

BASED ON THE KMBC

Directorate of Children and Family Services

**Code of Practice for the Operation of CCTV within Schools
and Centres for Learning**

 **Contents**

| Section | | Page |
|----------------|--|-------------|
| 1 | Introduction | 3 |
| 2 | Objectives | 3 |
| 3 | Definition of CCTV | 4 |
| 4 | Statement of Intent | 4 |
| 5 | Use of the Code of Practice | 5 |
| 6 | Operating a CCTV System | 5 |
| 7 | Location of Cameras | 6 |
| 8 | Signage and Awareness | 6 |
| 9 | CCTV Control Room/Area | 7 |
| 10 | Maintenance of the CCTV System | 8 |
| 11 | Misconduct Investigations | 8 |
| 12 | Archiving of Information and Images | 9 |
| 13 | Security and Disclosure to Third Parties | 10 |
| 14 | Staff Training | 12 |
| 15 | Breaches of the Code of Practice | 12 |
| 16 | Monitoring and Review of the CCTV System | 12 |
| 17 | Complaints | 12 |
| 18 | Linked KMBC Documents | 13 |
| 19 | References | 13 |

1 Introduction

1.1 The use of Closed Circuit Television (CCTV) has become increasingly widespread throughout the UK over recent years. Originally deployed for protecting large establishments and monitoring city centres, CCTV systems are now installed routinely within shops, schools, and even individual vehicles on the public transport network. Additionally, the market has undergone a rapid transition from analogue to digital recording technology, which has had a significant impact on the design and functionality of CCTV systems

1.2 As the use of CCTV systems in educational establishments has increased, there is a clear need to establish guidelines for their appropriate and lawful use. The Information Commissioner has produced a Code of Practice on the use of CCTV¹ to ensure compliance with the Data Protection Act, the advice from which is incorporated within this document.

1.3 The school is committed to ensuring the health, safety and welfare of all employees, service users and visitors and to ensuring that children receive a high quality education in a safe and secure environment.

1.4 In order to secure the safety and wellbeing of the school, together with its employees, service users and visitors, it is acknowledged that the general use of CCTV systems will aid in the detection and prevention of crime, the detection and reduction of bullying incidents and will assist in the investigation of alleged misconduct incidents.

1.5 The purpose of CCTV systems in schools and Centres for Learning is to:

- increase personal safety and reduce the fear of crime
- protect the school buildings and their assets
- support the Police in detecting and preventing crime
- assist in identifying, apprehending and prosecuting offenders
- protect members of the public and private property
- assist in the management of the school

1.6 The safety and welfare of children, or child protection, must be considered at all times during the use and operation of CCTV systems and during the deployment of CCTV systems, the placement of cameras and the storage of recorded media. Were images, particularly of children, are recorded then they may only be used for the purposes intended.

2 Objectives

2.1 The purpose of this Code of Practice is to regulate the management, operation and use of closed circuit television in schools and Centres for Learning to ensure that:

- the CCTV systems operate within the legislative framework set out in the Data Protection Act and comply with Data Protection guidelines
- the recorded media is stored securely and is used only for its intended purpose
- adequate and appropriate CCTV signage is displayed.

2.2 This Code of Practice relates specifically to images recorded by CCTV for the purposes stated in **Section 1.5**. Filming using the CCTV system may also take place for other

¹ The Information Commissioners Code of Practice (Appendix 4) can be accessed via the link below:

http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/ico_cctvfinal_2301.pdf

purposes, such as publicity or training. In such cases appropriate consent must always be obtained from the Headteacher or Deputy Headteacher and from the subjects of the filming or, in the case of children, from their parent or guardian, before filming takes place.

2.3 This Code of Practice applies to all schools and Centres for Learning within the borough of Knowsley. Principals, Headteachers and Governors are responsible for ensuring the implementation of the Code of Practice and for reviewing all existing CCTV systems to ensure that they are fully compliant.

2.4 Responsibility for the operation and use of a CCTV system may in some educational establishments lie with third party organisations. However, the responsibility for compliance with all relevant legislation and Codes of Practice will remain with the school and KMBC in all cases.

2.5 CCTV operation and management within Centres for Learning is the responsibility of Balfour Beatty Workplace (BBW), in consultation with the Principal (see Appendix 2). This Code of Practice sets out the minimum requirements for the operation and management of CCTV systems within Centres for Learning.

2.6 This Code of Practice includes a definition of the CCTV system (i.e. a number of fixed and dome cameras located around the school site) and the way in which they are monitored (i.e. all cameras are monitored from a Central Control Room and are only available to selected senior staff on the Administrative Network).

2.7 This Code of Practice will be subject to review bi-annually. Consultation upon its contents and operation will take place, as appropriate, with all interested parties.

3 Definition of CCTV

3.1 For the purpose of this Code of Practice, a basic CCTV system will comprise of the following elements:

- Camera(s)
- Television monitor(s)
- Connecting medium (e.g. coaxial cable, fibre optics, etc)
- Power source to both monitor(s) and camera(s)
- Recording medium (e.g. video recorder, DVD recorder, hard drive recorder)
- Locations covered, i.e. school buildings, car parks and other public areas

4 Statement of Intent

4.1 The CCTV scheme will be registered with the Information Commissioner under the terms of the Data Protection Act and will be operated in compliance with the requirements both of the Data Protection Act and the Information Commissioner's Code of Practice.

4.2 The school will operate the system and all information, documents and recordings obtained from it and used as data in compliance with the Data Protection Act.

4.3 Static cameras will not focus on private homes, gardens or other areas of private property.

4.4 Unless an immediate response to events is required, staff will not direct cameras at an individual, their property or a specific group of individuals, without authorisation first being

obtained for Directed Surveillance in accordance with the Regulation of Investigatory Powers Act.

4.5 Materials or knowledge secured from the use of CCTV will not be used for any commercial purpose. Images will only be released to the media for the sole purpose of the investigation of a specific crime and with the written authority of the Police and will not be released to the media for any other purpose.

4.6 Warning signs, as required by the Information Commissioner's Code of Practice, will be placed at all access routes to areas covered by the CCTV system.

4.7 The planning and design of the CCTV system is intended to ensure that it will give maximum effectiveness and efficiency, although it is recognised that it will not be possible for the system to cover or detect every single incident taking place in the areas of coverage.

5 Use of the Code of Practice

5.1 Principals, Headteachers and Governors are responsible for assessing the need and requirements for a CCTV system and for ensuring that any system implemented complies with the Data Protection Act.

5.2 This Code of Practice should be used as a guide for those who are considering implementing a CCTV system or reviewing an existing system.

6 Operating a CCTV System

6.1 The CCTV system will be operated 24 hours a day on every day of the year. Camera surveillance may be maintained at all times and a monitor, installed in the CCTV Control Room/Area,² will record images continuously.

6.2 Security and disclosure policies relating to the CCTV system will be developed and documented by the individual school/Centre for Learning.

6.1 The CCTV scheme will be administered and managed within the school/Centre for Learning by the most senior representative of the school in accordance with the principles and objectives expressed in this Code of Practice.

6.2 The day-to-day management of the scheme will be with KMBC Security.

6.3 All staff having access to the CCTV system will be fully trained in the use, operation and legal implications arising from the implementation of the system.

6.5 Liaison meetings will take place between all bodies involved in the implementation, maintenance and support of the CCTV system.

6.6 Clear and legible signs must be erected at all access routes to areas monitored by the CCTV system so that individuals are aware that they are entering a zone which is covered by CCTV surveillance.

6.8 The Principal or Headteacher is responsible for notifying the DCFS Health & Safety Team (0151 443 3294) of the installation and operation of the CCTV system and for updating such information annually.

² See Section 9 – CCTV Control Room/Area, page 7

7 Location of Cameras

7.1 Cameras must be sited in such a way that they can only monitor locations that are intended to be covered by the CCTV system. For example, if a camera is sited close to neighbouring private property, it should be positioned in such a way that any activity at the property is not monitored by the camera or visible on the images recorded by the CCTV system.

7.2 Individual privacy within the premises also needs to be considered and respected at all times in the use of the CCTV system. Under no circumstances should CCTV cameras be directed into toilet or changing room areas or other areas which may cause embarrassment or breach of privacy and cameras should be fixed so that they cannot 'follow' an individual or stray into such areas. The placement of CCTV cameras within changing rooms or toilets or other areas where privacy may be compromised must be avoided wherever possible.

7.3 In those rare instances in which CCTV cameras are located within learning spaces, staff and pupils must be consulted/advised prior to the installation of the cameras and before recording takes place, appropriate consent must be obtained.

7.4 Some buildings (e.g. listed buildings) may require planning permission or other consent for the erection of external CCTV equipment.

8 Signage and Awareness

8.1 Adequate signage must be erected at the entrance to the premises to ensure that all students, staff and visitors are aware that they are entering an area that is covered by CCTV surveillance. The size of the sign will vary depending upon the specific circumstances. For example, if the sign is to make people aware that a car park is covered by CCTV, an A3 size sign will be appropriate as it will be seen from a distance, whereas an A4 size sign will be more appropriate at the door to a building as it will be viewed from close proximity.

8.2 Signage should normally include an image of a CCTV camera. Where a sign does not display an image of a camera, the following wording should be used:

"This area is covered by a CCTV system. Images are being monitored for the purpose of crime prevention and public safety. This scheme is controlled by xxxxxxx. For further information contact xxxxx – xxx – xxx"

Where an image of a camera is used on the sign, the following wording is required:

"This area is covered by a CCTV system. This scheme is controlled by xxxxxxx. For further information contact xxxxx – xxx – xxx"

9 CCTV Control Room/Area

9.1 Most large CCTV installations will have a specific and staffed control room from which events are monitored. School and Centre for Learning CCTV installations, however, are designed primarily to record images, which can be reviewed in the event of an incident. A screen will usually be provided as part of the system, on which the live view can be displayed, but this may not be monitored regularly by the staff. Consideration must be given to the following points when selecting a suitable room/area for monitoring the CCTV system:

- Size and shape of the room/area

- Light and ventilation (lights are positioned so as not to cause glare on the displays. Equipment may generate significant heat, and additional ventilation or air-conditioning units may be required)
- Security and privacy (e.g. access control to prevent unauthorised viewing or tampering)
- Proximity to the locations being monitored
- Ergonomics (the layout must be comfortable for the operators and allow them to maintain appropriate levels of alertness)
- Display Screen Equipment (DSE) assessment

9.2 Whilst monitoring and/or viewing images, access to the CCTV Control Room/Area will be restricted to those persons identified in **Section 6.3**. Visitors to the CCTV Control Room/Area must first obtain permission from the CCTV System Manager, or their Deputy, and be accompanied at all times by the CCTV System Manager, or Deputy. The visit will be immediately curtailed if operational requirements make this necessary. Casual visits to the CCTV Control Room/Area will not be permitted.

9.3 It is essential that all CCTV operations are managed with the minimum of disruption. Visitors and other contractors wishing to enter the CCTV Control Room will therefore be subject to the following arrangements:

- the Control Room Operators must satisfy themselves of the identity of the visitor and the purpose of their visit. Where any doubt exists, access will be refused.
- details of all visits and visitors to the CCTV Control Room will be entered into the Control Room log book.

9.4 If out-of-hours emergency maintenance issues arise, the Control Room Operators must be satisfied of the identity and purpose of all contractors visiting the Control Room/Area and the precise purpose of their visit before allowing entry.

9.5 A visitor's book will be maintained in the CCTV Control Room/Area. When operational, full details of every visitor, including time/data of entry and exit, **must** be recorded in the visitor's book.

9.6 Administrative functions undertaken in the CCTV Control Room/Area in addition to monitoring and maintenance of the CCTV system, will include maintaining video tapes and hard disc space, filing and maintaining details of occurrences recorded by the CCTV system and filing and maintaining of system maintenance logs.

9.7 Unless an immediate response to events is required, staff in the CCTV Control Room/Area must not direct cameras at an individual or a specific group of individuals.

9.8 In appropriate cases, emergency procedures will be used to contact the Emergency Services.

10 Maintenance of the CCTV System

10.1 It is essential that the images captured by the CCTV system are of good quality and allow an accurate interpretation. The integrity of the images recorded must therefore be maintained and they must not be altered, sequenced, manipulated or edited in any way.

10.2 Cameras and equipment must be appropriately maintained and serviced to ensure that they remain functional, fit for purpose and that clear images are recorded. The Site Manager will check and confirm the efficiency of the CCTV system daily and, in particular, that the

equipment is properly recording, that the cameras and equipment are operational, functional and that the images captured are of the highest possible quality.

10.3 A maintenance log will be kept for the CCTV system and will be made available for inspection at all times. A general daily log will also be kept of all camera and equipment checks undertaken. If a CCTV camera or equipment is damaged, this will be recorded immediately and clear procedures must be implemented to ensure that it is repaired as soon as practically possible.

10.4 Tapes/discs or other media used to store images must be of good quality and should each be individually marked with a unique reference number for identification purposes. Such tapes, discs or other media must never be re-used for recording purposes without first being completely wiped.

10.5 All CCTV recorded images should display the correct time and date of the recording. If the equipment records on-screen data, such as date, time and location of the camera, this should be checked every day to ensure that the information displayed remains accurate. These checks will be recorded in the daily log and kept securely as evidence that such checks have taken place.

11 Misconduct Investigations

11.1 CCTV images may be used where relevant or appropriate in the investigation of incidents of alleged misconduct, bullying or harassment. If the use of such images is being considered, advice should first be sought from Human Resources. If, following the receipt of such advice, the investigating officer concludes that CCTV footage may assist in the investigation then the following process must be followed:

- where the investigation concerns an employee, the employee's trade union representative should be consulted on the intended use of the CCTV recording in the investigation.
- where the investigation concerns the conduct of a child, the child's parent or carer will be consulted in accordance with the requirements of the Data Protection Act and all statutory requirements including Child Protection Guidance.
- where the investigation involves members of the public, the investigating officer will ensure compliance with all requirements under the Data Protection and Regulation of Investigatory Powers legislation and their associated Codes of Practice.

11.2 Following this, the CCTV System Manager will be contacted and informed of the intended use of the CCTV images. The CCTV System Manager will then extract a copy of the CCTV images requested by the investigating officer and edit these to protect the identities of other pupils/staff or members of the public also shown. If it is essential that if images of another member of staff or pupil are displayed, then their consent is sought before the images are disclosed to the investigating officer.

11.3 If the investigation relates to alleged misconduct, or a complaint, by an employee, the employee's trade union representative (if appropriate) and the investigating officer may then view the images extracted from the CCTV system. The investigating officer will produce a statement detailing their interpretation of the recording and the trade union representative, in consultation with their member or other identified representative, will produce a statement of their own interpretation. These statements may then be used in any subsequent disciplinary or other proceedings.

11.4 It is very rare for the use of covert surveillance to be required or appropriate. However, in the event that the Headteacher considers the use of covert surveillance to be necessary, advice will first be sought from Human Resources and Legal Services to ensure compliance with all legislative and Code of Practice requirements as well as specific corporate policy.

12 Archiving of Information and Images

12.1 The Information Commissioner's Code of Practice on the use of CCTV requires that the rights of the individual are safeguarded. It is therefore essential that images captured by the CCTV system are stored securely and are destroyed within a fixed period of time.

12.2 Tapes, discs and other media used to record images should be clearly labelled with the date, start time of the recording and location of the camera.

12.3 Once labelled, the tape, disc or other media should be stored in a secure location, such as a lockable cupboard or store room, and access restricted to authorised persons only.

12.4 Tapes/discs should be retained for a period of no longer than 31 days from the date of the recording. To ensure that this limited retention period is maintained, the oldest tape/disc in the archive will be wiped for re-use on a daily basis.

12.5 Digital recording devices should be kept securely, in the manner above, as the images are recorded directly to the hard drive.

12.6 The images recorded by the CCTV system are held under the copyright of KMBC and remain the property of KMBC. They must not be released to any third party, including the Police, without formal permission and following the completion of all relevant procedural requirements.

12.7 Any recorded tapes, discs or other media required for criminal proceedings should, where practicable, be removed from the system and kept separately and securely. Recordings provided to the Police for the investigation of criminal matters will in all cases be copies of the original recordings. The original recordings will only be released upon request by the Court after they have been copied, labelled and filed. Original recordings will not be released under any circumstances unless an express written request or order has first been received from the Court.

13 Security and Disclosure to Third Parties

13.1 The Data Protection Act, the Human Rights Act and the Freedom of Information Act contain stringent requirements that apply to the recording and disclosure of images captured by CCTV to ensure the privacy of individuals whose movements or activities are recorded. To ensure that these requirements are complied with, the school or Centre for Learning must adhere to the guidelines below before disclosing or releasing images recorded by the CCTV system to any person or agency, including a law enforcement agency.

13.2 Security and disclosure policies to safeguard the images recorded by the CCTV system should be established and documented by the school. Nominated members of staff should be aware of the procedures necessary to access images recorded by the CCTV system.

13.3 Disclosure of the images to third parties should only take place in limited and prescribed circumstances, such as for use by law enforcement agencies in the prevention or detection of crime.

13.4 Recordings from the CCTV system may be viewed by the Police to assist in the prevention and detection of crime, in accordance with the exemption provided for this purpose by Section 29 of the Data Protection Act. Viewing of the recorded images should take place in a restricted area and people other than those authorised to view the recorded images should not be allowed access to this area while the images are being viewed. Details of the viewing of recordings from the CCTV system by the Police, or by any other person, must be entered into the log book maintained for this purpose in the CCTV Control Room/Area.

13.5 When recorded images from the CCTV system are viewed, the following information must be documented:

- The name(s) of the person(s) viewing the images
- If the person viewing the images is not an employee of KMBC, the name of the organisation they represent
- The reason the images are being viewed
- The outcome, if any, of the images being viewed
- The date and time the images were returned to archive storage
- Alternatively, whether the images have been retained or copied for evidential purposes.

13.6 If images are to be used for any legal proceedings, the following must be documented:

- The date on which the images were extracted from the system
- The reason the images were extracted from the system
- The crime incident number, if any, to which the images relate
- To whom the images have been provided or disclosed (e.g. if the images have been handed to a Police Officer as evidence, the name of the Police Officer and the Police station to which they are attached)
- The signature of the Police Officer or of any other person, such as a Customs and Excise Officer, having authority to request the recorded images

13.7 In order to maintain and preserve the integrity of the tape, discs or other media used to record events from the CCTV hard drive and the facility to use these in any future proceedings, the following procedures for their use and retention must be strictly adhered to:

- (i) Each means of recording must be identified by a unique reference.
- (ii) Before use, each means of recording must be cleaned of any previous recording.
- (iii) The CCTV System Manager, or a CCTV controller duly authorised by the CCTV System Manager, must register the date and time the tape was inserted, including the tape reference.
- (iv) Any recording required to be used for evidential purposes must be sealed, witnessed, signed by the CCTV System Manager, dated and stored separately and securely within the CCTV Control Room. A recording which has not been copied for the Police before it is sealed may be copied at a later date providing that it is then resealed, witnessed, signed by the CCTV System Manager, dated and returned to secure storage.
- (v) The reference of all archived recordings must be noted.

13.8 A record will be maintained of the release of copies of any CCTV recordings to the Police, or any other authorised applicants, in the register provided for this purpose in the CCTV Control Room/Area. Copies of recordings will only be released to the Police, or any other person, on the clear understanding that the recording remains the property of the school or Centre for Learning and that both the recording and the information contained

within it will be held and used strictly in accordance with the requirements of this Code of Practice. The school or Centre for Learning retains the right to refuse permission for the Police to pass the recording, or any information contained within it, to any other person. Should a Court require the release of an original recording from the CCTV system, this will be produced from secure storage in its sealed condition.

13.9 The Police may require the school to retain certain recordings from the CCTV system for possible use as future evidence. Such recordings will be properly indexed and referenced and will be kept in secure storage until their retention is no longer required.

13.10 Applications from outside bodies to view or release tapes from the CCTV system will be referred to the Headteacher. Recordings will only be released in such circumstances if satisfactory documentary evidence is produced to show that they are required for legal proceedings, a subject access request under the Data Protection Act, or in response to a Court Order. A fee can be charged by the school or Centre for Learning in such circumstances.

13.11 The Data Protection Act requires that all data subjects (i.e. individuals who appear on camera) have a right of access to their recorded images. Where third parties are also included in the recording, the school or Centre for Learning should arrange for their images to be disguised or blurred before any data subject views the recorded images. Access requests by data subjects should be dealt with in line with the relevant Data Protection Policy.

13.12 Access to recorded images from the CCTV system should otherwise be restricted to the Principal or Headteacher and the three nominated members of staff, identified by **Section 6.3**. All employees should be made aware of the importance of this Code of Practice in the implementation and use of the CCTV system and of the legal implications of any failure to comply with its requirements.

14 Staff Training

14.1 It is essential that all staff with responsibility or involvement in the management of the CCTV system receive specific training in the use of the system. Other staff should also be made aware of their responsibilities in relation to the system. Serious legal implications may arise from the use and operation of the CCTV system and the Information Commissioner's Code Of Practice in this respect must be adhered to at all times. Training in good working practices will also ensure the technical quality of the images recorded by the system.

14.2 Staff training will include the following specific matters:

- Setting up and testing of the CCTV system
- Operation and use of the CCTV system in an appropriate and lawful manner
- Establishing and managing a recordings archive, including safekeeping and safe disposal of the images recorded
- Processing of requests for access to data and images, including the necessary application forms
- The rights of individuals whose images are recorded
- The release of images and the protection of third parties whose images are recorded
- Establishment of an annual review of the CCTV scheme to ensure its effectiveness in terms of security, safety and performance
- The requirements of the Data Protection Act, the Human Rights Act, the Freedom of Information Act and the Information Commissioner's Code of Practice on the use of

CCTV (Appendix 4).

15 Breaches of the Code of Practice

15.1 Any breach of this Code of Practice will be immediately investigated by the Headteacher of the school and will normally be regarded as a disciplinary matter.

15.2 Any serious breach of security relating to the operation or use of the CCTV system will be investigated independently and recommendations made upon how the breach should be remedied or addressed.

16 Monitoring and Review of the CCTV System

16.1 Performance monitoring of the CCTV system, including random operational checks, will be undertaken by the school's Site Manager or the FM provider, in the case of Centres for Learning.

16.2 The Headteacher will review the operation and use of the school's CCTV system at regular and scheduled intervals using the CCTV Checklist at Appendix 1 and shall report to the Board of Governors at least annually upon its operation and any issues arising.

17 Complaints

17.1 Any complaints relating to the operation or use of the CCTV system will be addressed by the Headteacher, who will investigate and respond to the complainant.

17.2 The investigation of all complaints concerning the use or operation of the CCTV system will take into account the requirements of this Code of Practice and of all relevant legislation, particularly the Data Protection Act, the Human Rights Act and the Freedom of Information Act, before reaching a conclusion.

18 Linked KMBC Documents

Knowsley Metropolitan Borough Council: Code of Practice for the Operation of Closed Circuit Television (December, 2008)

Knowsley Metropolitan Borough Council Officer Code of Conduct

Knowsley Metropolitan Borough Council Disciplinary Procedure

Centre for Learning Security Policy (Appendix 2)

19 References

Warrington Borough Council Policy for CCTV:

<http://www.warrington.gov.uk/>

Copplestone Primary School CCTV Policy:

<http://www.copplestone-primary.devon.sch.uk/docs/policies/CCTV%20Policy.pdf>

Kirklees Metropolitan Borough Council, Closed Circuit Television Surveillance System, Code of Practice:

<http://www.kirklees.gov.uk/publications/CCTV/CCTVcode.pdf>