



# CCTV

## CHARITY POLICY & PROCEDURE

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# CCTV Policy

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# CCTV Policy

## Statement of Intent

Talbot House Children's Charity ("the Charity") has a responsibility to take reasonable steps towards ensuring our children, staff, and visitors are safe while on our site. Our network of CCTV cameras is part of our commitment to providing that assurance. Cameras are deployed to monitor any potential or suspected instances of aggression, damage, or risk to safety involving Charity property or individuals. We also use CCTV systems to help satisfy our regulatory obligations, particularly in relation to safeguarding children and protecting staff from false allegations.

The purpose of this policy is to determine the use and purpose of CCTV systems within the Charity and ensure that:

- We comply with the Data Protection Act 2018 and General Data Protection Regulation (GDPR).
- The images that are captured are useable for the purposes we require them for.
- We reassure those persons whose images are being captured, that the images are being handled in accordance with data protection legislation.

This policy covers the use of surveillance and CCTV systems which capture moving and still images (with some audio). Images captured could lead to individuals being identifiable (which could affect their privacy) and may also be used for the purposes of:

- Observing what an individual is doing.
- Taking action to prevent a crime.
- Training and debrief.

There are a number of cameras situated around the Talbot House Children's Charity site. Since development of the premises is ongoing, we have detailed the number, type and location of the cameras in Appendix 1. The list of authorised operators is in Appendix 2. Both appendices will be subject to change as and when required.

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## 1. Legal Framework

This policy has been developed in line with relevant legislation and appropriate guidance including but not limited to:

- Information Commissioners Office Guidance: In the picture: A data protection code of practice for surveillance cameras and personal information.
- Data Protection Act 2018 and GDPR
- Keeping Children Safe in Education (Latest Version)
- Freedom of Information Act 2000.

This policy has been developed in consideration of the following Charity policies:

- GDPR Policy
- Child Protection and Safeguarding Policies
- Allegations Policy
- Behaviour Management Policy
- Staff Code of Conduct

## 2. Roles and Responsibilities

The Charity, as the corporate body, is the data controller. The Board of Trustees of the Charity therefore has overall responsibility for ensuring that procedures exist, including for security and access arrangements, in accordance with regulations. The CCTV authorised operators (See Appendix 2) will have delegated responsibility to ensure that the data controller's obligations are met in accordance with data protection legislation and within legal requirements. There is no current requirement for the Charity to appoint a data protection officer.

### 2.1 The role of the data controller includes:

- Establishing procedures to ensure CCTV footage is processed legally and fairly with footage that is relevant, adequate, not excessive and is held and used for legitimate reasons.
- Complying with Freedom of Information and Subject Access Requests (SAR) in line with legislation.
- Ensuring data subjects understand how their data and images may be shared, including with individuals who have parental responsibility or their representative with their expressed permission.
- Making sure that systems are in place to protect footage containing personal data against accidental, unlawful destruction, alteration and disclosure – especially when processing over networks.

### 2.2 The role of the CCTV authorised operator includes:

- Ensuring that CCTV footage is destroyed in line with legal requirements.
- Making sure that CCTV footage which is retained for the purposes set out in this policy, is only done so for as long as required.
- Providing CCTV footage to external agencies when required (See section 8, Access to Footage).
- Determining the requirements for additional surveillance equipment when necessary, including the type and scope.
- Liaise with other authorised Senior Management Team (SMT) operators to ensure there is a valid reason for the use of surveillance equipment.
- Ensuring that playback is conducted in line with the terms of this policy.

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- Understanding current arrangements with Local Authority partners regarding CCTV evidence when managing allegations.
- Monitoring legislation to ensure the Charity is using its surveillance fairly and lawfully, as well as communicating all changes in legislation to staff.

## 3. Purpose and Justification

Talbot House Children's Charity will only use surveillance cameras for the reasons set out in this policy and will be communicated to staff from time to time.

### 3.1 Purpose

The Charity has CCTV installed for the purpose of fulfilling its duty towards:

- Health and safety including safeguarding.
- Crime prevention, detection and security.
- Allegations management.
- Staff development.

### 3.2 Justification

The Charity must ensure there is reasonable justification for CCTV surveillance and that:

- CCTV cameras are sited so they only capture images relevant to the purposes for which they are installed.
- Care will be taken to ensure that reasonable privacy expectations are not violated.
- The Charity will ensure that the location of equipment is carefully considered to ensure that images captured comply with the Data Protection Act 2018.
- If the surveillance and CCTV systems fulfill their purpose and are no longer required, then the Charity will deactivate them.
- The use of a particular type of camera will be considered in line with the Data Protection Act 2018, for example, when using audio capture in areas where lone working with children is undertaken.

## 4. Objectives

The CCTV surveillance system will be used to:

- Maintain a safe environment.
- Ensure the welfare of all young people, staff and visitors.
- Deter criminal acts against persons and property.
- Assist with investigating potential safeguarding or disciplinary incidents.
- Reduce the number of staff suspensions as a result of an allegation.
- Allow for investigations to be concluded more quickly.
- Provide evidence for review by LA officers, including LADO and Social Care.
- Provide training and identify further training needs for staff.
- Assist the police in identifying persons who may have committed an offence.

## 5. Protocols and Code of Practice

The surveillance system will be registered with the ICO in line with data protection legislation if required. In drawing up our own code of practice, the Charity considers the Information Commissioners Office (ICO) CCTV Code of Practice in drawing up this policy to ensure CCTV is used responsibly and safeguards the Charity. The Code of Practice is published at: [www.ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf](http://www.ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf). We will also endeavor to ensure that the following takes place in line with the terms of the Data Protection Act 2018:

- Notices have been placed throughout the premises where the CCTV system is active.
- All visitors read and sign a form upon entry which informs them of the use of CCTV within the building and wider site.

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- The CCTV system has been designed for maximum effectiveness and efficiency; however, the Charity cannot guarantee that every incident will be detected or covered and 'blind spots' may exist.
- Talbot House Children's Charity understands that recording images of identifiable individuals constitutes as processing personal information.
- Talbot House Children's Charity notifies all young people, parents/carers, Social Workers, staff, and visitors of the CCTV system.
- CCTV cameras are only placed where they do not unduly intrude on anyone's privacy and are necessary to fulfil their purpose.
- All surveillance footage will be held for 12 weeks. While retained, the integrity of the recordings will be maintained to ensure their evidential value and to protect the rights of the people whose images have been recorded.
- Data recorded and stored, which is used as part of an investigation will be kept only for as long as required.
- The surveillance and CCTV system is owned by the Charity and images from the system are strictly controlled and monitored by authorised personnel only.
- This policy is also available on the Talbot House Children's Charity website.

## 6. Security

It is imperative that the Charity manage and store the data (images and footage) held on its CCTV systems securely.

- Access to the system, software and data will be strictly limited to authorised operators and will be password protected.
- CCTV operators will ensure the security of images on their own devices, for example by locking their screens when away from their desks.
- The Charity does not envisage being required to carry out covert surveillance, but if it is necessary to do so will comply with relevant legislation and Home Office procedures.
- Surveillance and CCTV systems will be tested for security flaws periodically and the Charity will seek to repair any faults which are identified without undue delay.

## 7. Privacy

The Charity recognises the importance of protecting the privacy of the individuals who attend our premises.

### 7.1 Authorised Operators

Visual display monitors are located within the offices of the Chief Executive, Head of Development and Head teacher, who will all have day to day access to images and footage. They are the authorised operators, and their names can be found in Appendix 2.

### 7.2 Use of Footage

Footage will, from time to time, be made available to other parties. In these instances no other data subjects will be present in any footage, unless they are a member of staff (see point 7.3). For example, parents and social workers may not see footage containing children they have no relationship with.

### 7.3 Staff Specific Assumed Permission

Staff understand that individuals with parental responsibility, or persons nominated by them and other interested parties, have the right to access footage where a staff member's image may be present. The Charity will not seek specific agreement from staff to do this.

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## 8. Access to footage

### 8.1 Subject Access Requests

Under the Data Protection Act 2018, individuals have the right to obtain confirmation that their personal information is being processed. Access to footage can be obtained in line with the **GDPR Policy** and the following:

- All requests should be made to the Chief Executive Officer in writing.
- Individuals submitting requests for access are required to provide sufficient information to enable the footage relating to them to be verified (for example date, time and location).
- The Charity will respond to valid subject access requests within the timescales set out in the Data Protection Act 2018.
- The Charity has the right to refuse to respond to a request which it considers to be manifestly unfounded or excessive.

All disks containing images belong to, and remain the property of, the Charity.

### 8.2 Control

It is important that access to, and disclosure of, the images recorded by surveillance and CCTV footage is restricted and carefully controlled, not only to ensure the rights of individuals is preserved, but also to ensure that the chain of evidence remains intact, should the images be required for evidential purposes.

### 8.3 Third Parties

Releasing the recorded images to third parties will be permitted only in the following limited and prescribed circumstances, and to the extent required or permitted by law:

- The Police – where the images recorded would assist in a specific criminal inquiry.
- Prosecution Agencies – such as the Crown Prosecution Service (CPS).
- Relevant Legal Representatives – such as lawyers or barristers.
- Persons who have been recorded (or those with parental responsibility or their permission) and whose images have been retained where disclosure is required by virtue of data protection legislation and the Freedom of Information Act 2000.
- Social Workers, therapists and other third parties with the express permission of the data subject.
- Independent investigators appointed by the Charity for specific duties.

## 9. Monitoring and Review of Policy

This policy will be monitored and reviewed on an annual basis. The SMT are responsible for monitoring changes to legislation that may affect this policy and make the appropriate changes accordingly. Any changes to this policy will be communicated to staff and on the Talbot House Children's Charity website.

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## Appendix 1

Details of cameras on Talbot House Children's Charity premises:

Location	Total Number of Cameras in the area	Number of Cameras with Audio capability	Number of specialist Cameras	Note on specialist camera capability
Blue Zone and Therapy Corridor	9	5	1	KS2 Entrance camera has directional zoom to enable viewing all 4 access points and has audio. The Therapy suites and corridor have audio.
Inclusion to Blue Zone	6	2	1	Inclusion room camera has two way audio and wider angle and outside of the gym has audio.
Reception	2			
Orange Zone	6	1		The calm room has audio.
External	9	5	1	The camera which views the back field can also track movement.
Yellow Zone	6	2		The quiet room and corridor have audio.
Upper school downstairs	14	3		Coffee area, Library and Thrive have audio.
Upper school upstairs	15	2		F3 and the pod have audio.
<b>Total</b>	<b>67</b>	<b>20</b>	<b>3</b>	

## Appendix 2

List of authorised operators:

Job Title	Name
Chief Executive	Deirdre Pearson
Head of Development and Deputy to Chief Exec	Jo Reiling
Head Teacher	Christine Smiles
Deputy Head Teacher / SENDCo	Gavin Jackson