

Polisi Teledu Cylch Cyfyng (TCC)Ysgolion *School Close Circuit Television (CCTV) Policy*

Ysgol Tryfan



Llofnodwyd ar ran Cadeirydd y Llywodraethwyr:
Signed on behalf of the Chair of Governors:



Dyddiad Cymeradwyo: Gorffennaf 2023
Date of Approval:

Dyddiad Adolygu: Gorffennaf 2024

1. Introduction

Using Close Circuit Television (CCTV) involves the processing of information about individuals and, therefore, it comes under the provisions of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). The new legislation creates obligations for organisations but also gives rights to individuals, such as the right to obtain access to their information.

The purpose of this policy is to regulate, manage and implement use of the close circuit television system that has been established at the school. Following the recommendations in this policy will:

- Help to ensure that those responsible for CCTV systems adhere to Data Protection legislation and other statutory provisions.
- Contribute to using and implementing a camera system efficiently.
- Mean that information gathered is useable and can achieve its aims on a practical level.
- Ensure that the school remains within the law and avoids regulation actions and penalties.
- Inform individuals that procedures are in place that comply with data protection regulations with their information gathered.

1.1 The aims of the scheme and the Legal Basis

The system includes (many) cameras which are located around (internally and externally) the school. All cameras are monitored within the school by designated School staff. These members of staff can include members of the Senior Management Team, the School Headteacher, the Network Manager or the Health and Safety Officer.

The CCTV system has been established in order to:

- Increase the personal and collective safety of staff, students and visitors.
- Prevent vandalism.
- Prevent bullying.
- Protect School buildings and assets.
- Assist with the management of the school.

Our legal basis for processing information in this manner is 6(1)(e) ***“processing is necessary in order to complete a task in the public interest or when exercising an official authority granted to the Regulator”*** and 9(2)(g) for any sensitive information that is being processed, ***“processing is necessary in order to complete a task in the substantial interest of the public and to protect the fundamental rights and benefits of the individual/individuals”***.

The CCTV system can be used as evidence as part of disciplinary and grievance processes. The CCTV system will be monitored for the purposes outlined in the policy. However where allegations or complaints are received or where inappropriate behaviour has been observed when monitoring the system, the material can be used as part of an investigation

1.2 Principles

As surveillance systems monitor and record the activities of individuals, they process personal information and, therefore, must comply with data protection laws.

- Personal information must be dealt with fairly and lawfully.
- Data must be received and processed for specific purposes only.
- Information must be adequate and relevant without being excessive.
- Information must be accurate and kept up to date.
- Information must not be stored for longer than is necessary.
- Data must be stored securely.

The accountability principle also means that the school, as the data controller, must demonstrate compliance with the above.

2. Responsibilities

The CCTV scheme is registered with the Information Commissioner in accordance with the conditions of the Data Protection Act 2018 and the Commissioner's code of practice. The School is the data controller for the CCTV system established in the school. This means that the School will state what use is made of images and will note to whom they can disclose them.

However, an individual/individuals responsible for its day to operation needs to be designated.

- Determine and record who is responsible for operating the CCTV system in the School.
- He/she should be responsible for ensuring that procedures and standards are adhered to and that the system complies with this procedure.

The Governing Body

- Adopt the Close Circuit Television (CCTV) policy.

Headteacher/Designated Line Managers

- The headteacher is responsible for managing the procedures
- Ensure that relevant notices are in place informing people recording is taking place

Teaching Staff

- Ensure that they meet the expected standards of their post, to the best of their ability, in accordance with their employment contract.
- Collaborate reasonably with the school during any informal process or if a formal process is requested.

Local Authority - Schools Data Protection Officer

- Provide advice and guidelines to schools on policy and procedure matters.
- Provide guidelines to schools/headteachers on the process of requesting CCTV information.
- Be a contact point for staff/parents/students/visitors if there are concerns relating to the use of the CCTV system.

3. Using the Equipment

3.1 Location and use of cameras

Equipment must be fit for purpose. It should be ensured that:

- the school uses the cameras in order to monitor activity within the school for the purposes of school safety and well-being.
- the cameras are located in appropriate locations in the area(s) you had intended to monitor.
- access to the system is controlled by an user name and password for designated individuals.
- location of the cameras is safe and are not easy to damage.
- the surveillance area is appropriate and safe.
- the School deals with the system and all information, documents and records deriving from its use as data that is protected by the Data Protection Act 2018.

- cameras are used in areas where individuals have a high expectation of privacy in the most exceptional circumstances only.
 - individuals are aware that cameras are in place.
- materials and information have been procured as a result of CCTV and not used for commercial or entertainment purposes.

3.2 System Maintenance

It is important that the CCTV system can produce images of suitable quality. There will be a need to ensure that:

- the CCTV equipment is working correctly on a consistent basis;
- date and time is precise if there is a reference to date and time in the recording;
- cameras are protected from vandalism;
- cameras are repaired as soon as possible if they are not working;
- a detailed written record of all system maintenance cases is kept.

3.3 Storing Images

The image retention period should reflect the purpose of the system and images should not be retained for more time than is absolutely necessary to satisfy your recording purposes. Occasionally, you might need to retain images for a longer period for legal reasons, or a criminal investigation. When storing images, there will be a need to ensure:

- that images are stored for a period (maximum) of 30 days unless there is a legal reason or criminal investigation enabling us to store for a different period.

It is possible that some recorded images will be deleted after a shorter period, for example, if it is determined that there was no incident that could justify retaining the recorded images.

There will also be a need to ensure:

- that images are deleted safely at the end of the retention period.
- that a record of the deletion process is kept.
- that the network system, where images are stored, is safe.

4. Disclosing Information to others

Data protection legislation gives individuals the right to see personal information about themselves. If anyone has been recorded on the system, they have a right to make an application to see, and obtain a copy of the recorded material.

If you receive an application for information, the application should be considered carefully and there will be a need to ensure:

- that the appropriate form has been completed for this purpose (see appendix *).
- that you respond within one calendar month.
- that images are reviewed before they are released in case the personal information of another individual is part of the recording. Releasing this can lead to breaching the Data Protection Act. Depending on the circumstances, you might need to conceal the faces of other individuals who appear in the record before it is released.
- what is the purpose of disclosing the information? If the purpose is to prevent and solve crimes, it would be appropriate to disclose to the police, but not to the press.

Every occasion when an application is made to view a recording (see appendix *) must be recorded.

- Record the date and time.

- The reason for needing to view the recording.
- Details of the individual/s who watch the recording.

If the Police request to view CCTV images, they must complete an appropriate form, signed by the Headteacher and the Schools Data Protection Officer. (see appendix *)

4.1 Viewing Images

Images will only be viewed or copied if they will assist the services of the school with any of the matters referred to under the aims of the CCTV system (1.1) section. It must be ensured that access to images is restricted and that information is stored safely.

- Recorded material should be stored in a proper manner in order to protect the rights of individuals who have been recorded on the system and to also ensure that material can be used as evidence in court, if required.
- The recording should only be viewed in a location with restricted access, e.g. the Headteacher's Office. Access should not be allowed to others while someone is viewing a recording.
- It should be ensured that all staff are aware that misusing the equipment can be an offence.

4.2 Freedom of Information Requests

Any Freedom of Information requests for CCTV images should be referred to the School's Headteachers who will deal with them in accordance with the Act and with the assistance of the Schools Data Protection Officer.

5. Complaints and misuse

- Any case of misusing the system will need to be reported to the Schools Data Protection Officer in order for him/her to assess the risk and the need to report to the Information Commissioner.
- Any action by school staff which is contrary to the code of conduct will be investigated by the Headteacher first so that he/she can implement the most suitable disciplinary action.
- Any complaint relating to the CCTV system should be referred to the School's Headteacher.
- Any complaints will be investigated in accordance with this code.

6. Monitoring the Operation of the System

- The number of complaints received should be recorded.
- An internal assessment should be undertaken every year to assess the effectiveness of the system.
- Assessment outcomes should be assessed according to the purpose of the scheme. If it does not achieve its purpose, the system should not continue to be used.

A copy of this policy will be available for the public at the School Office and on the School website.

Signed on behalf of the Chair of Governors: _____

Date: _____

This application form is used to allow individuals access to information held about them on Gwynedd Council's CCTV system.

Section 1 – Personal Details

Name	
Surname	
Date of birth	
Address	
Post Code	
Telephone	

Section 2 Proof of identity

To help establish your identity your application must be accompanied by official documents.
For example: copy of birth certificate, driving licence, recent original utility bill.

Also a recent full face photograph of yourself.

Failure to provide this proof of identity may delay your application.

Section 3 Supply of Information

You have the right, subject to certain exceptions, to receive a copy of the information in a permanent form.
Do you wish to:

(a) View the information and receive a permanent copy Yes/No

(b) View the information only Yes/No

Section 4 – Declaration

The information that I have supplied in this application is correct and I am the person to whom it relates

Signed

Date

Section 5 – To Help us Find the Information

If the information you have requested refers to a specific offence or incident, please complete this Section.

If the information you require relates to a vehicle, property or other type of information, please note below.

Were you: (tick box below)

A person reporting an offence or incident

A witness to an offence or incident

A victim of an offence

A person accused or convicted of an offence

Other – please explain

Date and time of incident	
Place of incident	
Brief details of incident	

Before returning this form please check:

Have you completed ALL sections?

Have you enclosed the identification documents?

Have you signed and dated the form?

Please send this form to Steven Edwards, Operational Manager, Municipal Work Service, Cibyn Depot, Gwynedd Council, Caernarfon, Gwynedd. LL55 2BD

How we use your information

The personal information on the form will be used in order to process your request. It will be processed under data protection legislation. It will not be shared outside the Council and will be kept for a period of 3 years. For further information about your rights and details of how to complain, please visit the Privacy page on the website.