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Marlborough St Mary's CE Primary School



MARLBOROUGH
ST MARY'S
PRIMARY SCHOOL

CCTV Policy

Together we believe, learn and achieve

This policy will apply to both teaching and non-teaching staff and has been agreed with the following recognised unions: NEU, NAHT, NASUWT, ASCL, Unison, GMB and Unite.

Marlborough St Mary's CE Primary School

CCTV Policy

Introduction

1. This policy outlines Marlborough St Mary's use of CCTV monitoring and vehicle tracking. It explains the purpose of CCTV monitoring in the school building and outlines when and where it takes place and describes how the information can be used.

Who is included in these arrangements?

2. This policy applies to anyone working or applying for a position with Marlborough St Mary's
3. Volunteers to the Marlborough St Mary's should be made aware that CCTV monitoring takes place and that information may be passed to the police where criminal activity is suspected or a criminal matter arises.
4. Agency staff and contractors should be made aware of the policy and that CCTV, where applicable may be discussed with their employer or passed to the police should a disciplinary or criminal matter arise.

When does it not apply?

5. The policy does not apply to members of the public or visitors. The [code of practice for closed circuit television systems](#) covers the general use of CCTV on council land and property to which the public have access. Academies and church schools that own their own land will need to refer to their own data practice codes or practices. The Information Commissioners Office in part 3 of its [ICO Employment Practices code](#) has information on data protection and monitoring at work.

What are the main points?

Use of CCTV

6. Cameras are installed in school buildings for preventing and detecting crime or acts of misconduct and for health and safety reasons. Marlborough St Mary's will ensure that all cameras are set up in a way that makes sure that there is minimal intrusion of staff privacy and that any intrusion is fully justified.

7. Signs will be displayed to inform staff and visitors that CCTV is in use and its purpose. This ensures that staff are fully aware that they are potentially subject to surveillance and can take appropriate steps to limit the impact of the CCTV with regard to their privacy.

Where CCTV is installed?

8. Areas CCTV is in operation include:
 - Front and rear entrances to school
 - School car park
 - Entrance to car park
 - Key Stage 2 play area

Monitoring

9. The CCTV cameras are not continuously monitored, and the CCTV cameras record images only and not sound.
10. When new CCTV monitoring is installed all affected staff will be fully informed, ensuring that they have information about the purpose of the monitoring and how the information will be used

Evidence from CCTV footage

11. CCTV evidence can be used where the school is able to show that it is acting fairly and lawfully. CCTV recordings will only be accessed where the school has a reasonable belief that there is suspected criminal activity, gross misconduct, health and safety issues or to protect the school against fraudulent damage claims, or when a police crime reference number has been issued or CCTV footage discloses activities that they could not reasonably be expected to ignore.
12. Use of CCTV data will only be considered as evidence following consultation with the school's HR adviser, in order to establish whether it is an essential part of the investigation.
13. Retrieval of CCTV images of the school buildings is strictly limited to members of the senior leadership team and as necessary Chair of Governors, assisted by the IT Technician.
14. Requests to view CCTV data of the school buildings should be made to the Headteacher.
15. Where CCTV evidence forms part of a disciplinary case the staff member will be shown a copy of the images and given the opportunity to respond to them as part of the disciplinary process. Images of other persons in the CCTV footage must be edited out

e.g. by redaction or pixilation unless consent for the images to be released has been obtained from the persons concerned.

16. The CCTV footage will only be disclosed to those staff members and relevant parties who need access to it and require sight of the footage as part of the disciplinary process
17. Where CCTV exonerates the member of staff of any wrongdoing, the images will only be retained until the matter is concluded and the school feels it is no longer necessary to retain the images.
18. Where there is evidence of criminal activity, recordings may be provided to the police or other enforcement agencies, if requested. Any such disclosure would be made in accordance with the Data Protection Act.

Storage of CCTV footage

19. Images from CCTV footage will be securely stored, and only authorised personnel will have access to them. The images will be retained for the designated time of their system after which they will be automatically overwritten. (Typically 7-30 days).
20. In an investigation, in accordance with data protection principles, images will only be retained long enough for the incident to be investigated and concluded in respect of the school's internal processes and/or at the end of any legal or other process which requires the data to be retained. The Information Commissioners Office in part 3 of its [ICO Employment Practices code](#) has information on data protection.

Covert CCTV Monitoring

21. Covert CCTV monitoring is when CCTV monitoring takes place but those subject to it are unaware that it is happening. For this reason, the use of covert CCTV will not normally be considered. It will only be justified in limited circumstances where there is reasonable suspicion that a crime or serious misconduct is taking place and where CCTV use is likely to be a proportionate means of securing evidence.
22. The school will comply with the relevant provisions in the [ICO Employment Practices code](#) including:
 - A privacy impact assessment will be completed by the Headteacher to consider whether the proposed surveillance can be justified as proportionate to the needs identified.
 - Consultation is also a key element of this process. The Headteacher may discuss with another member of the SLT and/or the chair of governors.
 - Ensuring that any covert monitoring is strictly targeted and limited in scope and time
 - Limiting the number of people involved in the investigation

- Prior to the investigation setting up clear rules limiting the disclosure and access to any information obtained
23. Where covert monitoring is being considered, advice must be sought in advance from the school's HR Advisor. They will consider whether there is an alternative more suitable solution.
 24. In some cases covert CCTV monitoring installed for one investigation may reveal evidence of other criminal behaviour or disciplinary offences. The footage will only be used where the offence is criminal activity, gross misconduct, putting others at risk or reveals activities that a Headteacher could not reasonably be expected to ignore.
 25. CCTV will not be operated in toilets or changing rooms, unless this is necessary for the investigation of a serious crime, or there are circumstances in which there is a serious risk to health and safety or to the operation of the school's business. The only time where CCTV will be operated in these places is where covert CCTV monitoring is justified and only where it is a proportionate means of achieving the aim in question.
 26. All covert CCTV monitoring equipment will be removed once the investigation is complete.

Employee responsibilities

27. Ensure that employees are aware and understand the policy.

Headteacher responsibilities

28. Ensure staff are aware where CCTV or tracking devices are in operation.
29. When new methods of CCTV monitoring or tracking are introduced ensure staff are fully informed and they have information about the purpose of the monitoring and how the information will be used.
30. Ensure, where appropriate, that a privacy impact assessment has been carried out prior to implementation of new monitoring systems.
31. Regularly remind staff that CCTV or tracking devices are in operation.
32. When intending to use recorded data for disciplinary purposes ensure that advice has been sought from your HR adviser as to whether this is appropriate and required.
33. Ensure clear records are kept showing when data has been viewed and for what purpose.
34. Ensure data protection principles and the general data protection regulations (GDPR) are followed and that CCTV recordings are only disclosed to the people who need to have access to it.

Frequently Asked Questions

35. How will I know if I am being monitored by CCTV?

There will be clear signage showing where there is CCTV coverage, and you should be made aware of the policy.

36. What happens with the recordings?

The systems are unmanned and not constantly monitored. The recordings are kept on the system usually between 7 and 30 days and then overwritten.

37. Who can look at the CCTV recordings?

This is limited to the Headteacher, members of the senior leadership team and as necessary the Chair of Governors. If the recordings are to be used as evidence in a disciplinary only those involved in the case will be able to view them. Data or footage may also be passed to the police should a criminal matter arise.

38. Why can I not be given a copy of a CCTV recording as a matter of course if it is being used in a disciplinary?

In the majority of cases, you will be shown footage or data and given a copy as part of the disciplinary report. If other employees or members of the public appear in the recording the footage can be edited by redaction or pixilation before you can view it, unless prior consent has been obtained for the images to be released.

39. Are CCTV recordings and vehicle tracking data a breach of privacy and human rights?

No, the policy has been developed taking into account the Data Protection Act and ICO Code of Practice. Staff are informed where CCTV cameras or monitoring equipment is, why it is being used and the circumstances when it will be used. They are also informed that the use of monitoring equipment is justified as it is for preventing and detecting crime, acts of misconduct and for health and safety reasons in order to protect the safety of the school and its staff and pupils.

40. Will CCTV be used in classrooms to monitor my teaching performance?

No, CCTV will not be used in classrooms to check on your performance.

Legislation

Data Protection Act 2018

Human Rights Act 1998

Regulation of Investigatory Powers Act (RIPA) 2000