



# CCTV Policy

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## REVIEW HISTORY

VERSION NO.	DATE OF CHANGE	CHANGE SUMMARY	PAGE NO.
1.0	June 2021	Draft for Finance & Audit Committee	
2.0	June 2022	Added contents page and page numbers; formatted in line with Trust brand guidelines.	
3.0	June 2023	Re-branded	
		Updated Academies Trust to Multi Academy Trust	
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## Policy statement

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

This policy applies to all members of our Workforce, visitors to Oak Multi Academy Trust 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:
- The UK General Data Protection Regulation 2018
- Data Protection Act 2018
- CCTV Code of Practice produced by the Information Commissioner
- Human Rights Act 1998

This policy sets out the position of the Trust in relation to its use of CCTV.

## The Data Protection Act 2018 and UK 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:

- collection, recording, organisation, structuring or storage,
- adaptation or alteration,
- retrieval, consultation or use,
- disclosure by transmission, dissemination or otherwise making available,
- alignment or combination, or
- 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.

## Purpose of CCTV

The Trust uses CCTV for the following purposes:

- To provide a safe and secure environment for pupils, staff and visitors
- To prevent the loss of or damage to Oak Multi Academy Trust buildings and/or assets
- To assist in the prevention of crime and assist law enforcement agencies in apprehending offenders

#### Description of system

The Trust sites uses fixed and moved cameras on sites. Cameras are not equipped for sound recording.

#### Siting of Cameras

All CCTV cameras will be sited in such a way as to meet the purpose for which the CCTV is operated. Cameras will be sited in prominent positions where they are clearly visible to staff, pupils and visitors.

Cameras will not be sited, so far as possible, in such a way as to record areas that are not intended to be the subject of surveillance. The Trust will make all reasonable efforts to ensure that areas outside of the Trust premises are not recorded.

Signs will be erected to inform individuals that they are in an area within which CCTV is in operation.

Cameras will not be sited in areas where individual have a heightened expectation of privacy, such as changing rooms or toilets.

#### Privacy Impact Assessment

Prior to the installation of any CCTV camera, or system, a privacy impact assessment will be conducted by Oak Multi Academy Trust to ensure that the proposed installation is compliant with legislation and ICO guidance.

Oak Multi Academy Trust will adopt a privacy by design approach when installing new cameras and systems, taking into account the purpose of each camera so as to avoid recording and storing excessive amounts of personal data.

#### Management and Access

The CCTV system will be managed by the Trust Estates Manager.

On a day-to-day basis the CCTV system will be operated by staff in academies with delegated authority as appropriate.

The viewing of live CCTV images will be restricted to members of staff in academies and trust offices with explicit powers to view images, for the reasons set out above.

Recorded images which are stored by the CCTV system will be restricted to access by members of staff in academies and trust offices with explicit powers to view images, for the reasons set out

above.

No other individual will have the right to view or access any CCTV images unless in accordance with the terms of this policy as to disclosure of images.

The CCTV system is checked weekly by appropriate staff members in academies to ensure that it is operating effectively.

### Storage and Retention of Images

Any images recorded by the CCTV system will be retained only for as long as necessary for the purpose for which they were originally recorded.

Recorded images are stored only for a period of thirty days unless there is a specific purpose for which they are retained for a longer period.

On occasion footage may be retained for longer than thirty days. For example, where a law enforcement body is investigating a crime.

Recordings will be downloaded and encrypted, so that the data will be secure, and its integrity maintained, to ensure it can be used as evidence if required.

All recordings must be logged and traceable throughout their life within the system.

### CCTV system security

A full Data Privacy Impact Assessment will be completed upon deployment, replacements, development or upgrading of the CCTV system. This is in line with the UK GDPR principle, Privacy by Design, and ensures the aim of the system is reasonable, necessary and proportionate.

The system will be made secure by the following safeguards:

- the system manager will be responsible for overseeing the security of the footage and recorded images, maintenance and training of authorised personnel
- the system will be checked for faults each week
- the footage will be stored securely and encrypted
- the software updates will be installed as soon as possible
- the recorded footage will be password protected
- the equipment will be located in a secured lockable enclosure accessible only to authorised personnel
- adequate cyber security measures will be in place to protect footage from cyber-attacks
- a register of authorised staff is maintained, reviewed and updated when necessary

A log of any access to the CCTV images, including time and dates of access, and a record of the individual accessing the images, will be maintained by Oak Multi Academy Trust.

## Covert recording

The trust will only 'covert record' when the following criteria are met:

- an assessment concluded that if we had to inform individuals that recording was taking place it would prejudice our objective
- there is reasonable cause to suspect specific criminal activity or actions that could result in a serious breach of staff or volunteer behaviour expectations is taking place
- covert processing is carried out for limited and reasonable period of time and related to specific suspected criminal activity
- if the situation arises where the trust adopts 'covert recording', there will be a clear documented procedure which sets out how the decision to record covertly was reached, by whom and the risk of intrusion on individuals

## Disclosure of Images to Data Subjects

Any individual recorded in any CCTV image is a data subject for the purposes of the Data Protection Legislation and has a 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 Trust's Subject Access Request Policy.

When such a request is made the Estates and Facilities Manager or their appropriately nominated representative will review the CCTV footage, in respect of relevant time periods where appropriate, 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 Estates and Facilities Manager or their representative must take appropriate measures to ensure that the footage is restricted in this way.

If the footage contains images of other individuals, then the Trust 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.

A record must be kept, and held securely, of all disclosures which sets out:

- When the request was made;
- The process followed by the Estates and Facilities Manager 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.

#### Disclosure of Images to Third Parties

The Trust will only disclose recorded CCTV images to third parties where it is permitted to do so in accordance with the Data Protection Legislation. It will not be common practice to release CCTV footage unless satisfactory evidence for a secure legal basis can be provided. This is authorised within Section 115, Crime and Disorder Act 1998.

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 the Estates and Facilities Manager must 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 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.

If an order is granted by a Court for disclosure of CCTV images then this should be complied with. However very careful consideration must be given to exactly what the Court order requires. If there are any concerns as to disclosure then the Data Protection Officer should be contacted in the first instance and appropriate legal advice may be required.

#### Review of Policy and CCTV System

The CCTV system and the privacy impact assessment relating to it will be reviewed annually.

#### Misuse of CCTV systems

The misuse of CCTV system could constitute a criminal offence.

Any member of staff who breaches this policy may be subject to disciplinary action.

#### Complaints relating to this policy

Any complaints relating to this policy or to the CCTV system operated by the Trust should be made in accordance with the Trust Complaints Policy.