

Reference Points

- Data Protection Act 1998
- Human Rights Act 1998
- Regulation of Investigatory Powers Act 2000 (RIPA)
- Protection of Freedoms Act 2012
- Surveillance Camera Code of Practice 2013 - Surveillance Commissioner
<https://www.gov.uk/government/publications/surveillance-camera-code-of-practice>
- Surveillance Camera Code of Practice Self-assessment Tool
<https://www.gov.uk/government/publications/surveillance-camera-code-of-practice-self-assessment-tool>
- CCTV Code of Practice – Information Commissioner
<https://ico.org.uk/about-the-ico/consultations/cctv-code-of-practice-revised/>
- See also in this Handbook 'Section B06 – Data Protection Matters – DPA Model Policy'

Contact Points

Safeguarding Children in Schools Officer	(01522/554668)
Schools Liaison Officer	(01522/554884)
Data Protection Officer	(01522/552039)
Legal Office	(01522 552579)

Action Points**Introduction**

Many schools are now using CCTVs effectively

- To protect the school buildings and assets
- To increase personal safety of staff, pupils and visitors
- To reduce the fear of crime
- To support the Police in order to deter and detect crime
- To help to identify, apprehend and prosecute offenders
- To protect members of the public and private property

However, schools should note that failure to comply with statutory requirements and the appropriate codes of practice could cause the school to be in breach of the law and result in litigation against either the school or an individual.

Lincolnshire County Council strongly recommends schools to follow the guidance as set out below.

Before Installation:

- Check that your notification with the Information Commissioner allows proposed use of CCTV.
- Have an approved policy.
- Formally assess the appropriateness of, and your reasons for, using CCTV.
- Ensure CCTV is a necessary and proportionate, viable option to achieve the stated purpose which must comply with the law.

Installation:

The decisions you make about the following points should be included in your school's policy.

- The equipment should be sited in such a way that it only monitors those spaces that are intended to be covered by the equipment.
- Ensure that operators (staff who operate and monitor CCTV) are aware of the purposes for which the system was installed and that they are only able to use the system in order to achieve those purposes.
- Signs, which are clearly visible and legible, must be displayed at all access routes to inform the public that they are entering an area where their images are being recorded.
 - If the sign has an image of a camera, then it should state who the data controller is (School or authority in charge of the CCTV system) and give a contact number where further information can be obtained.
 - If it has no camera image, the sign should give the above information and state the purpose of the CCTV use.
- Ensure that any tapes used to capture images are clean and that they give clear images.

Using the System:

The decisions you make about the points in this section should also be included in your school's policy.

- Establish and document the person(s) who is/are responsible for ensuring day-to-day compliance with the requirements of the statutory provisions and the code of practice.

- Images should not be retained for longer than is necessary (this will depend on their purpose) and in accordance with the school's retention policy.
- All data should be collected and retained in a secure place to which access is controlled.
- Once the retention period has expired, the images should be destroyed or erased.
- Process images (working with, using, passing on data) in a lawful manner.
- The school's retention policy should cover access by data subjects and third parties, including the police.
- Undertake regular reviews of both the use of the CCTV system and the procedures to ensure compliance with the law.

A Few Don'ts:

- Don't film areas that could amount to an infringement of personal privacy, for example in toilets and changing facilities.
- Don't use CCTV footage for any purpose other than what was formally intended.
- Don't use covert monitoring without seeking legal advice.
- Don't systematically monitor individuals or specific groups by using CCTV – but if this is the only means of obtaining the information you need, seek legal advice.
- Don't film areas other than school premises i.e not in neighbouring gardens.
- Don't disclose data to third parties without seeking legal advice where there is any concern at all about doing so.