

# Horizon Nursery CCTV (Closed Circuit Television) Policy and Code of Practice

*An additional Health and Safety Document*



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Ratified: April 2020*



## CCTV Code of Practice

### Version Control

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# **CCTV Policy and Code of Practice**

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## Section 1 Introduction

### HOW TO USE THIS DOCUMENT

This document has three purposes:

**Purpose 1:**

To ensure the legitimacy of the system and the use of recorded images at a later date. It is essential that the necessary criteria for operation be met.

**Purpose 2:**

To ensure that owners, managers and operatives know what they can and cannot do with the system.

**Purpose 3:**

To ensure that the fundamental principles of the General Data Protection Regulation (GDPR) and Data Protection Act 2018 are met and that the system is set up for correct operational procedures.

Signed

\_\_\_\_\_  
(Executive Principal / Principal / Nursery Manager)

Date:

\_\_\_\_\_

Signed:

\_\_\_\_\_  
(Chairperson of the Governing Body)

Date:

\_\_\_\_\_

## **The principles of operating a CCTV system**

- 1.1 Closed Circuit Television (CCTV) is a method of observing places and people, usually from a distance. It comprises of one or more cameras viewing a 'scene' and displaying that scene to a CCTV operator on a monitor screen. The images viewed may be recorded for later playback. This Code of Practice is concerned only with recorded images that can be retrieved on demand at a later date.
- 1.2 CCTV surveillance is an increasing feature of our daily lives. We might be caught on camera while walking down the high street, visiting a shop, bank or local council office. It is a highly useful tool for law & order operatives and for other purposes such as traffic monitoring. However, it could intrude into our private lives. Therefore, for the public confidence in CCTV systems to be maintained, as well as meeting legislative requirements, it is necessary to demonstrate tight control over the operation of CCTV systems.
- 1.3 It is highly likely that the purpose of a CCTV system is to capture images of individuals. Therefore, adherence to both the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 will play a major role in the operation of any system. This document assumes this and is created with that legislative adherence as a major consideration.
- 1.4 Where images are 'real time' and not recorded then the Data Protection Act does not apply, but other legislation or policies may.
- 1.5 This document relates only to CCTV systems that Horizon Nursery operates or has a controlling interest in.
- 1.6 It does not cover –
  - i. Targeted and Intrusive Surveillance Activities which are covered by the Regulation of Investigatory Powers Act (RIPA).
  - ii. Use of surveillance techniques to monitor Horizon employees' compliance with their contracts of employment - if any such surveillance exists.
  - iii. Security equipment installed in homes by individuals for home security purposes.
  - iv. Use of cameras and similar equipment by the media for the purposes of journalism, or for artistic or literary purposes.
- 1.7 The framework for a CCTV policy is based on –
  - i. The legality of the CCTV system
  - ii. The training of managers and employees.

- iii. The set up and operation of the CCTV system, including Rights of the public with relation to recorded images.

## **SECTION 2 The CCTV SYSTEM (Purpose, Responsibility, Documentation)**

### **1 Establish and document the purpose of the scheme**

The CCTV system installed at Horizon Nursery is operated by Horizon Nursery for the following purposes -

- i. Safety & security of employees, children and visitors
- ii. Security of premises during and outside normal working hours, Car park monitoring
- iii. Prevention, investigation and detection of crime

Note: The CCTV system will not be used for general surveillance of staff, children or visitors or for purposes not compatible with the purposes indicated above.

### **2 Definition of the person or organisation responsible for the system.**

Note: Breaches of the code by employees may constitute a matter of discipline under the relevant terms of employment.

#### **a. Legal responsibility**

- i. The organisation responsible for the CCTV system is Horizon Nursery includes specifying system specification; ensuring legal conformity to installation and operation; representing the system in case of legal action being taken by plaintiffs.
- ii. The individual responsible for the CCTV system is The Executive Principal of Horizon Community College. Legal responsibility will be in accordance with conditions of employment and Code of Conduct.

#### **b. Operational responsibility**

- i. The Systems and Operations Manager is the Director of Estates & Infrastructure for Horizon Community College, as outlined in the grid in Appendix A.
- ii. Users of the system are outlined in the grid in Appendix A.
- iii. Authorised visitors and auditors / Trust or LA representatives.
- iv. Relevant Health & Safety considerations shall be applied in accordance with current guidance or directive.
- v. Where law enforcement organisations request control of the system (e.g. to mount a specific surveillance operation) then the CCTV Manager will ensure that s/he is satisfied as to the legality of the request and that appropriate documentation and controls are in force to maintain the basic operational principles of CCTV usage.

### **SECTION 3 Conformity with the Data Protection Principles**

**NOTE:** Audio recordings that can be located (by date/time) and that can identify an individual, and that may be synchronised with image records (or available even if the images are not viewable) are classed as personal information and come under the General Data Protection Regulation / Data Protection Act 2018. This document includes audio recordings in the terminology 'images'.

1. The operation of this CCTV system, the procedures, staff training, and responsibilities are in accordance with the Data Protection Act 2018 and any policies of the college or Trust.
2. All of the eight principles must be considered, and appropriate operational procedures put in place to meet those principles. A breach of any of the principles could result in an enforcement notice from the Information Commissioner, a fine, or both.
3. Where personal information may be exchanged either in bulk or on a regular basis then the Trust's Data Protection Policy must be adhered to. Alternative data sharing agreements are acceptable providing they cover the Principles of the Data Protection Act 2018.
4. Such procedures and responsibilities are fully documented and available as part of management control, staff training, and on any request.

5. Signage must be displayed where an overt surveillance system is operated.

## **SECTION 4 Document the system operation in support of Its legality**

1. **Siting the cameras *to only cover those areas of legitimate concern***

- i. Cameras will be positioned so as to cover only the appropriate area of surveillance
- ii. If this is not possible, then any other involved parties will be consulted
- iii. If agreement cannot be reached the further advice (possibly legal) will be sought

2. **Quality of the images**

The CCTV system produces images adequate for the purpose for which it was installed and operates to the necessary level of efficiency.

3. **Processing the images, *conforming to the Data Protection Principles***

- i. Only authorised employees of the organisation will operate the system in accordance with the control procedures in force
- ii. This includes recording of images and/or retained, further access to those images and staff training and responsibilities

4. **Access to & disclosure of images to third parties *must be for valid (and documented) reasons***

- i. Restricted access to image recordings, their disclosure to third parties and the quality of the images disclosed are subject to the organisation's policy which has reference to the Data Protection Principles

5. **Access by Data Subjects - *who have a basic right to information held about them, subject to certain exemptions***



- i. People whose images are recorded have the right to request a 'Subject Access Request'. It does not refer to people who request information that contains images of other people - that is a Freedom of Information request
- ii. CCTV managers, operational staff and admin support staff must be able to recognise a Data Protection Subject Access Request (SAR) and pass to the relevant staff to action

NB. Such a request may not be titled Data Protection or may be incorrectly titled as Freedom of Information Request. We need to decide which it is and process the request according to the appropriate legislative rules.

#### **6. Subject Access Request Process (Appendix B)**

- i. Applicant must submit a request in writing. This could be their own written request, but it must contain the necessary information that facilitates the search for information e.g. images at a certain place, date and time
- ii. Where the applicant wishes to complete the standard request form of the CCTV operating organisation appendix B document will be used

#### **7. CCTV Maintenance Log. (Appendix D)**

- i. CCTV equipment should be constantly monitored for effective operation and any problems reported immediately.

#### **8. CCTV System access - List of persons authorised to access the CCTV system. (Appendix A)**

- i. This requires identification of specific individuals and not just post titles
- ii. All listed persons must be in possession of this CCTV Code of Practice and have the facility to query any aspect of the CCTV operation they are not clear about

#### **9. CCTV Viewing/Removal of Recorded Images. (Appendix C)**

- i. All requests for access should be recorded, stating if disclosure has been made or not

## Signatory employees

## Appendix A

The following signatories are responsible in the stated area of CCTV legality in support of its operational legality. This document also identifies persons authorised to access the CCTV system

Position	Name	Signature	Responsibility	Date issued with CCTV policy
<b>Executive Principal</b>	N. Bowen		Data Controller	
<b>Director of Estates &amp; Infrastructure</b>	A. Clark		Systems and Operations Manager	
<b>Nursery Manager</b>	S. Wood		Operator	
<b>Deputy Nursery Manager</b>	L. Richardson		Operator	
<b>Senior ICT Technical Analyst</b>	C. Garvey		Operator	

**HORIZON NURSERY  
DATA PROTECTION ACT 2018  
APPLICATION FOR SUBJECT ACCESS TO CCTV IMAGES**

Data Subject's Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Postcode: \_\_\_\_\_

Please provide the following information so that relevant CCTV images that may be held by the School can be located.

Date image was recorded: \_\_\_\_\_

Time (within 15 mins.): \_\_\_\_\_

*NB. Disproportionate search time effort may invalidate the request*

Location (e.g. specific nursery room) \_\_\_\_\_

Please attach an appropriate photograph of yourself which will enable the operator to identify you on the CCTV images: (Staff with ID badges exempt)

Photograph  
provided

☐

Please tick the appropriate box

Do you wish to view the images or  
do you require copies?

View  
only:

☐

Copy  
required:

☐

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please return this form to the Nursery**

Continued...

Appendix B

**Guidance for Applicant**

To enable your request for access to be processed promptly, please complete the form overleaf, providing as much information as you can.

You will be asked to provide satisfactory proof of identity e.g. driving licence, passport, recent correspondence addressed to you. The Nursery will not usually charge a fee, providing the request can be completed in a 'reasonable' timeframe.

If you are requesting access on behalf of another individual, you will be required to provide written authorisation from the data subject. Any data found will be sent to the data subject.

Your Name: \_\_\_\_\_

Your Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Postcode: \_\_\_\_\_

In what capacity  
are you acting? \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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For office use only.

**To be completed by the person receiving this application**

Date form received on: \_\_\_\_\_

by \_\_\_\_\_

Identification submitted by applicant: \_\_\_\_\_ (type of identification)

Reference number of identification: \_\_\_\_\_

Fee receipt no: \_\_\_\_\_ (if collected)

Date: \_\_\_\_\_

Data Protection Officer Informed Date: \_\_\_\_\_

## Recording Documentation

## CCTV – Viewing / Removal of Recorded Images

## Appendix C

Date & Time of Removal, Viewing	Date & Time of any Image Return	Name of Officer Providing or Removing Images	Person Taking or Viewing Images	Reason for Taking or Viewing Images	Outcome (if any)
		Print:  Sign:	Print:  Sign:		
		Print:  Sign:	Print:  Sign:		
		Print:  Sign:	Print:  Sign:		

## Recording Documentation

## CCTV Control Room Daily Check Record

## Appendix D

[illegible]