

**The Melton Learning Hub CCTV Policy**

**This policy is written with regard to the requirements of the General Data Protection Regulations May 2018.**

**Policy Statement**

The Melton Learning Hub uses close circuit television within the premises of the charity. The purpose of this policy is to set out the position of the Charity as to the management, operation and use of the CCTV at the three centres.

This policy applies to all members of our workforce, visitors to the Charity and all other persons who might be captured on the system.

* This policy takes account of all applicable legislation and guidance, including:
* The General Data Protection Regulation
* The Data Protection Act 2018
* CCTV Code of Practice produced by The Information Commissioner
* Human Rights Act 1998

This policy sets out the position of the Charity in relation to its use of CCTV.

**Purpose of CCTV**

The Melton Learning Hub uses CCTV for the following purposes:

* To provide a safe and secure environment for pupils, staff and visitors
* To prevent the loss of or damage to the Charity’s buildings and/or assets
* To assist in the prevention of crime and assist law enforcement agencies in apprehending offenders

**Description of system**

The Charity uses fixed cameras on site. Cameras are not equipped for sound recording.

**Siting of Cameras**

All CCTV cameras will be sited in such a way as to meet the purpose for which the CCTV is operated. Cameras will be sited in prominent positions where they are clearly visible to staff, pupils and visitors.

Cameras will not be sited, so far as possible, in such a way as to record areas that are not intended to be the subject of surveillance. The charity will make all reasonable efforts to ensure that areas outside of the Charity premises are not recorded.

Signs will be erected to inform people that they are within an area where CCTV is in operation.

Cameras will not be located in areas of heightened privacy, such as toilets.

**Privacy Impact Assessment**

Prior to the instillation of any CCTV camera or system, a privacy impact assessment will be conducted by the Charity to ensure that the proposed installation is compliant with legislation and ICO guidance.

The Charity will adopt a privacy by design approach when installing new cameras and systems, taking into account the purpose of each camera, so as to avoid recording and storing excessive amounts of personal data.

**Management and Access**

The CCTV system is managed and monitored by the management team and IT teacher. The viewing of CCTV will be limited to the staff team, with specific reasons for those purposes set out above.

Recorded images on the system will be restricted to staff members access for the purposes outlined above.

No other individual will have the right to view or access any CCTV images unless in accordance with the terms of this policy as to disclosure of images.

The CCTV system is checked weekly to ensure it is working correctly.

**Storage and Retention of Images**

Any images recorded by the CCTV system will be retained only for as long as necessary for the purpose for which they were originally recorded.

Recorded images are stored only for a period of seven days, unless there is a specific purpose for which they are retained for a longer period.

The Charity will ensure that appropriate security measures are in place to prevent the unlawful or inadvertent disclosure of any recorded images. The measures in place include:

* CCTV recording systems to be located in restricted access areas
* The CCTV system is password protected
* Restriction of the ability to copy images is confined to designated staff

A log of copies of images will be maintained.

**Disclosure of Images to Data Subjects**

Any individual recorded on any CCTV image is a data subject for the purposes of the Data Protection Legislation, and has a right to request access to those images.

Any individual who requests access to the images of themselves will be considered to have made a subject access request pursuant to the Data Protection Legislation. Such a request should be considered in the context of the Charity’s Subject Access Request Policy.

When such a request is made the nominated staff member will review the CCTV footage, in respect of the relevant time periods and in accordance with the request.

If the footage contains only the individual making the request then the individual may be permitted to view the footage. This must strictly be limited to that footage which contains only images of the individual making the request.

If the footage contains images of other people then the Charity must:

* Consider if the footage requires the consent of other persons in the footage
* Consider if the consent of other persons has been given or could be obtained
* If not, then consider whether it is reasonable in the circumstances to disclose those images to the individual making the request.

A record must be kept, and held securely, of all disclosures which sets out;

* When the request was made
* The process followed by the staff member in determining whether the images contained third parties
* The considerations as to whether to allow access to those images
* The individuals that were permitted to view the images and when; and
* Whether a copy of the images was provided, and if so to whom, when and in what format.

**Disclosure of Images to Third Parties**

The Charity will only disclose CCTV images to third parties where it is permitted to do so in accordance with the Data Protection Legislation.

CCTV images will only be disclosed to law enforcement agencies in line with the purposes for which the CCTV system is in place.

If a request is received from a law enforcement agency for disclosure of CCTV images the staff member must follow the same process as above in relation to subject access requests. Details should be obtained from the law enforcement agency, in writing, as to exactly what they want the CCTV images for, and any particular individuals of concern. This will enable proper consideration to be given to what should be disclosed, and the potential disclosure of any third party images.

The information above must be recorded in relation to any disclosure.

If an order is granted by a court for disclosure of CCTV images then this should be complied with. However, very careful consideration must be given to exactly what the court order requires. If there are any concerns as to disclosure then the Data Protection Lead should be contacted in the first instance, and appropriate legal advice may be required.

**Review of Policy and CCTV System**

The CCTV system and the privacy impact assessment relating to it will be reviewed bi-annually.

**Misuse of CCTV systems**

The misuse of the CCTV system could constitute a criminal offence.

Any member of staff who breaches this policy may be subject to disciplinary action.

**Complaints relating to this policy**

Any complaints relating to this policy or to the CCTV system operated by the Charity should be made in accordance with the Melton Learning Hub Complaints Policy.