



LAWN MANOR
— ACADEMY —

CCTV POLICY

(November 2016)

**THE USE OF CLOSED CIRCUIT TELEVISION (CCTV)
TO COMPLY WITH THE
DATA PROTECTION ACT 1998**

CONTENTS

1. INTRODUCTION
2. SCOPE
3. DEFINITIONS
4. POLICY APPLICATION
 - 4.1 Initial Assessment Procedures
 - 4.2 Siting the Cameras
 - 4.3 Quality of the Images
 - 4.4 Processing the images
 - 4.5 Access to and disclosure of image(s) to third parties
 - 4.6 Access to images by individuals
5. INTERACTION WITH OTHER ACADEMY POLICIES AND PROCEDURES
6. RESPONSIBILITIES
7. ENFORCEMENT
8. DOCUMENTATION
9. REVIEW

APPENDIX

- Request to access CCTV images (police)
- Request/Release form for CCTV images (general public)

Policy adopted from Lawn Manor Academy on 1st September 2017

Policy Updated: November 2016

Person Responsible: Business Manager

SLT Approved: 17.11.16

Due for Review: **November 2017** (annually)

1.0 INTRODUCTION

This document sets out the appropriate actions and procedures, which must be followed to comply with the Data Protection Act in respect of the use of the CCTV (closed circuit television) surveillance system managed by Lawn Manor Academy

1.1 In drawing up this policy, due account has been taken of the following:-

- The Data Protection Act 1998;
- The CCTV Code of Practice produced by the Information Commissioner;
- The Human Rights Act 1998;
- The regulation of Investigatory Powers Act 2000;

1.2 The Data Protection Act 1998 came into force on the 1st March 2000 and contains broader definitions than those of its predecessor (1984) Act and more readily covers the processing of images of individuals caught by CCTV cameras. The changes in data protection legislation mean that for the first time legally enforceable standards will apply to the collection and processing of images relating to individuals.

1.3 An important new feature of the legislation is the CCTV Code of Practice which sets out the measures which must be adopted to comply with the Data Protection Act 1998. This goes on to set out guidance for the following of good data protection practice. The code of Practice has the dual purpose of assisting operators of CCTV systems to understand their legal obligations while also reassuring the public about the safeguards that should be in place.

2. SCOPE

This policy will cover all employees of Lawn Manor Academy, persons providing a service (voluntary or paid) to the academy, pupils, visitors and all other persons whose image(s) may be captured by the system.

3.0 DEFINITIONS

3.1 Prior to considering compliance with the Headteachers of the Data Protection Act, a user of CCTV or similar surveillance equipment will need to determine two issues:

3.1.1. The type of personal data being processed, i.e. is there any personal data which falls within the definition of **sensitive personal data** as defined by Section 2 of the Act;

‘Sensitive personal data’ includes:

- Gender;
- Ethnic origin or race;
- Political opinion.
- Religious beliefs;
- Trade Union membership;
- Health – mental or physical;
- Sexual life;
- Commission of any offence (or alleged);
- Any court proceedings or findings;

3.1.2 The **purpose(s)** for which both personal and sensitive personal data is being processed. The data must be:

- fairly and lawfully processed;
- processed for limited purposes and not in any manner incompatible with those purposes;
- adequate, relevant and not excessive;
- accurate;
- not kept for longer than is necessary
- processed in accordance with individual's rights;
- secure;
- not transferred to countries without adequate protection.

3.2 The Information Commissioner will take into account the extent to which users of CCTV and similar surveillance equipment have complied with this Code of Practice when determining whether they have met their legal obligations when exercising their powers of enforcement.

4.0 POLICY APPLICATION

4.1 Initial Assessment Procedures

4.1.1 The Chair of the Governing Board has the legal responsibility for the Lawn Manor Academy CCTV system. However the Headteacher has responsibility for the day-to-day compliance with the requirements of the CCTV Code of Practice.

4.1.2 The purpose of the academy's CCTV scheme is for the:

- Prevention or detection of crime or disorder;
- Apprehension and prosecution of offenders (including use of images as evidence in criminal proceedings);
- Interest of public and employee Health and Safety;
- Protection of public health.
- Protection of academy property and assets.

4.1.3 Prior to any camera installation the Headteacher/Business Manager will ensure that the installation complies with the Data Protection Act and CCTV Code of Practice.

4.2 Siting the Cameras

4.2.1 It is essential that the location of the equipment be carefully considered, because the way in which images are captured will need to comply with the Data Protection Act.

4.2.2. All cameras are located in prominent positions within public and staff view. All CCTV surveillance is automatically recorded and any breach of these Codes of Practice will be detected via controlled access to the system and auditing of the system.

4.2.3. Signs have been erected on all entrance points to academy premises and throughout the site to ensure staff and visitors are aware they are entering an area that is covered by CCTV surveillance equipment. The signs must include details on the purpose, organisation and contact details.

4.2.4 Use of Covert CCTV (Directed) surveillance if required should be requested through the Police. If the request through the police is refused then authority can only be given by the Academy's Directors. This is covered by the Regulation of Investigatory Powers Act 2000 (RIPA).

4.3 Quality of the Images

4.3.1. It is important that the images produced by the equipment are as clear as possible in order that they are effective for the purpose(s) for which they are intended. This is why it is essential that the purpose of the scheme be clearly identified. For example if a system has been installed to prevent and detect crime, then it is essential that the images are adequate for that purpose.

4.3.2 All camera installations and service contracts should be undertaken by NACOSS approved security companies. Upon installation all equipment is tested to ensure that only the designated areas are monitored and high quality pictures are available in live and play back mode. All CCTV equipment should be serviced and maintained on an annual basis.

4.3.3 The system has 52 cameras, recording to digital recording media. These cameras are currently monitored at the Main Reception and Student Services Reception with recording and monitoring facilities elsewhere within the academy.

4.4. Processing the images

4.4.1 Images which are not required for the purpose(s) for which the equipment is being used, should not be retained for longer than is necessary. While images are retained, it is essential that their integrity be maintained, whether it is to ensure their evidential value or to protect the rights of people whose images may have been recorded. It is therefore important that access to and security of the images is controlled in accordance with the requirements of the 1998 Act.

4.4.2 All images are digitally recorded and stored securely within the systems hard drives. Automatic erasure takes place after 15 days. Located within the academy are sub monitors that display images of public areas; however they are enclosed in secure areas and are only accessible to site staff.

4.4.3 Where the images are required for evidential purposes in legal or the academy disciplinary proceedings, a CD-R/DVD disc recording is made and placed in a sealed envelope signed and dated and held by the Business Manager until completion of the investigation. Viewing of images by staff within the reception office is controlled by the Business Manager or a person nominated to act on her behalf. Only persons trained in the use of the equipment and authorised by the Business Manager can access data.

4.5 Access to and disclosure of images to third parties

4.5.1 It is important that access to, and disclosure of, the images recorded by CCTV and similar surveillance equipment is restricted and carefully controlled. This will ensure that the rights of individuals are preserved, but also to ensure that the continuity of evidence remains intact should the images be required for evidential purposes e.g. a Police enquiry or an investigation being undertaken as part of the academy's disciplinary procedure.

4.5.2. Access to the medium on which the images are displayed and recorded is restricted to academy staff and their parties as detailed in the purpose of the scheme.

- 4.5.3 Access and disclosure to images is permitted only if it supports the purpose of the scheme. Under these conditions the CCTV images record book and the appropriate view/release form (Appendix) must be completed.

4.6 ACCESS TO IMAGES BY INDIVIDUALS

- 4.6.1 Section 7 of the 1998 Data Protection Act gives any individual the right to request access to CCTV images.
- 4.6.2 Individuals who request access to images must be issued an access request form (appendix). Upon receipt of the completed form, the Headteacher, Business Manager or Site Manager will determine whether disclosure is appropriate and whether there is a duty of care to protect the images of any third parties. If the duty of care cannot be discharged then the request can be refused.
- 4.6.3 A written response will be made to the individual, giving the decision (and if the request has been refused, giving reasons) within 15 days of receipt of the enquiry. If disclosure is appropriate a payment in advance of £10.00 will be required.

5.0 INTERACTION WITH OTHER ACADEMY POLICIES AND PROCEDURES

This policy should be read in conjunction with the academy's Data Protection Policy.

6.0 RESPONSIBILITIES

- 6.1 The Governing Board has corporate responsibility for the implementation of the policy, monitoring its effectiveness and ensuring the CCTV Code of Practice is available from the academy's Business Manager.
- 6.2 The academy's Directors discharge this responsibility through the Headteacher to whom the Business Manager is accountable.
- 6.3 The Academy's Data Protection Officer is also personally accountable for ensuring that the policy and Code of Practice are adhered to and monitored.

7.0 ENFORCEMENT

The information Commissioner has the power to issue Enforcement Notices where it is considered that there has been a breach of one or more of the Data Protection Principles. An Enforcement Notice would set out the remedial action that the commissioner requires of the academy to ensure future compliance with the requirements of the Act.

8.0 DOCUMENTATION

Copies of all documentation and records relating to the CCTV system will be held within the Business Managers Office and the Academy Data Protection Officer and will be kept under restricted confidentiality, for a period of 6 years.

9.0 REVIEW

This policy will be reviewed every year, or earlier in the light of changing circumstances by the Governing Board.

LAWN MANOR ACADEMY

ACCESS TO VIEW OR COPY IMAGES – POLICE

Name of person making request:	
Organisation:	
Address:	
Telephone Number:	

DETAILS OF IMAGE TO BE VIEWED

(Any request to view data more than 15 days old cannot be processed)

Date:	
Reason: (For police only)	

Signed:			
Request Granted:	Date:	Headteacher	Business Manager

TO BE COMPLETED IF IMAGES ARE REMOVED

Ref. No.	
Issued To:	
Crime No: (For police only)	
Date issued:	
Issued By:	
Return Date:	
I acknowledge receipt of the above CD:	
Signed:	Date:

LAWN MANOR ACADEMY

ACCESS TO VIEW OR COPY IMAGES – STAFF

Name of person making request:	
Organisation:	
Address:	
Telephone Number:	

DETAILS OF IMAGE TO BE VIEWED

(Any request to view data more than 15 days old cannot be processed)

Date:	
Reason:	

(2 Signatures required)

Headteacher		Dated:	
Business Manager/ Site Manager		Dated:	
Request Granted		Request Denied (Reason):	

TO BE COMPLETED IF IMAGES ARE REMOVED

Ref. No.	
Issued To:	
Date issued:	
Issued By:	
Return Date:	
I acknowledge receipt of the above CD:	
Signed:	Date:

NOTES TO ASSIST IN COMPLETION OF THE FORM

LOCATION (Note 1)

Provide details of the camera location, and the date and time of the image(s) you would like to see, as well as a general description of your appearance, clothing etc at the time in question.

DECLARATION (Note 2)

The person making the application must complete this section.

- a) If you are the data subject-tick the first box and sign the authorisation then proceed to Section 6
- b) If you are completing this application on behalf of another person, in most instances, we will require their authorisation before we can release the data to you. The data subject whose information is being requested should be asked to complete the 'Authorisation' section of the form.
- c) If the data subject is a pupil i.e. under 16 years of age the application may be made by someone with parental responsibilities, in most cases this means a parent or guardian. If the pupil is capable of understanding the nature of the application his/her consent should be obtained or alternatively the pupil may submit an application on their own behalf. Generally pupils will be presumed to understand the nature of the application if aged between 12 and 16. However, all cases will be considered individually.

APPLICANT (Note 3)

The applicant is the person who is applying on behalf of the data subject to get access to the CCTV image(s)

COUNTERSIGNATURE (Note 4)

Because of the confidential nature of data held by Lawn Manor Academy it is essential for us to obtain proof of your identity and your right to receive CCTV image(s). For this purpose it is essential that your application should be countersigned by any one of the following: A Member of Parliament, Justice of the Peace, Minister of Religion, a professionally qualified person (for example, Doctor, Lawyer, Engineer, Teacher), Bank Officer, Established Civil Servant, Police Officer or a person of similar standing who has known you personally. **A relative should not countersign.** The responsibility of the Academy's Data Protection Officer includes a check to confirm that the countersignature is genuine. In certain cases you may be asked to produce further documentary evidence of identity.

The person who countersigns your application is only required to confirm your identity and witness you signing the 'Declaration'. There is no requirement for this person to either see the contents of the rest of the form to give any assurance that the other particulars supplied are correct.

LAWN MANOR ACADEMY

**APPLICATION FORM
FOR
ACCESS TO CCTV IMAGES
UNDER THE DATA PROTECTION ACT 1998**

Lawn Manor Academy uses closed circuit television (CCTV) systems for the purposes of crime prevention, the prosecution of offenders and public safety.

The Data Protection Act 1998 gives you the statutory right of access to the CCTV images we process about you. Please complete this form if you wish to access a CCTV image. If you require assistance please contact the Data Protection Officer (details listed below).

**Business Manager
Lawn Manor Academy
Salcombe Grove
Swindon
SN3 1ER**

FEES PAYABLE

Please enclose a fee of £10 with your completed application form.

TIMESCALE

On receipt of your completed form and fee, we will respond to your request promptly, and in no more than 15 days. (Images are only stored electronically for 15 days, requests after this time cannot be processed). If we encounter any difficulties in locating your image(s) we will keep you informed of our progress.

SUBMISSION OF FORM

Please return this form to the Business Manager at the following address:

**Lawn Manor Academy
Salcombe Grove
Swindon
SN3 1ER**

REQUEST FOR CCTV IMAGE

SUBJECT ACCESS UNDER DATA PROTECTION ACT 1998

You are advised that the making of false or misleading statements in order to obtain access to personal information to which you are not entitled is a criminal offence.

SECTION 1: DATA SUBJECT DETAILS

Please supply a photo to aid in identification:

PHOTO

Surname:		Date of Birth:
Forenames:		Sex:
Address:		Home Telephone No:
		Work Telephone No:
Postcode:		

SECTION 2: LOCATION (note 2)

DATE	AREA	APPROX TIME	DESCRIPTION OF CLOTHING ETC

SECTION 3: DECLARATION STATEMENT (NOTE 2)

This section must be signed in the presence of the person who certifies your application. I declare that the information in this form is correct to the best of my knowledge and that I am entitled to apply for access to personal data referred to above under Please *tick appropriate box*

I am the person named (go to section 6)

Signature of Data Subject: _____ Date: _____

Or

the terms of the Data Protection Act 1998.

I am the agent for the person named and I have completed the authorisation section

I am the parent/guardian of the person who is under 16 years old and has completed the authorisation section.

I am the parent/guardian of the person who is under 16 years old and who is unable to understand the request (go to section 6)

I have been appointed by the Court to manage the affairs of the person (go to section 6)

SECTION 4: AUTHORISATION STATEMENT

Applicants Name (please print)	
Address to which reply should be sent (if different from over, inc Postcode)	
<i>Signature of Applicant</i>	

SECTION 5: AUTHORISATION STATEMENT

I hereby authorise Lawn Manor Academy to release CCTV images they may hold relating to me to

Enter the name of the person acting on your behalf) to whom I have given consent to act on my behalf.

Signature of Data Subject _____ **Date** _____

SECTION 6: COUNTERSIGNATURE *(note 4)*

To be completed by the person required to confirm the applicant's identity

I (insert full name) _____

Certify that the applicant (insert name) _____

Has been known to me as a (insert in what capacity eg employee, client, patient etc) _____

For _____ years and that I have witnessed the signing of the above declaration.

Name: <i>Please print</i>	Profession:
Address (inc Postcode):	Telephone Number:
Signature:	Date:

OFFICIAL USE ONLY

Date request Received		Amount Paid	
Date form sent to applicant		Method of payment	
Date form returned		Date sent to System Administrators	
Certification checked		Data checked	
Authorised by Headteacher/Deputy		Date completed	
