



Murray Park School

Title of Policy	CCTV Policy
Date of adoption	Spring 2020
Originator	Heather Halford
Date of review	Spring 2022
Additional information	Also refer to the following Policy: Data Protection.

Throughout this policy Parents refers to Parents/Carers

The Data Protection Act 2018 and GDPR

The Data Protection Act 2018 relates to data processing of all types. The definition of data under the Act is “Personal data” means any information relating to an identified or identifiable living individual. It requires the person to be identified by a number of means, which can include photographic or video footage.

The definition of Processing is much wider in its scope than the previous legislation) “Processing”, in relation to information, means an operation or set of operations which is performed on information, or on sets of information, such as—

- (a) collection, recording, organisation, structuring or storage,
- (b) adaptation or alteration,
- (c) retrieval, consultation or use,
- (d) disclosure by transmission, dissemination or otherwise making available,
- (e) alignment or combination, or
- (f) restriction, erasure or destruction

Data in the case of CCTV recordings is in the form of recorded images of individuals that can be identified from these images.

Having regard for these definitions, it will be recognised that the use of CCTV for surveillance purposes is encompassed by the requirements of the Data Protection Act.

1. INTRODUCTION

Closed Circuit TV - CCTV cameras will be installed Murray Park School for the following reasons...

- *the prevention and detection of crime*
- *the apprehension and prosecution of offenders*
- *the safety of staff and students*
- *the monitoring behavior of students in line with behavior & exclusion management and incident investigation*
- *school staff disciplinary procedures*
- *the safety of the general public*
- *the protection of public property from criminal damage*

Where CCTV has been installed, Murray Park School have to formally establish who...

- is responsible for the scheme
- is responsible for making sure of day to day compliance with the requirements of the CCTV Code of Practice.

This will be the Facilities Manager. However, help and advice is available Director of Finance & Support Services and schools external DPO

The public must be alerted to the fact that CCTV is in operation at Murray Park School and that they will be recorded whilst within the areas where the CCTV is in operation. To

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do this, notices must be put up at agreed key locations within school. The notice used by Murray Park School is at Appendix 1. The wording on this notice has been approved and must not be changed without the approval of the Data Protection Officer. No other notice must be used.

There are strict rules that govern the installation, operation and management of CCTV systems. Procedures that make sure we comply with the regulations are covered in the following sections...

- ✓ cameras
- ✓ access to recorded images
- ✓ viewing of recorded images
- ✓ enquiries
- ✓ complaints
- ✓ request for access for 'surveillance' by police
- ✓ review

Underpinning the rules is GDPR and the Data Protection Act 2018. This is an important document and should be read by those staff responsible for the CCTV system. Please see Appendix 10.

2. CAMERAS

CCTV – Cameras

When camera systems are first installed they must be numbered and marked on a location plan. A maintenance log must then be produced for each camera. The date the system was installed, the supplier details and a maintenance contact must be given on the log. See Appendix 6 'CCTV – System Maintenance' log.

The system must be maintained as regularly as the suppliers recommend.

If a fault is discovered with one of the cameras staff must inform the Facilities Manager within 24 hours.

The Facilities Manager must report the fault to the maintenance company within 48 hours

The Facilities Manager is responsible for delegating this task to an authorised member of staff in his/her absence. The authorised member of staff is the Caretaker who is on duty.

3. DISKS

CCTV – Hard Disk

The CCTV images will be recorded on hard disk and stored for no more than 31^[1] days, prior to deletion. Access to view and download this information is

Policy & Code of Practice for CCTV operation at MURRAY PARK SCHOOL restricted. No staff, other than authorised, nominated staff will be allowed access to the information and the Facilities Manager must make sure that all staff are aware of this restriction.

The PC that records the images is sited in the Facilities Manager's office where it is not on view to students, staff or visitors.

If a disk is needed for evidential purposes in legal proceedings, it will be removed from the sequence, document 'CCTV – Disk for Evidence' must be completed. See Appendix 8.

4. ACCESS

4.1 CCTV – Access

This section deals with access to recorded images by...

- ✓ staff
- ✓ data subjects (The data subject is the living individual who the personal data, the image, is about)

- ✓ third parties, including but not limited to...
 - ✎ police
 - ✎ solicitors
 - ✎ media
 - ✎ representatives of data subjects
 - ✎ parents of data subjects.

4.2 Access to Recorded Images by Staff

Staff who have authorised access to view the images recorded on the disks is the Facilities Manager, Caretakers or staff involved in dealing with the incident **only**. Access to recorded images by authorised staff may only be given for the following reasons...

- ✓ to assist in identifying and apprehending individuals committing a criminal offence
- ✓ for routine monthly maintenance checking that all cameras are working correctly
- ✓ to find the right section of the disk in preparation for a viewing
- ✓ to assist in viewings

Each time a recorded image is accessed or viewed, **for whatever reason**, the 'CCTV – Access to Recorded Images' log (Appendix 7) must be completed. Anyone present at viewings must sign the log.

The Facilities Manager must make sure that staff are aware that access to the recorded images on the disk is different to accessing the disk. Staff who do not have authorised access to the images on disk **must not** view them or be present when viewing takes place.

4.3 Access To Recorded Images By Data Subjects

Data subjects have the **right** to see and have copies of any recorded images in which they appear and they do not have to say why they want access. If they request access

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A Subject Access Request Form must be completed by the data subject (Appendix 4)

If a viewing is arranged the 'CCTV – Access to Recorded Images Log' (Appendix 7) must be completed by all who are present.

Data Subjects must never be given access to the whole disk; they must always give enough information to help the Facilities Manager to identify the relevant data required.

Queries about an application for access from a data subject should be referred to the Facilities Manager.

4.4 Access to recorded images by third parties

Access to recorded images is strictly controlled by law. The person who is responsible for obtaining advice on whether to allow requests for access to recorded images from third parties is the Facilities Manager.

4.4.1 The Police

Access to recorded images by the Police is allowed. Requests from the Police must be made in writing and they must state under what powers they are requesting access. If a criminal offence is in progress this can be provided retrospectively but you must complete all the relevant documentation. If the Police want to view the images then complete the 'CCTV – Access to Recorded Images Log' See Appendix 7. The whole disc can be viewed and the Police do not have to pay a fee.

If the Police need to take away recorded images for evidential purposes then you must obtain a receipt which must give the PC's collar or identification number and the crime number. You must complete the 'CCTV – Discs for evidence Log' See Appendix 8..

4.4.2 Solicitors

Solicitors who request access to images on our disk as part of a court case that involves the prosecution of an offender, must put their request in writing to the Facilities Manager.

The written request must be received and kept at [designated office], The powers under which the solicitor is requesting the data must be stated on the request. **before** access can be allowed. Fees are not payable.

If solicitors want to look at a disk or CD on our premises the "CCTV – Access to Recorded Images" log (Appendix 7) must be completed. If they ask to take the disk or CD away, please consult the school's external Data Protection Officer to establish if this is lawful. If solicitors are allowed to take the disk or CD away then the "CCTV – Discs for Evidence" log (Appendix 8) must be completed.

If solicitors are acting on behalf of a client that is working for the defence then they

Policy & Code of Practice for CCTV operation at MURRAY PARK SCHOOL will be treated in the same way as any other third party. Follow the 'CCTV – Access Request Procedure'(Appendix 3)

If a viewing is arranged the 'CCTV – Access to Recorded Images Log' (Appendix 7) must be completed by all who are present.

The solicitor must be able to produce a written letter of authority from their client stating that they are allowed access to their client's image. The fee will be payable in advance of any access given.

If solicitors are requesting access under a DPA court order the request must be sent to Facilities Manager in its original format before access is allowed.

Unlike the Police, solicitors are never allowed access to the whole disk; they must always give enough information to identify the information requested.

4.4.3 The Media

The media must never be given access, under any circumstances to disks or the images held on them. If the Facilities Manager is not sure about how to deal with requests for access from the media they should contact the Council's Information Governance Manager on 643232 or Information Commissioner Office for advice.

4.4.4 Representatives of data subjects

Access to recorded images by a representative of the data subject is not allowed without the consent of the data subject. If a data subject has asked someone to act on his or her behalf, proof of this is needed before access is allowed. Explicit consent in the form of a letter of authority that names the representative is the only way to determine that the request is genuine.

Proof of the identity of the person acting on the data subject's behalf is needed at the time of access. The only forms of identity that can be accepted are:

- ✓ Building society account book
- ✓ Bus pass – issued by Derby City Council
- ✓ Driving licence; this **must** be photo ID driving licence
- ✓ Family allowance book
- ✓ Identity card – Civil Service, Armed Forces, Police,
- ✓ National health card
- ✓ Pension book
- ✓ Rent book
- ✓ UB40 – unemployment benefit card

Data subjects can be contacted to make sure they have agreed for information about them to be accessed by a third party.

A Subject Access Request Form must be completed by the data subject,

If a viewing is arranged the 'CCTV – Access to Recorded Images Log' (Appendix 7) must be completed by all who are present.

4.4.5 Parents

Derby City Council Policy is that images of children under 13 can be accessed by their parents or legal guardians without the child's consent. Parents or legal guardians must be able to prove they are the parents/legal guardians of the child whose image(s) they want to see. (the child's original birth certificate and proof of their own identity is usually sufficient) Parents or legal guardians of children 13 and over must have the child's permission before access can be allowed. This must be in writing. If access is requested the:

A Subject Access Request Form must be completed by the parent on behalf of data subject, All relevant sections must be completed.

If a viewing is arranged the 'CCTV – Access to Recorded Images Log' (Appendix 7) must be completed by all who are present.

If the Facilities Manager is not sure how to deal with requests for access from parents or legal guardians of data subjects they should contact the Director of Finance & Support Services or the school's external DPO

Each time an image is accessed or viewed the 'CCTV – Disk Cabinet Access Log' (Appendix 9) must be completed by the person who has prepared the disk for the viewing. This is regardless of whether or not this person will be present at the viewing.

The 'data subject access form' at Appendix 4 is an example only. It must not be used to apply for access.

5. CCTV - VIEWING

The viewing of images on disk for any purpose, including the following, must be carried out in a restricted area...

- ✓ routine checking
- ✓ identification purposes
- ✓ in preparation for a viewing by a data subject or their representative
- ✓ actual viewing by a data subject or their representative

When viewings take place the following must be completed:

- ✓ 'CCTV – Disk Cabinet Access Log'(Appendix 9)
- ✓ 'CCTV – Access to Recorded Images Log'(Appendix 7)

If the Police have viewed a disk that they then want to take away with them the 'CCTV – Disk for Evidence Log' (Appendix 8) must be completed.

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If solicitors or other law enforcement agencies have viewed a disk that they then want to take away with them permission must be sought from our Data Protection Officer before this is allowed. If it is allowed the 'CCTV – Disk for Evidence Log' (Appendix 8) must be completed.

6. COMPLAINTS

6.1 CCTV – COMPLAINTS PROCEDURE

Any complaints relating to the CCTV should initially be addressed to **Facilities Manager, Murray Park School, Murray Road, Mickleover, Derby, DE3 9LL**

7 PUBLIC REACTION TO CCTV

Public reaction to CCTV must be monitored. The Facilities Manager is responsible for this. Any comments made about CCTV should be noted on the 'CCTV – Public Reaction' form. See Appendix 5.

8. CCTV - REVIEW

An annual review to evaluate the effectiveness of CCTV will be conducted. It is the responsibility of Facilities Manager to make sure this is done.

As part of the review we must look at...

- ✓ operation of system – is this working effectively
- ✓ number of complaints received
- ✓ number of requests for disks from the Police, solicitors and individuals
- ✓ Incidents resolved by use of CCTV
- ✓ number of incidents reported

We must also look at what we have used CCTV for. At present we are only allowed to use CCTV for...

- ✓ *the prevention and detection of crime*
- ✓ *the apprehension and prosecution of offenders*
- ✓ *the safety of staff and students*
- ✓ *the monitoring behavior of students in line with behavior and exclusion management and incident investigation*
- ✓ *school staff disciplinary procedures*
- ✓ *the safety of the general public*
- ✓ *the protection of public property from criminal damage*

It is unlawful to use CCTV for any other purpose than those listed above. If, as part of the review, we find that CCTV is being used for any additional purposes the data controller must change its notification.

APPENDIX 1 SIGNS DISPLAYED AROUND SCHOOL



MURRAY PARK SCHOOL

CCTV SECURITY

Images are being recorded for the purpose of crime prevention, personal safety and security.

**For further information contact School on
01332 515921**

Appendix 2

CCTV DISK CABINET/PC ACCESS LOG

Date accessed	Purpose	Disk Number Accessed	Signature

Appendix 3

CCTV – ACCESS REQUEST PROCEDURE

If someone wants to see, or arrange for a third party to see, recorded images of themselves, the following procedure must be followed:

- a "Data Subject Access Form" must be completed and handed in to the office. An example of this is at Appendix 4. This form will be available in the school office. If you have any problems with this please contact the School.
- a copy of the form should be kept by the school until the request has been fully dealt with. It should then be treated as confidential waste and destroyed
- requests can only be progressed if it has been accompanied by accepted proof of identity by all relevant parties
- requests will be acknowledged within 14 days by the school
- requests to see recorded images should be met within one month

Ask if a viewing will be sufficient or if a copy of the image is required and make a note on their Data Subject Access Form of their answer. Some people will just want to view the image on the disk or PC whereas others will want a copy.

Data subjects, people acting behalf of a data subject or parents of a data subject are only allowed to see images of the data subject. If the tape includes images of people other than the data subject they must be "blurred" out.

When viewing takes place all those present at the viewing, including staff, must sign the "Access to Recorded Images Log", Appendix 7.

Appendix 4

DATA SUBJECT ACCESS APPLICATION FORM

Please complete this form and send it to The Facilities Manager

DATA SUBJECT ACCESS APPLICATION FORM

GDPR and the Data Protection 2018 gives anyone the right to ask the school for a copy of the personal information that it holds about them for the purposes of providing services to them.

The information which you are entitled to receive from the school includes, the data, a description of the purpose for which it is used, a description of any coding, people to whom the data is passed, and where the data was obtained. You are not entitled to see information about a third party without their consent.

For your protection, and the security of the data, the school will need to confirm that you are the person who the data is about, and will require proof of your identity before it releases the data. If you ask someone to act on your behalf, the school will need proof of this, and the persons identity. We may contact you to confirm that you have authorised someone to do this.

If you would like to access the personal data that the school holds about you, answer the questions, and tick the relevant box to tell us the data you require.

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THIS IS AN EXAMPLE OF THE FORM ONLY. DO NOT ALLOW THIS TO BE USED TO APPLY FOR ACCESS.

SAR request form

Data Subject (person who information is about)

Title	
Name	
Date of Birth	
Year group (if child or young person)	

Person making the request

Name	
Date of Birth	
Address	
Email Address	
Contact phone no	
Identification Evidence Provided (if required) Passport Driving licence Or two forms of Utility bill within last 3 months Bank statement of last three months Council Tax bill Rent book	

Status of person making request

Parent or person with Parental Responsibility	
Are you acting on their written authority (please provide a copy of the consent)	
If not the parent or with PR, what is your role?	

Details of Data Requested

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Declaration

I,, hereby request that Murray Park School provide the data requested about me.

Signature:

Dated:

I,, hereby request that Murray Park School provide the data requested about.....(insert child's name) on the basis of the authority that I have provided.

Signature:

Dated:

THIS IS AN EXAMPLE OF THE FORM ONLY. DO NOT ALLOW THIS TO BE USED TO APPLY FOR ACCESS.

Appendix 5 **CCTV – COMPLAINTS MONITORING FORM**

Date complaint received	Nature of complaint	Action taken	Signature of person taking action

Appendix 6

CCTV – System Maintenance log

Camera number	
Location of camera	

Date cameras installed:

Supplier:

Contact number:

Date & Time	Signature
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Maintenance requested on

Carried out on:

Maintenance requested on

Carried out on:

Maintenance requested on

Carried out on:

Maintenance requested on

Carried out on:

Maintenance requested on

Carried out on:

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Appendix 7

CCTV – Access to recorded images log

Date & time image accessed	Hard disk No.	Purpose of viewing	Names of those attending the viewing (including staff)	Signature of those attending the viewing (including staff)	Signature of member of staff who has returned tape to sequence	Where disk stored if not put back in Mc

Appendix 8

CCTV –

Discs for evidence log

Date disc burnt from Hard Drive	Disc No	Reason for removal for evidence	Crime incident number (if there is one)	Where Disc taken to and by whom	Signature of collecting officer/person taking disc away

Appendix 9 CCTV – Disk access log

Date	Hard Disk No.	Purpose	Signature

Appendix 10

CCTV – CODE OF PRACTICE

The rules surrounding the use of CCTV are underpinned by GDPR and the Data Protection Act 2018 working practices.

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