

COMPLAINTS PROCEDURE

Followed by Three Towers AP Academy



Date approved by the board: January 2020

Next review date: As required by statutory guidance

CHAIR OF RLT BOARD: Mr G A Wilson

CHAIR OF LGB at THREE TOWERS AP ACADEMY: Mr K Robinson

HEADTEACHER at THREE TOWERS AP ACADEMY: Ms A Isherwood

1. Policy Statement

The Rowan Learning Trust (RLT) uses Close Circuit Television (“CCTV”) within the premises of Three Towers AP Academy (TTAPA). The purpose of this policy is to set out the position of the trust as to the management, operation and use of the CCTV at the TTAPA.

This policy applies to all members of our workforce, visitors to the Trust premises and all other persons whose images may be captured by the CCTV system.

This policy takes account of all applicable legislation and guidance, including:

- General Data Protection Regulation (“GDPR”);
- CCTV Code of Practice produced by the Information Commissioner;
- Human Rights Act 1998.

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

2. Purpose of CCTV

The RLT and TTAPA use CCTV for the following purposes:

to provide a safe and secure environment for learners, staff and visitors;
to prevent the loss of, or damage to the school buildings and/or assets;
to assist in the prevention of crime and assist law enforcement agencies in apprehending offenders.

3. Description of system

TTAPA operates the CCTV system at its two sites. The Hindley site operates an ** camera CCTV system. The Whelley site operates a ** camera system. Cameras are located in all communal areas of the school, and in classrooms. Camera also cover the immediate external grounds of both sites.

The vast majority of internal cameras have audio recording capability. This capability is disabled at hardware level in classrooms and private spaces. Audio recording is enabled in communal areas (corridors, stairwells etc.).

All external cameras are used to cover school grounds only, and privacy masks are used to obscure any areas that are not school property.

All internal cameras are fixed. There are no PTZ (Pan-tilt-zoom) cameras at the Hindley site. The Whelley site has 3x PTZ cameras covering external areas of the school.

4. 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, learners 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 school will make all reasonable efforts to ensure that areas outside of the school premises are not recorded.

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

Cameras will not be sited in areas where individuals have a heightened expectation of privacy, such as changing rooms or toilets.

All classrooms have a camera installed. This is to ensure the safety of staff and learners, and to assist in investigation of incidents. No audio recordings are taken in classrooms.

5. Privacy Impact Assessment

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

The school 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.

6. Management and Access

The CCTV system will be managed by the Headteacher.

On a day to day basis the CCTV system will be operated by the IT Support department.

The viewing of live CCTV images will be restricted to the Headteacher, Core Leadership Team, Designated Safeguarding Leads, site staff, the school business manager and the IT support staff. These groups of people require access to investigate incidents.

Recorded images which are stored by the CCTV system will be restricted to access by those individuals identified in 6.3.

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 by the IT support team to ensure that it is operating effectively.

7. 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 14 calendar days unless there is a specific purpose for which they are retained for a longer period.

The school 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 being located in restricted access areas;
- The CCTV system being encrypted/password protected;
- Restriction of the ability to make copies to specified members of staff;
- The CCTV system not having direct access to / from the internet, with active firewalls in place to prevent such access.

A log of any access to the CCTV images, including time and dates of access, and a record of the individual accessing the images, will be maintained by the school.

8. Disclosure of Images to Data Subjects

Any individual recorded in 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 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 Trust's Subject Access Request Policy.

When such a request is made the headteacher will review the CCTV footage, in respect of relevant time periods where appropriate, 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 be strictly limited to that footage which contains only images of the individual making the request. The headteacher must take appropriate measures to ensure that the footage is restricted in this way.

If the footage contains images of other individuals then the school must consider whether:

- the request requires the disclosure of the images of individuals other than the requester, for example whether the images can be distorted so as not to identify other individuals;
- the other individuals in the footage have consented to the disclosure of the images, or their consent could be obtained; or
- if not, then whether it is otherwise 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 headteacher 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.

9. Disclosure of Images to Third Parties

The school will only disclose recorded 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 then the headteacher must follow the same process as above in relation to subject access requests. Detail should be obtained from the law enforcement agency as to exactly what they want the CCTV images for, and any particular individuals of concern. This will then 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 Officer should be contacted in the first instance and appropriate legal advice may be required.

10. Review of Policy and CCTV System

This policy will be reviewed annually.

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

11. Misuse of CCTV systems

The misuse of CCTV system could constitute a criminal offence.

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

12. Complaints relating to this policy

Any complaints relating to this policy or to the CCTV system operated by the school should be made in accordance with the RLT school's Complaints Policy.