



Whitminster Endowed C of E Primary School

CCTV Policy

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Statement of intent

At Whitminster Endowed C of E Primary School, we take our responsibility towards the safety of staff, visitors and pupils very seriously. To that end, we use surveillance cameras to monitor any instances of trespass or physical damage to our school and its members.

The purpose of this policy is to manage and regulate the use of the surveillance and CCTV systems at the school and ensure that:

We comply with data protection legislation, including the Data Protection Act 1998 and the General Data Protection Regulation (GDPR)

The images that are captured are useable for the purposes we require them for.

We reassure those persons whose images are being captured, that the images are being handled in accordance with data protection legislation.

This policy covers the use of CCTV systems which capture moving and still images of people who could be identified, as well as information relating to individuals for any of the following purposes:

- Observing what an individual is doing to ensure the safety of children and staff
- Taking action to prevent a crime

1. Legal framework

This policy has due regard to legislation and statutory guidance, including, but not limited to the following:

- The Regulation of Investigatory Powers Act 2000
- The Protection of Freedoms Act 2012
- The General Data Protection Regulation (GDPR)
- The Data Protection Act 1998
- The Freedom of Information Act 2000
- The Education (Pupil Information) (England) Regulations 2005 (as amended in 2016)
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- The School Standards and Framework Act 1998
- The Children Act 1989
- The Children Act 2004
- The Equality Act 2010

This policy has been created with regard to the following statutory and non-statutory guidance:

- Home Office (2013) 'The Surveillance Camera Code of Practice'
- Information Commissioner's Office (ICO) (2017) 'Overview of the General Data Protection Regulation (GDPR)'
- ICO (2017) 'Preparing for the General Data Protection Regulation (GDPR) 12 steps to take now'
- ICO (2017) 'In the picture: A data protection code of practice for surveillance cameras and personal information'

This policy operates in conjunction with the following school policies:

Use of Images Policy

Freedom of Information Policy

Data Protection Policy

Roles and responsibilities

The role of school staff responsible for Data Protection (Head Teacher) and supported by our DPO includes:

- Dealing with freedom of information requests and subject access requests (SAR) in line with legislation, including the Freedom of Information Act 2000.

- Ensuring that the school handle and process surveillance CCTV footage in accordance with data protection legislation.
- Ensuring that CCTV footage is obtained in line with legal requirements.
- Ensuring consent is clear, positive and unambiguous.
- Ensuring that CCTV footage is destroyed in line with legal requirements when it falls outside of its retention period.
- Keeping comprehensive and accurate records of all data processing activities, including CCTV footage, detailing the purpose of the activity and making these records public upon request.
- Informing data subjects of how their data captured in CCTV footage will be used by the school, their rights for the data to be destroyed and the measures implemented by the school to protect individuals' personal information.

Whitminster Endowed C of E Primary School is the data controller. The governing board of Whitminster Endowed C of E Primary School therefore has overall responsibility for ensuring that records are maintained, including security and access arrangements in accordance with regulations.

The school admin officer deals with the day-to-day matters relating to data protection and thus, for the benefit of this policy will act as the data controller.

The role of the data controller includes:

- Processing CCTV footage legally and fairly.
- Collecting CCTV footage for legitimate reasons and ensuring that it is used accordingly.
- Collecting CCTV footage that is relevant, adequate and not excessive in relation to the reason for its collection.
- Ensuring that any CCTV footage identifying an individual is not kept for longer than is necessary.

Purpose and justification

The school will only use CCTV cameras for the safety and security of the school and its staff, pupils and visitors.

The school will only conduct surveillance as a deterrent and under no circumstances will the CCTV cameras be present in school classrooms or any changing facility.

If the CCTV systems fulfil their purpose and are no longer required the school will deactivate them.

The data protection principles

Data collected from CCTV will be:

- Processed lawfully, fairly and in a transparent manner in relation to individuals.
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Accurate and, where necessary, kept up-to-date; every reasonable step will be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.
- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Objectives

The CCTV system will be used to:

- Maintain a safe environment.
- Ensure the welfare of pupils, staff and visitors.
- Deter criminal acts against persons and property.
- Assist the police in identifying persons who have committed an offence.

In the following locations:

- Front of school - data retention period 30 days
- School Entrance - data retention period 30 days
- Rear gate - data retention period 30 days
- Class 1 - data retention period 30 days
- Class 3 looking at the playground - data retention period 30 days
- Pathway by hall- data retention period 30 days

Protocols

The CCTV system will be registered with the ICO in line with data protection legislation.

The CCTV system is a closed digital system which does not record audio.

Warning signs have been placed throughout the premises where the CCTV system is active, as mandated by the ICO's Code of Practice.

The CCTV system has been designed for maximum effectiveness and efficiency; however, the school cannot guarantee that every incident will be detected or covered and 'blind spots' may exist.

The CCTV system will not be trained on individuals.

The CCTV system will not be trained on private vehicles or property outside the perimeter of the school.

Security

Access to the CCTV system, software and data will be strictly limited to authorised operators and will be password protected.

The school's authorised CCTV system operators are:

Head Teacher

Deputy Head Teacher

School Admin Officer

Privacy by design

The use of surveillance cameras and CCTV will be critically analysed using a DPIA

The school will ensure that the installation of the CCTV systems will always justify its means.

Code of practice

The school understands that recording images of identifiable individuals constitutes as processing personal information, so it is done in line with data protection principles.

The school notifies all pupils, staff and visitors of the purpose for collecting CCTV data via signs in the school grounds where cameras are based.

CCTV cameras are only placed where they do not intrude on anyone's privacy and are necessary to fulfil their purpose.

All surveillance footage will be kept for 30 days for security purposes.

The school has a CCTV system for the purpose of the prevention and detection of crime and the promotion of the health, safety and welfare of staff, pupils and visitors.

The CCTV system is owned by the school and images from the system are strictly controlled and monitored by authorised personnel only.

The school will ensure that the CCTV system is used to create a safer environment for staff, pupils and visitors to the school, and to ensure that its operation is consistent with the obligations outlined in data protection legislation.

Access

Under the GDPR, individuals have the right to obtain confirmation that their personal information is being processed.

All disks containing images belong to, and remain the property of, the school.

Individuals have the right to submit an SAR to gain access to their personal data in order to verify the lawfulness of the processing.

The school will verify the identity of the person making the request before any information is supplied.

A copy of the information will be supplied to the individual free of charge; however, the school may impose a 'reasonable fee' to comply with requests for further copies of the same information.

Where an SAR has been made electronically, the information will be provided in a commonly used electronic format.

Requests by persons outside the school for viewing or copying disks, or obtaining digital recordings, will be assessed by the Headteacher, who will consult the DPO, on a case-by-case basis with close regard to data protection and freedom of information legislation.

Where a request is manifestly unfounded, excessive or repetitive, a reasonable fee will be charged.

All fees will be based on the administrative cost of providing the information.

All requests will be responded to without delay and at the latest, within one month of receipt.

In the event of numerous or complex requests, the period of compliance will be extended by a further two months. The individual will be informed of this extension, and will receive an explanation of why the extension is necessary, within one month of the receipt of the request.

Where a request is manifestly unfounded or excessive, the school holds the right to refuse to respond to the request. The individual will be informed of this decision and the reasoning behind it, as well as their right to complain to the ICO and to a judicial remedy, within one month of the refusal.

In the event that a large quantity of information is being processed about an individual, the school will ask the individual to specify the information the request is in relation to.

It is important that access to, and disclosure of, the images recorded by CCTV footage is restricted and carefully controlled, not only to ensure that the rights of individuals are preserved, but also to ensure that the chain of evidence remains intact, should the images be required for evidential purposes.

Releasing the recorded images to third parties will be permitted only in the following limited and prescribed circumstances, and to the extent required or permitted by law:

- The police – where the images recorded would assist in a specific criminal inquiry
- Prosecution agencies – such as the Crown Prosecution Service (CPS)
- Relevant legal representatives – such as lawyers and barristers
- Persons who have been recorded and whose images have been retained where disclosure is required by virtue of data protection legislation and the Freedom of Information Act 2000

Requests for access or disclosure will be recorded and the Headteacher will make the final decision as to whether recorded images may be released to persons other than the police.

Monitoring and review

This policy will be monitored and reviewed on a biennial basis, or in light of any changes to relevant legislation by the School Governors.

The Headteacher will be responsible for monitoring any changes to legislation that may affect this policy and make the appropriate changes accordingly.

The Headteacher will communicate changes to this policy to all members of staff.