Minibus CCTV Policy

(including internal CCTV, dash and rear view cameras)

CCTV POLICY

1 Policy Statement

1.1 The Trust uses Close Circuit Television (CCTV) within minibuses owned by the Trust. The purpose of this policy is to set out the position of the Trust as to the management, operation and use of the minibus CCTV.

1.2 This policy applies to all persons whose images may be captured by the CCTV system.

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

1.3.1 General Data Protection Regulation ("GDPR")

1.3.2 *[Data Protection Act 2018]* (together the Data Protection Legislation)

1.3.3 CCTV Code of Practice produced by the Information Commissioner

1.3.4 Human Rights Act 1998

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

1.5 The Trust Data Protection Officer is Mr Craig Stilwell, 72 Cannon Street, London, EC4N 6AE. Email address: dataservices@judicium.com. Tel.: 020 7336 8406

2 Purpose of CCTV

2.1 The Trust uses CCTV for the following purposes:

2.1.1 To provide a safe and secure environment

2.1.2 To prevent the loss of or damage to the Trust's assets

2.1.3 To assist in the prevention of crime and assist law enforcement agencies in apprehending offenders

3 Description of system

3.1 The Trust minibus is fitted with dash and rear view cameras and internal CCTV.

4 Siting of Cameras

4.1 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.

4.2 Signage will be displayed to inform individuals that CCTV is in operation.

5 Privacy Impact Assessment

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

5.2 The Trust 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

6.1 The CCTV system will be managed by the Trust Facilities Manager.

6.2 On a day to day basis the CCTV system will be operated by the Trust Facilities Manager.

6.3 The viewing of live CCTV images will be restricted to the Trust Facilities Manager, IT Network Manager, Minibus Driver, Trust Executive Team and Heads of School.

6.4 Recorded images which are stored by the CCTV system will be restricted to access by the Trust Facilities Manager and the IT Network Manager.

6.5 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.

6.6 The CCTV system is checked weekly by the minibus driver to ensure that it is operating effectively

7 Storage and Retention of Images

7.1 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.

7.2 Recorded images are stored only for a period of 28 days unless there is a specific purpose for which they are retained for a longer period.

7.3 The Trust 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:

7.3.1 The CCTV system being encrypted/password protected;

7.3.2 Restriction of the ability to make copies to specified members of staff

7.4 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 Trust.

8 Disclosure of Images to Data Subjects

Any requests for images must be done by completing the Subject Access Request Form (Appendix 1).

8.1 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.

8.2 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.

8.3 When such a request is made the Trust Facilities Manager will review the CCTV footage, in respect of relevant time periods where appropriate, in accordance with the request.

8.4 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 Trust Facilities Manager must take appropriate measures to ensure that the footage is restricted in this way.

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

8.5.1 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;

8.5.2 The other individuals in the footage have consented to the disclosure of the images, or their consent could be obtained; or

8.5.3 If not, then whether it is otherwise reasonable in the circumstances to disclose those images to the individual making the request.

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

8.6.1 When the request was made;

8.6.2 The process followed by the Trust Facilities Manager in determining whether the images contained third parties;

8.6.3 The considerations as to whether to allow access to those images;

8.6.4 The individuals that were permitted to view the images and when; and

8.6.5 Whether a copy of the images was provided, and if so to whom, when and in what format.

[Please note that when a subject access request is made then, unless an exemption applies (such as in relation to third party data that it would be unreasonable to disclose) then the requester is entitled to a copy in a permanent form. We have referred only to "access" as opposed to a "permanent copy" as the Trust may consider it preferable in certain circumstances to seek to allow access to images by viewing in the first instance without providing copies of images. If an individual agrees to viewing the images only then a permanent copy does not need to be provided. However if a permanent copy is requested then this should be provided unless to do so is not possible or would involve disproportionate effort.]

9 Disclosure of Images to Third Parties

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

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

9.3 If a request is received from a law enforcement agency for disclosure of CCTV images then the Trust Facilities Manager 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.

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

9.5 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

10.1 This policy will be reviewed biennially.

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

11 Misuse of CCTV systems

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

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

12 Complaints Relating to this Policy

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

Appendix 1

SUBJECT ACCESS REQUEST FORM

Request Details			
Requested By			
Date Requested		**Requested Time**	
Signature			
Incident Details			
Date of Incident		**Time of Incident**	
Incident Details			
Authorisation			
Authorisation to View (Trust Facilities Manager, Trust Executive Team or Head of School)	*By signing this form, I state that under no circumstances will I copy or move the footage to any other location or device from where it is stored.* Name: Signature: Date: Time:		
Reason for authorisation	*e.g. Criminal damage, physical harm etc.*		
Authorisation to download (Trust Facilities Manager)	*By signing this form, I state that under no circumstances will I copy or move the footage to any other location or device from where it is stored.* Name: Signature: Date: Time:		

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Trust Facilities Manager – OFFICE USE ONLY			
People present for viewing of CCTV footage			
Does the footage contain third parties?		**Yes**	**No**
Photos	*Photos required*		
	Photos printed		
	No. of Photos		
	Images stored		
Videos	*Video required*		
	Video produced		
	Date produced		
	Time produced		
	Location stored		