improved lighting, achieve the same objectives?
- Does St John's need images of identifiable individuals, or could the system use other images which are not capable of identifying the individual?
- Will the system being considered deliver the desired benefits now and remain suitable in the future?
- What future demands may arise for wider use of images and how will they be addressed?
- Is the Data Controller for the entire CCTV system?
- What are the views of those who will be under CCTV surveillance?
- What could be done to minimise intrusion for those whose images may be captured, particularly if specific concerns have been expressed?
- How have staff, students and visitors been assured by the School that they will not be monitored and that the CCTV system will be used only for the stated purposes?
- Does the Policy on the use of CCTV make it clear that staff (teaching and non-teaching) will not be monitored for performance or conduct purposes?
- Have the views of staff & students regarding the location of cameras been taken into account?
- Can the location of each internal camera be justified in accordance with the overall purpose for the use of the CCTV system?

- Has appropriate signage been erected at the location of each internal camera indicating that recording is taking place and outlining the purpose of such recording?
- Who will have access to the system and recordings/images?
- What security measures are in place to protect the CCTV system and recordings/images?
- Are those who will have authorised access to the system and recordings/images clear about their responsibilities?
- Are the camera monitors kept out of view of staff, students and visitors and is access to the camera monitors restricted to a limited number of staff on a 'need to know' basis?
- Is the room(s) which houses the camera monitors and the CCTV system securely locked when unattended?
- Does the School have a procedure in place to ensure that recordings/images are erased or deleted as soon as the retention period (28 days) has expired?
- Does the School have a procedure in place for handling requests for access to recordings/images from law enforcement agencies?
- Will appropriate notices be in place to ensure that individuals know that they are being monitored.
- Does the School have a data protection policy? Has it been updated to take account of the introduction of a CCTV system?
- Does the School have a procedure in place to handle access requests seeking a copy of images recorded by the CCTV system (within the statutory timeframe of 30 days)?
- Has the right of access been communicated to staff, students and visitors?
- Has the School communicated its policy on the use of CCTV to staff, students and visitors and how has this been done?
- How are new students and new staff informed of the school's policy on the use of CCTV?

Contact information and review

If you would like to discuss anything in this policy, please contact:

Position	Name	Email	Phone
Joint School Leads	**Network Manager** **School Business Manger**	helpdesk@stjohns.excalibur.org.uk	**01672 516156** **01672 516156**
GDPR Lead	**Vice Principal**		**01672 516156**

Policy update information (policy number GDPR-113)

This policy is reviewed annually and updated in line with data protection legislation.

Policy review information

Review date	Reviewed by
01-05-2019	Martin Cook and Matt Evans
13-10-2021	School Business Manager

Policy update information

Review date	Revision	Description on change	By
01-05-2019	1.00	Draft release	MJC/ME
30-05-2019	1.00	Full release	MJC/ME
13-10-2021	2.00	Full release	School Business Manager