

	<b>CCTV and Use of Images Policy</b>	
	<b>Last reviewed: May 2019</b>	<b>Next review: May 2021</b>
	<b>Linked Governor: Julie Laws</b>	<b>SLT Member: Rich Peters</b>

## **Data Protection**

Any personal data processed in the delivery of this policy will be processed in accordance with the school Data Protection policy.

## **SECTION A: CCTV**

### **1. Aims**

Ashlyns School uses Close Circuit Television (“CCTV”) within the premises of the school. The purpose of this policy is to set out the position of the School as to the management, operation and use of the CCTV at the School.

This policy applies to all members of staff, visitors to the school premises and all other persons whose images may be captured by the CCTV system.

This policy takes account of all applicable legislation and guidance, including:

- General Data Protection Regulation (“GDPR”);
- CCTV Code of Practice produced by the Information Commissioner;
- Human Rights Act 1998.

This policy should be read in conjunction with the School Data Protection Policy.

The system comprises a number of internal and external day and night cameras and does not use any sound recording capability. The CCTV system is owned and operated by the School and the deployment of it is determined by the Senior Leadership Team The Designated Senior Person (“DSP”) or their representative has overall responsibility as delegated by the Data Controller (Board of Governors).

Access and viewing is restricted (refer section 9 below) and all authorised operators with access to images will be aware of the procedures they are required to follow and their responsibilities under this policy. All employees will be aware of the restrictions in relation to access to, and

disclosure of, recorded images. The further introduction of, or changes to, CCTV monitoring will be subject to consultation with staff where appropriate

## **2. Purpose of CCTV**

The School uses CCTV for the following purposes:

- To provide a safe and secure environment for pupils, staff and visitors
- To protect the school buildings and assets
- To assist in reducing the fear of crime and for the protection of private property
- To assist in the prevention of crime and assist law enforcement agencies in apprehending offenders.

## **3. Policy Intent**

The school will:

- complete a CCTV Privacy Impact Assessment (“PIA”) for the use of surveillance CCTV and will update this as appropriate when the system is upgraded or significantly modified;
- treat the system and all information processed on the CCTV system as data which is covered by the Data Protection Act/GDPR;
- use cameras to monitor activities within the school grounds to identify potential criminal activity for the purpose of securing the safety and well-being of the school, as well as for monitoring student behaviour;
- not direct cameras outside of the school site at private property, an individual, their property or a specific group of individuals. The exception to this would be where an authorisation was obtained for Directed Surveillance to take place, as set out in the Regulation of Investigatory Power Act 2000;
- display CCTV warning signs will be clearly and prominently placed at all external entrances of the school site where CCTV is operational, including the school gates as coverage includes outdoor areas. The school will ensure that there are prominent signs placed at both the entrance of the CCTV zone and within the controlled area which will contain details of the purpose for using CCTV.
- not guarantee that a system will or can cover or detect every single incident taking place in the areas of coverage;
- not use materials or knowledge for any commercial purpose. Recorded materials will only be released for use in the investigation of a specific crime and with the written authority of the Police and in accordance with the Data Protection Act/GDPR.

## **4. Siting Cameras**

Cameras will be sited so they only capture images relevant to the purposes for which they are installed (described above) and care will be taken to ensure that reasonable privacy expectations are not violated. For example, cameras will not be placed in areas which are reasonably expected to be private such as in toilets. The school will ensure that the location of

equipment is carefully considered to ensure that images captured comply with the Data Protection Act/GDPR requirements.

Members of staff, on request can access details of CCTV camera locations.

## **5. Covert Monitoring**

The school does not employ the use of covert monitoring, but retains the right in exceptional circumstances to set up covert monitoring, for example where there is good cause to suspect that an illegal action(s), is taking place. In these circumstances, authorisation will be obtained beforehand from the Head Teacher and Chair of Governors.

## **6. Storage and Retention of CCTV images**

Recorded data will not be retained for longer than is necessary. While retained, the integrity of the recordings will be maintained to ensure their evidential value and to protect the rights of the people whose images have been recorded.

All retained data will be stored securely.

Recordings are kept for up to three months. Specific recordings which the school wishes to retain after this time will be logged.

An electronic file is held on specific devices for images and videos where specific CCTV image/recordings are retained. Access by staff to specific recordings are outlined below in section 9.

The Data Protection Act/GDPR does not prescribe any specific minimum or maximum retention periods that apply to all systems or footage. Rather, retention should reflect the organisation's purposes for recording information, which should be informed by the purpose for which the information is collected, and how long it is needed to achieve this purpose. Storage availability is also a factor to be considered in the ability to retain recordings.

## **7. Disclosure of Images to Data Subjects (Subject Access Requests)**

Any Individual recorded in any CCTV image is a data subject for the purposes of the Data Protection Legislation, and has the right to request access to those images.

Any individual who requests access to images of themselves will be considered to have made

a subject access request pursuant to the Data Protection Legislation. Such a request should be considered in the context of the School's Subject Access Request Policy.

All requests should be made in writing to the Head Teacher or Data Protection Officer or their representative. Individuals submitting requests for access will be asked to provide sufficient information to enable the footage relating to them to be identified (for example date, time and location).

When such a request is made, a member of the I.T Team or Facilities Manager as the CCTV system administrators will review the CCTV footage, in accordance with the request. If the footage contains only the individual making the request then the individual may be permitted to view the footage. This must be strictly limited to that footage which contains only images of the individual making the request. The I.T Team or Facilities Manager as the CCTV system administrators must take appropriate measures to ensure that the footage is restricted in this way.

If the footage contains images of other individuals then the School must consider whether:

- The request requires the disclosure of the images of individuals other than the requester, for example whether the images can be distorted so as not to identify other individuals;
- The other individuals in the footage have consented to the disclosure of the images, or their consent could be obtained; or
- If not, then whether it is otherwise reasonable in the circumstances to disclose those images to the individual making the request.

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

A record must be kept (see Appendix B), and held securely, of all disclosures which sets out:

- When the request was made;
- The process followed by the I.T. team or Facilities Manager(as the CCTV system administrators) in determining whether the images contained third parties;
- The considerations as to whether to allow access to those images;
- The individuals that were permitted to view the images and when; and
- Whether a copy of the images was provided, and if so to whom, when and in what format.

## **8. Disclosure of Images to Third Parties**

The School will only disclose recorded CCTV images to third parties where it is permitted to do so in accordance with the Data Protection Legislation. Third parties acting on behalf of a duty subject will be handled in accordance with the School's Subject Access Request Policy.

CCTV images will only be disclosed to law enforcement agencies in line with the purposes for which the CCTV system is in place. If a request is received from a law enforcement agency for disclosure of CCTV images then the School will follow the same process as above in relation to subject access requests. Detail should be obtained from the law enforcement agency as to exactly what they want the CCTV images for, and any particular individuals of concern. This will then enable proper consideration to be given to what should be disclosed, and the potential disclosure of any third party images.

The information above must be recorded in relation to any disclosure.

## **9. Access to CCTV Images**

The ability to view live and historical CCTV data available via network software is only to be provided at designated locations and to authorised persons only. Direct access to recorded data is limited to the I.T. team (as administrators), Facilities Manager, and members of the Senior Leadership and Pastoral Teams.

Specific live monitoring is provided to Reception staff, Premises Team, Network Team and Sports Hall staff for live footage of restricted cameras.

Data from CCTV may be used within the school's discipline and grievance procedures as required, and will be subject to the usual confidentiality requirements of those procedures.

## **10. Complaints**

Complaints and enquiries about the operation of CCTV within the school should be directed to the Head Teacher or Data Protection Officer in the first instance.

## **11. Further Information**

For further information on CCTV and its use please see below:

- Data Protection Act 1998
- General Data Protection Regulation (GDPR)
- CCTV Code of Practice (ICO website <https://ico.org.uk/for-organisations/guide-to-dataprotection/cctv/>)

# **SECTION B: Recording of Images and Film of Students by Staff**

## **12. Aims and Guidance**

Staff must remember that it is not always appropriate to take or store images of any member of the school community or public, without first seeking consent and considering the appropriateness.

The school permits the appropriate taking of images by staff and pupils with school equipment with the written consent of parents (on behalf of pupils) which is provided on admissions documentation , and under the direction of staff.

Staff are not permitted to use personal digital equipment, such as mobile phones and cameras, to record images of pupils, including when on field trips, unless with the express permission of the Headteacher; images can be taken provided they are transferred immediately and solely to the school's network and deleted from the staff device

Pupils are not permitted to use personal digital equipment, including mobile phones and cameras, to record images of pupils, staff and others without advance permission from the Headteacher or under the supervision of staff for learning purposes

Pupils and staff must have permission from the Headteacher before images can be uploaded for publication

### **13. Publishing Pupil's Images and Work**

On a child's entry to the school, all parents/carers will be asked to give permission to use their child's work/photos in the following ways:

- on the school website
- in the school prospectus and other printed publications that the school may produce for promotional purposes
- recorded/ transmitted on a video or webcam
- on the school's learning platform
- in display material that may be used in the school's communal areas
- in display material that may be used in external areas, i.e. exhibition promoting the school
- general media appearances, e.g. local/ national media/ press releases sent to the press highlighting an activity (sent using traditional methods or electronically)

Consent must also be given in writing and will be kept on record by the school.

This consent form is considered valid for the entire period that the child attends this school unless there is a change in the child's circumstances where consent could be an issue, e.g. divorce of parents, custody issues, etc.

Parents or carers may withdraw permission, in writing, at any time. Pupils' names will not be published alongside their image and vice versa. Email and postal addresses of pupils will not be published. Pupils' full names will not be published.

Before posting student work on the Internet, a check needs to be made to ensure that permission has been given for work to be displayed.

For further information relating to issues associated with school websites and the safe use of images in Hertfordshire schools, see

<http://www.thegrid.org.uk/schoolweb/safety/index.shtml>

<http://www.thegrid.org.uk/info/csf/policies/index.shtml#images>

#### **14. Storage of Images**

Images/ films of children are stored on the school's network .

Pupils and staff are not permitted to use personal portable media for storage of images (e.g., USB sticks) without the express permission of the Headteacher.

Rights of access to this material are restricted to the teaching staff and pupils within the confines of the school network or other online school resource

The Network Manager oversees the deletion of images when they are no longer required, or when the pupil has left the school

#### **15. Webcams**

We do not use publicly accessible webcams in school

Webcams will not be used for broadcast on the internet without prior parental consent and authorization from the Network Manager.

Misuse of a webcam by any member of the school community will result in sanctions Consent is sought from parents/carers and staff on joining the school, in the same way as for all images

Webcams include any camera on an electronic device which is capable of producing video. School policy should be followed regarding the use of such personal devices

#### **Video Conferencing**

Permission will be sought from parents and carers if their children are involved in video conferences with end-points outside of the school. All pupils will be supervised by a member of staff when video conferencing.

Approval from the Headteacher will be sought prior to any video conferences involving students within school to end-points beyond the school; approval will be sought from the Network Manager for staff-only video-conferencing.

No part of any video conference will be recorded in any medium without the written consent of those taking part.