

# Abbey Primary School Ysgol Gynradd Abbey



## CCTV Policy

September 2022

Approved/Reviewed Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Rights Respecting

*Article 8 – Protection and preservation and identity  
Article 16 – The right to privacy*



## **Section 1 Introduction and Objectives**

### **1.1 Introduction**

**This policy has been adapted from the Code of Practice for the Neath Port Talbot County Borough Council CCTV System, based upon the CCTV User Group Model Code of Practice 2002 © Copyright**

- 1.1.1 A Closed Circuit Television (CCTV) system is in operation throughout Abbey Primary School. This system, known as the ‘Abbey Primary CCTV System’, comprises a number of cameras installed at strategic locations. All cameras are fixed. Images from all cameras are presented, monitored and recorded in the main offices in a suitably secure manner, to which access is restricted. There are no recording facilities at any location other than the School’s main office.
- 1.1.2 For the purposes of this document, ‘the owner’ of the system is Abbey Primary School.
- 1.1.3 For the purposes of the Data Protection Act the ‘data controller’ is Abbey Primary School (hereafter referred to as ‘the School’).

### **1.2 Statement in respect of the Human Rights Act 1998**

- 1.2.1 The School recognises that public authorities carrying out the functions of a public service nature are required to observe the obligations imposed by the Human Rights Act 1998, and consider that the use of CCTV to be a suitable tool to improve pupil and staff safety and to assist in the management of site vandalism.

### **1.3 Objectives of the System**

- 1.3.1 The objectives of the School CCTV System are:-
- to support safeguarding
  - to help deter crime and anti-social behaviour
  - to assist in the management of traffic
  - to assist in supporting civil proceedings which will help to detect and deter crime.

**2.1 Purpose**

- 2.1.1 The purpose of this document is to state the intention of the owners and the managers and to support the objectives of the School CCTV System (hereinafter referred to as the “CCTV System”).
- 2.1.2 The ‘Purpose’ of the CCTV System and the process adopted in determining the ‘Reasons’ for implementing the CCTV System are as previously defined in order to achieve the objectives detailed within Section 1.

**2.2 General Principles of Operation**

- 2.2.1 The CCTV System will be operated in accordance with all the requirements and the principles of the Human Rights Act 1998.
- 2.2.2 The operation of the CCTV System will also recognise the need for formal authorisation of any covert ‘directed’ surveillance or crime trend (‘hotspot’) surveillance as required by the Regulation of Investigatory Powers Act 2000 and the policy of South Wales Police.
- 2.2.3 The CCTV System will be operated in accordance with the Data Protection Act 2018 at all times.
- 2.2.4 The CCTV System will be operated fairly, within the law, and only for the purposes for which it was established and are identified within, or which are subsequently agreed, in accordance with this Code.
- 2.2.5 The CCTV System will be operated with due regard to the principle that everyone has the right to respect for his or her private and family life and their home.
- 2.2.6 The public interest in the operation of the CCTV System will be recognised by ensuring the security and integrity of operational procedures.
- 2.2.7 Throughout this Code it is intended, as far as reasonably possible, to balance the objectives of the CCTV System with the need to safeguard the individual’s rights. Every effort has been made throughout the Code to indicate that a formal structure has been put in place, including a complaints procedure, by which it can be identified that the CCTV System is not only accountable, but is seen to be accountable.

2.2.8 Participation in the CCTV System by any organisation, individual or authority assumes an agreement by all such participants to comply fully with and be accountable under this Code.

## **2.3 Copyright**

2.3.1 Copyright and ownership of all material recorded by virtue of the CCTV System will remain with the data controller.

## **2.4 Cameras and Area Coverage**

2.4.1 The areas covered by CCTV to which this Code refers are certain public areas within the Neath Port Talbot County Borough area.

2.4.2 From time to time transportable or mobile cameras may be temporarily sited within the area. The use of such cameras, and the data produced by virtue of their use, will always accord with the objectives of the CCTV System and be governed by this Code.

2.4.3 Most of the cameras offer full colour capability, some of which may automatically switch to monochrome in low light conditions.

2.4.4 Some cameras may be enclosed within 'all weather domes' for aesthetic or operational reasons but the presence of all cameras will be identified by appropriate signs.

## **2.5 Monitoring and Recording Facilities**

2.5.1 The CCTV equipment has the capability of recording all cameras simultaneously and continuously.

2.5.2 Secondary monitoring equipment may be located in police premises. No equipment, other than that housed within the main offices, shall be capable of recording images from any of the cameras.

2.5.3 All images are recorded to digital hard disc recorders. The system stores recorded images for 31 days from the day of recording. After this period they are automatically erased unless required for evidential purposes, in which case they will have been transferred to a separate, managed storage area where they are retained until the completion of the relevant legal process. Recorded images can be reviewed, replayed, down loaded to CD or DVD and supplied as evidence to

appropriate authorities. CCTV controllers are able to monitor live images from any camera, replay or copy any pre-recorded images, or produce still prints of recorded images in accordance with this Code. All viewing and recording equipment shall only be operated by trained and authorised users.

## **2.6 Processing and Handling of Recorded Material**

2.6.1 All recorded material, will be processed and handled strictly in accordance with this Code.

## **2.7 Equipment Operating Instructions**

2.7.1 Technical instructions on the use of equipment housed within the main offices are contained in a separate manual provided by the equipment suppliers.

## **2.8 Changes to the Code of Practice or the Procedural and Training Manual**

2.9.1 Any major changes to either the Code or the PaT Files, (i.e. such as will have a significant impact upon the Code or upon the operation of the system) will take place only after consultation with organisations with a participatory role in the operation of the system.

**3.1 Personal Data**

3.1.1 All personal data obtained by virtue of the CCTV System, shall be processed fairly and lawfully and, in particular, shall only be processed in the exercise of achieving the stated objectives of the system. In processing personal data there will be total respect for everyone's right to respect for his or her private and family life and their home.

3.1.2 The storage and security of the data will be in accordance with the requirements of the Data Protection Act 2018.

**3.2 Data Protection Legislation**

3.2.1 The operation of the CCTV System has been notified to the Office of the Information Commissioner in accordance with the current Data Protection legislation.

3.2.2 The 'data controller' for the CCTV System is the School and day to day responsibility for the data will be devolved to the Headteacher.

3.2.3 All data will be processed in accordance with the principles of the Data Protection Act, 2018 which, in summarised form, includes, but is not limited to:

- i) All personal data will be obtained and processed fairly and lawfully.
- ii) Personal data will be held only for the purposes specified.
- iii) Personal data will be used only for the purposes, and disclosed only to the people, shown within this Code.
- iv) Only personal data will be held which are adequate, relevant and not excessive in relation to the purpose for which the data are held.
- v) Steps will be taken to ensure that personal data are accurate and kept up to date.
- vi) Personal data will be held for no longer than is necessary.
- vii) Individuals will be allowed access to personal data held about them and, where appropriate, permitted to correct or erase it.
- viii) Security measures will be implemented to prevent unauthorised or accidental access to, or alteration, disclosure, loss or destruction of, personal data.

### **3.3 Access by Data Subjects (Subject Access Requests)**

3.3.1 Individuals are entitled to access images of themselves recorded on the CCTV System. Any individual making a request for such access should be provided with the following information:

- (a) the type of images recorded;
- (b) the purpose for which those images were recorded; and
- (c) any further information concerning the School's disclosure policy in respect of those images

3.3.2 A Subject Access Request form should also be provided to the individual for them to complete. This form will:

- (a) indicate any information required in order to locate the requested images;
- (b) indicate any information required to identify the person making the request;
- (c) state the fee, if any, which the School charges for carrying out this request (which can be up to a maximum of £10); and
- (d) offer the individual the opportunity to view the recorded images at the School's premises.

3.3.3 Any request from an individual for the disclosure of personal data which he/she believes is recorded by virtue of the CCTV System will be directed in the first instance to the Headteacher for consideration and decision.

3.3.4 The principles of Sections 7 and 8 of the Data Protection Act 2018 shall be followed by the School in dealing with any requests received.

3.3.5 Any person making a Subject Access Request must be able to satisfactorily prove their identity to the Headteacher and also provide sufficient information to enable the data to be located.

3.3.6 If a recording is precluded from disclosure under a subject access request because the images of third parties are visible on the recording, the images of these third parties must be disguised or blurred. If the CCTV System does not have the facility to carry out such editing, a written contract should be made with an editing company.

3.3.7 Any written contract entered into with an editing company should include the following:

- (a) a description of all the tasks to be carried out by the editing company;
- (b) an obligation upon the editing company to act only in accordance with the instructions of the School;
- (c) the steps to be taken by the editing company to ensure the reliability of its employees who have access to the recorded images;
- (d) the technical and organisational security measures to be taken by the editing company in order to safeguard the recorded images against unauthorised or unlawful processing and against accidental loss, destruction or damage;
- (e) an obligation by the editing company to allow the School to audit the editing company's systems to ensure the security of the recorded images is maintained.

3.3.8 If the images of any third parties cannot be disguised or blurred, the School shall try to seek the consent of those third parties to disclosure of their images. If it is not possible to obtain such consent or consent is denied, the School shall nevertheless consider whether it is reasonable in all the circumstances to make the disclosure in accordance with the requirements of any legislation and/or any guidance issued by the Information Commissioner.

3.3.9 A record will be maintained by the Headteacher of all subject access requests received in respect to the CCTV System. This record will include the identity of the person making the request, the date it was made and the action taken in response. The record will be signed by the Headteacher.

**4.1 Privacy of Private Residential Property**

4.1.1 Cameras will not be used to look into private residential property.

**4.2 Complaints**

4.2.1 A member of the public wishing to register a complaint with regard to any aspect of the CCTV System may do so by contacting the Headteacher. All complaints shall be dealt with in accordance with School's complaints procedure, a copy of which may be obtained from the School's Offices. Any performance issues identified will be considered under the School's disciplinary procedures, to which all School employees, including CCTV personnel, are subject.

**4.3 Public Information**

4.5.2 Signs: Signs will be placed in the locality of the CCTV cameras indicating the following:

- i) The presence of CCTV monitoring;

## **5.1 Evaluation**

5.1.1 The CCTV System will periodically be evaluated to establish whether the purposes of the system are being complied with and whether objectives are being achieved. The evaluation will include:

- i) An assessment of the impact of the CCTV System;
- ii) An assessment of the incidents monitored by the equipment;
- iii) An assessment of neighbouring areas without CCTV
- iv) The views and opinions of the pupils and staff
- v) The operation of the Code of Practice
- vi) Whether the purposes for which the system was established are still relevant
- vii) Cost effectiveness

5.1.2 The results of the evaluation will be used to review and develop any alterations to the specified purpose and objectives of the scheme as well as the functioning management and operation of the system.

## **5.2 Monitoring**

5.2.1 The Headteacher has day to day responsibility for the monitoring, operation and evaluation of the system and the implementation of this Code.

5.2.2 The Headteacher is also responsible for maintaining full management information as to the incidents dealt with by the Control Room, for use in the management of the system and future evaluations.

**6.1 Guiding Principles**

- 6.1.1 Any person operating the cameras will act with utmost probity at all times.
- 6.1.2 The cameras, control equipment, recording and reviewing equipment shall at all times only be operated by persons who have been trained in their use and the legislative implications of their use.
- 6.1.3 Every use of the cameras will accord with the purposes and objectives of the system and shall be in compliance with this Code.

**6.2 Primary Control**

- 6.2.1 Only those trained and authorised members of staff with responsibility for using the CCTV equipment will have access to the operating controls.

**6.5 Maintenance of the system**

- 6.5.1 To ensure compliance with the Information Commissioners Code of Practice and that images recorded continue to be of appropriate evidential quality, the CCTV System shall be maintained regularly.
- 6.5.2 The maintenance will include regular periodic overhaul of all the equipment and replacement of equipment which is reaching the end of its serviceable life.
- 6.5.3 It is the responsibility of the Headteacher to ensure appropriate records are maintained in respect of the functioning of the cameras and the response of the maintenance organisation.

## **Section 7                      Access to, and Security of Control Room and Associated Equipment**

### **7.1    Authorised Access**

7.1.1 Only trained and authorised personnel will operate any of the equipment located within the main offices or other equipment associated with the CCTV System.

### **7.2    Public Access**

7.2.1 Public access to the Control Room will be prohibited except for lawful, proper and sufficient reasons and only then with the personal authority of the System Manager.

### **7.3    Authorised Visits**

7.3.1 Visits by auditors or by the Authority's Data Protection Officer or his/her staff do not fall into the scope of the above paragraph and may take place at any time, without prior warning. Auditors, the Authority's Data Protection Officer or his/her staff will not influence the operation of any part of the system during their visit. The visit will be suspended in the event of it being or becoming operationally inconvenient.

### **7.4    Declaration of Confidentiality**

7.4.1 Regardless of their status, all visitors to the main office, including inspectors and auditors, will be required to read a declaration of confidentiality and sign the visitor's book as their acceptance of that declaration.

**8.1 Guiding Principles**

- 8.1.1 For the purposes of this Code ‘recorded material’ means any material recorded by, or as the result of, equipment which forms part of the CCTV System, but specifically includes images recorded digitally, or on CD, DVD or by way of video copying, including still prints.
- 8.1.2 Every recording obtained by using the CCTV System has the potential of containing material that has to be admitted in evidence at some point during its life span.
- 8.1.3 Staff and pupils must have total confidence that information recorded by virtue of the CCTV System, will be treated with due regard to their individual right to respect.
- 8.1.4 It is therefore of the utmost importance that irrespective of the format (e.g. paper copy, CD, DVD, or any form of electronic processing and storage) of the images obtained from the system, they are treated strictly in accordance with this Code from the moment they are received until final destruction. Every movement and usage will be meticulously recorded.
- 8.1.5 Access to and the use of recorded material will only be strictly for the purposes defined in this Code.
- 8.1.6 Recorded material will only be used in pursuance of preventing, identifying or detecting safeguarding issues, crime or anti-social behaviour. At the specific and written request of a police officer of the rank of Inspector or above, copies of recorded images may be produced for the purpose of identifying criminals or potential witnesses through the media. Specific details of the media to be used must be stated in the written request.
- 8.1.7 Recorded material will not be copied, sold, otherwise released or used for commercial purposes or for the provision of entertainment. Recorded material will not be made available on the internet.

**8.2 Disclosure of CCTV Images to Third Parties (other than to Police Officers for the Purposes of Crime Prevention/Detection and the Prosecution of Offenders)**

- 8.2.1 Every request for the release of personal data generated by the CCTV System will in the first instance be directed to the Headteacher for consideration and decision.

- 8.2.2 Any disclosure of CCTV images to third parties, without the consent of the individual whose images are being disclosed, is a breach of the Data Protection Act 2018. Therefore, the School will only comply with a request for disclosure by a third party if such disclosure can be justified under the Act.
- 8.2.3 A justification for making a disclosure may be found in the statutory provision under which the request for disclosure is made. The third party requesting disclosure must therefore quote the legislation and section number under which it is making the request. This should be in writing and signed by a senior officer of the third party organisation.
- 8.2.4 Under Section 29(3) of the Data Protection Act 2018, a third party may request disclosure of the recorded images if this is required for the purpose of preventing or detecting crime, apprehending or prosecuting offenders or assessing or collecting tax. The School must ask the third party to justify its request for the images and to confirm that a failure to make the disclosure would be likely to prejudice any of these matters. If the request appears to be justified, the School may make a decision to disclose the images. This decision must be on a case by case basis and be fully documented and kept on the relevant file.
- 8.2.5 If the third party making the request for disclosure quotes a statutory provision (other than the Data Protection Act 2018) which places a mandatory duty on the School to disclose the images, then the School has no choice but to make the disclosure. If the provision states that disclosure is discretionary, the decision as to whether to disclose will be decided at the School's discretion.

### **8.3 Disclosure to Police Officers for the Purposes of Crime Prevention/Detection and the Prosecution of Offenders**

- 8.3.1 Disclosure of recorded material to Police Officers will only be for the purpose of the prevention or detection of crime or anti-social behaviour and the prosecution of offenders. One working copy CD or DVD will be provided to a Police Officer after completion of the School's records relating to the relevant incident(s). On the completion of an investigation and any subsequent prosecution, the working copy CD or DVD must be returned to the School for destruction.

### **8.4 Recording and Retention of Images**

- 8.4.1 Subject to the equipment functioning correctly, images from every camera will be continuously recorded in 'real time', meaning a recording rate of 25 frames per second. Recorded material will be stored at this standard for 12 days from the day of recording, after which, in order to manage the volume of recorded material, the frame rate will automatically be reduced to 1 frame per second. After 31 days recorded material will automatically be erased, unless required for evidential purposes.

- 9.1 A still print is a copy of a single image from the CCTV recording system. Such prints fall within the definitions of ‘data’ and ‘recorded material’ set out in the Data Protection Act 2018.
- 9.2 Still prints will not be taken as a matter of routine. Each time a print is made it must be capable of justification by the originator who will be responsible for recording the full circumstances under which the print is taken.
- 9.3 Still prints will only be released to third parties under the terms of this Code as it relates to the release of data to third parties. The release of prints to the media for the purpose of identifying alleged offenders or potential witnesses will be governed by the same principles applying to the release of moving images as set out in paragraph 9.1.6 above. Full details of any still prints released will be recorded.
- 9.4 The records both of still prints taken and of those released to third parties will be subject to audit in common with all other records in the CCTV System.

## List of CCTV Cameras

1. Internal Upper Floor – Exit Doors end of corridor
2. Internal Upper Floor – Outside Staff Toilet
3. Internal Upper Floor – Top of Stairs
4. External Upper Floor – Terrace Side
5. External Upper Floor – Exit Doors end of corridor
6. External Upper Floor – Piazza Side
7. External Ground Floor – Porch Main Entrance
8. Internal Ground Floor – Foyer Main Entrance
9. Internal Ground Floor – Outside Childcare Entrance
10. Internal Ground Floor – Stairs first landing
11. Internal Ground Floor – Outside Lift
12. Internal Ground Floor – Bottom of Stairs/hall doors
13. Internal Ground Floor – Corridor outside Reception Classes
14. External Ground Floor – Rear of Reception Classes
15. Internal Middle Floor – Landing Area
16. Internal Middle Floor – Outside Lift
17. External – Steps to Upper Floor/EYAC playground
18. External – Car park roundabout
19. External – Corner by Bike Shelter
20. External – Car Park Entry Barrier
21. External – Main Gates to Road
22. External – Driveway into school
23. External – Car park outside Hall
24. External – Car park outside Childcare/EYAC