

Newchurch Community Primary



Data Protection Policy

Mission Statement

Newchurch will give every child a flying start by working in partnership with parents, staff and the community to develop well-rounded citizens who will contribute in a positive way to society.

Persons with Responsibility

Sara Lawrenson
Governors

Linked Policies

Data Protection Policy
Subject Access Request Policy
Complaints Policy

Next Review: May 2019

CCTV POLICY

1 Policy Statement

- 1.1 Newchurch Community Primary School uses Close Circuit Television (“CCTV”) within the premises of the school. The purpose of this policy is to set out the position of Newchurch Community Primary School as to the management, operation and use of the CCTV at the school.
- 1.2 This policy applies to all members of our Workforce, visitors to Newchurch Community Primary School premises and all other persons whose images may be captured by the CCTV system.
- 1.3 This policy takes account of all applicable legislation and guidance, including:
 - 1.3.1 General Data Protection Regulation (“GDPR”)
 - 1.3.2 *[Data Protection Act 2018]* (together the Data Protection Legislation)
 - 1.3.3 CCTV Code of Practice produced by the Information Commissioner
 - 1.3.4 Human Rights Act 1998
- 1.4 This policy sets out the position of Newchurch Community Primary School in relation to its use of CCTV.

2 Purpose of CCTV

- 2.1 Newchurch Community Primary School uses CCTV for the following purposes:
 - 2.1.1 To provide a safe and secure environment for pupils, staff and visitors
 - 2.1.2 To prevent the loss of or damage to Newchurch Community Primary School buildings and/or assets
 - 2.1.3 To assist in the prevention of crime and assist law enforcement agencies in apprehending offenders

3 Description of system

- 3.1 The cameras located at Newchurch Community Primary School are fixed position, motion sensitive units. They record footage when triggered by movement. The cameras record in colour but are not capable of recording sound. There are eight cameras in total positioned

4 Siting of Cameras

- 4.1 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.
- 4.2 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. Newchurch Community Primary School will make all reasonable efforts to ensure that areas outside of the school premises are not recorded.
- 4.3 Signs will be erected to inform individuals that they are in an area within which CCTV is in operation.
- 4.4 Cameras will not be sited in external areas and not in those where an individual may have a heightened expectation of privacy, such as changing rooms or toilets.

5 Privacy Impact Assessment

- 5.1 Newchurch Community Primary School 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.

6 Management and Access

- 6.1 The CCTV system will be managed by Newchurch Community Primary School and Taylor Business Park. The cameras will be monitored by Newchurch Community Primary School during operational hours of the school. A timer in Newchurch Community Primary School will change the feed live to Taylor Business Park security out of school hours.
- 6.2 On a day to day basis the CCTV system will be operated by Newchurch Community Primary School. Any changes to the system will be made by a technician or site manager under the guidance of the Data Protection Officer.
- 6.3 The viewing of live CCTV images will be restricted to the office of the Data Protection Officer during school hours and will be viewed only by staff given access by the DPO. During out-of-hours sessions (6am - 6pm) the cameras will be monitored by selected security personnel of Taylor Business Park. This will be to ensure that the school grounds and buildings are safe and monitored when the school is non-operational.
- 6.4 Recorded images which are stored by the CCTV system will be restricted to access by the Data Protection Officer, members of the senior leadership team and, if necessary, law enforcement personnel.
- 6.5 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.

- 6.6 The CCTV system is checked monthly by site manager and Taylor Business Park security to ensure that it is operating effectively

7 Storage and Retention of Images

- 7.1 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.
- 7.2 Recorded images are stored only for a period of 28 days unless there is a specific purpose for which they are retained for a longer period.
- 7.3 Newchurch Community Primary School will ensure that appropriate security measures are in place to prevent the unlawful or inadvertent disclosure of any recorded images. The measures in place include:
- 7.3.1 CCTV recording systems being located in restricted access areas;
 - 7.3.2 The CCTV system being encrypted/password protected;
 - 7.3.3 Restriction of the ability to make copies to specified members of staff
- 7.4 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 Newchurch Community Primary School.

8 Disclosure of Images to Data Subjects

- 8.1 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.
- 8.2 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 Newchurch Community Primary School Subject Access Request Policy.
- 8.3 When such a request is made the Data Protection Officer will review the CCTV footage, in respect of relevant time periods where appropriate, in accordance with the request.
- 8.4 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 Data Protection Officer must take appropriate measures to ensure that the footage is restricted in this way.
- 8.5 If the footage contains images of other individuals then Newchurch Community Primary School must consider whether:

- 8.5.1 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;
- 8.5.2 The other individuals in the footage have consented to the disclosure of the images, or their consent could be obtained; or
- 8.5.3 If not, then whether it is otherwise reasonable in the circumstances to disclose those images to the individual making the request.
- 8.6 A record must be kept, and held securely, of all disclosures which sets out:
 - 8.6.1 When the request was made;
 - 8.6.2 The process followed by the Data Protection Officer in determining whether the images contained third parties;
 - 8.6.3 The considerations as to whether to allow access to those images;
 - 8.6.4 The individuals that were permitted to view the images and when; and
 - 8.6.5 Whether a copy of the images was provided, and if so to whom, when and in what format.

9 Disclosure of Images to Third Parties

- 9.1 Newchurch Community Primary School will only disclose recorded CCTV images to third parties where it is permitted to do so in accordance with the Data Protection Legislation.
- 9.2 CCTV images will only be disclosed to law enforcement agencies in line with the purposes for which the CCTV system is in place.
- 9.3 If a request is received from a law enforcement agency for disclosure of CCTV images then the Data Protection Officer 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 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.
- 9.4 The information above must be recorded in relation to any disclosure.
- 9.5 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.

10 Review of Policy and CCTV System

10.1 This policy will be reviewed annually.

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

11 Misuse of CCTV systems

11.1 The misuse of CCTV system could constitute a criminal offence.

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

12 Complaints relating to this policy

12.1 Any complaints relating to this policy or to the CCTV system operated by Newchurch Community Primary School should be made in accordance with the Newchurch Community Primary School Complaints Policy.

CCTV PRIVACY IMPACT ASSESSMENT TEMPLATE

1 Who will be captured on CCTV?

Pupils, staff, parents / carers, volunteers, Governors and other visitors including members of the public

2 What personal data will be processed?

Facial images, movement, behaviour

3 What are the purposes for operating the CCTV system? Set out the problem that the [Trust/Academy/School] is seeking to address and why the CCTV is the best solution and the matter cannot be addressed by way of less intrusive means.

Prevention or detection of crime

4 What is the lawful basis for operating the CCTV system?

Legal Obligation, legitimate interests of the organisation to maintain health and safety and to prevent and investigate crime

5 Who is/are the named person(s) responsible for the operation of the system?

Sara Lawrenson - Data Protection Officer

6 Describe the CCTV system, including:

- a. how this has been chosen to ensure that clear images are produced so that the images can be used for the purpose for which they are obtained;
- b. siting of the cameras and why such locations were chosen;
- c. how cameras have been sited to avoid capturing images which are not necessary for the purposes of the CCTV system;
- d. where signs notifying individuals that CCTV is in operation are located and why those locations were chosen; and

- e. whether the system enables third party data to be redacted, for example via blurring of details of third party individuals.

6a. Camera system selected through discussion with governing body and security professionals.
6b. Cameras will be situated on the exterior of the building. The cameras will point at locations which cover as much of the school grounds as possible.
6c. Cameras will not focus on areas within the building. Cameras will not be aimed at any residential buildings with the intent to record. No camera will be set on the building's interior.
6d. Signs will be placed at entrance and points where the buildings and grounds may be accessed. These points have been chosen as they are most likely to be seen by those accessing the school grounds.
6e. There are no systems whereby redaction is possible with the camera systems.

- 7 Set out the details of any sharing with third parties, including processors

Police or subject access. Careful consideration will be given to whether any provider is used in relation to the CCTV system and the access they might have to images. Data will only be sent out of the building in circumstances relating to law enforcement or subject access deemed appropriate by the DPO.

- 8 Set out the retention period of any recordings, including why those periods have been chosen

28 days.

- 9 Set out the security measures in place to ensure that recordings are captured and stored securely

The recording and storage of images will be managed on site at Newchurch Community Primary School. No images will be recorded or stored off site. Newchurch Community Primary School will remain in discussion with Taylor Business Park to ensure that they are compliant with these systems. Access to the recordings will only be possible through the office of the DPO.

- 10 What are the risks to the rights and freedoms of individuals who may be captured on the CCTV recordings?

The recording of footage is related to the safeguarding of pupils and staff. Data will only be held for the named amount of time. The system may only be accessed unlawfully if done so directly at the system storage in the office of the DPO or if recorded on an external device at Taylor Business Park (though these images will only be during out of school hours due to

the timer on the Newchurch Community Primary School site). Data breaches may be possible if the system is accessed unlawfully and data is downloaded to an alternative device. Any transfer of information will need to be performed on site.

11 What measures are in place to address the risks identified?

Any data transfer will be performed in the company of the DPO. The use of a timer will ensure that images of children and staff are not accessed at Taylor Business Park. Password encryption is in place on the system with only selected members of staff able to access recordings. These staff will be selected in case of emergency or if access is required by law enforcement personnel.

12 Have parents and pupils where appropriate been consulted as to the use of the CCTV system? If so, what views were expressed and how have these been accounted for?

No

13 When will this privacy impact assessment be reviewed?

May 2019

Approval:

This assessment was approved by the Data Protection Officer: