

CCTV POLICY

1. Policy owner

This policy is owned by Newbattle Abbey College.

2. Policy Contact

If you have any questions, comments or concerns regarding this policy, please contact the Director of Operations and Business Development in the first instance.

4 Definitions

CCTV: means any surveillance system designed to capture and record images of individuals, or information relating to individuals and property. The term includes CCTV as understood as a system of fixed cameras, but also covers any such technology including automatic number plate recognition (ANPR), body worn cameras, unmanned aerial systems and any other systems that capture personal data.

PIA: A Privacy Impact Assessment is intended to assist in deciding whether new surveillance cameras are necessary and proportionate in the circumstances and whether any limitations should be placed on their use.

Data: means information which is stored electronically. In respect of CCTV, this can mean video images. For the avoidance of doubt, screen shots of video images that have been printed out will fall within scope of Data Protection Legislation.

Data Protection Legislation: means any law, statute, declaration, decree, directive, legislative enactment, order, ordinance, regulation, rule, or other binding restriction which relates to the protection of individuals with regards to the Processing of Personal Data including the GDPR (from and including 25 May 2018) and/or in the event that the UK leaves the European Union, all legislation enacted in the UK in respect of the protection of Personal Data.

The policy shall be reviewed every year to ensure that it meets legal requirements, relevant guidance published by the ICO and industry standards. A review may also be needed following changes in the above or in response to events, incidents, or new risks.

5 Introduction

Surveillance Camera Systems also known as “CCTV” has a legitimate role to play in helping to maintain a safe and secure environment for all College staff,

students, and visitors. However, this may raise concerns about the effect on individuals and their privacy. This policy is intended to address such concerns.

Images recorded by CCTV systems are personal data which must be processed in accordance with data protection laws and Newbattle Abbey College policies that relate to data protection. This policy is designed to help Newbattle Abbey College comply with its legal obligations.

This policy is intended to assist staff in complying with their own legal obligations when working with personal data. In certain circumstances, misuse of data generated by CCTV could constitute a criminal offence.

6 About this Policy

Newbattle Abbey College currently uses CCTV cameras to view and record individuals on and around its premises. This policy outlines the use of CCTV and the processing of data recorded by CCTV cameras to ensure that the College is compliant with data protection law and best practise.

Newbattle Abbey College recognises that images of individuals recorded by CCTV cameras in the workplace are personal data and therefore subject to the Data Protection Legislation.

Newbattle Abbey College uses CCTV around its site for the following legitimate business purposes:

- a) to prevent crime and protect buildings and assets from damage, disruption, vandalism and other crime;
- b) for the personal safety of staff, students, visitors and other members of the public and to act as a deterrent against crime;
- c) to support law enforcement bodies in the prevention, detection and prosecution of crime;
- d) to assist in day-to-day management, including ensuring the health and safety of staff, students and visitors;
- e) to assist in the effective resolution of disputes which arise in the course of disciplinary or grievance proceedings ie staff and students;
- f) to assist in the defence of any civil litigation, including employment tribunal proceedings;
- g) to assist with traffic management issues; and
- h) to monitor the security of buildings.

7 Scope

The policy applies to all staff, contractors and students of Newbattle Abbey College and other persons authorised by the College.

Any CCTV operated by or on behalf of Newbattle Abbey College will fall within scope of this policy. Visitors and other members of the public may be captured by CCTV.

8 Accountable Roles

As Data Custodian, the Principal has overall responsibility for ensuring compliance with relevant legislation and the effective operation of this policy.

The Director of Operations and Business Development is responsible for the approval and running of CCTV systems on all Newbattle Abbey College premises.

The Facilities Manager has responsibility for day-to-day management and operation of the central CCTV system, including specification, approval, operational aspects of the system and the storage of data recorded.

All staff who operate, manage or process images from CCTV shall observe this policy.

9 Policy statements

CCTV Operation

- 1 CCTV systems may operate 24 hours a day.
- 2 CCTV camera locations shall be chosen to minimise viewing of spaces not relevant to the legitimate purpose of the monitoring. As far as practically possible, CCTV cameras shall not focus on private homes, gardens, or other areas of private property (locations are listed at Appendix 2).
- 3 CCTV camera systems shall not be configured to record sound unless a Privacy Impact Assessment has been completed and approval is given by the Data Protection Officer.
- 4 Staff shall not use CCTV systems until they have completed appropriate training to ensure they understand and observe the legal requirements related to the processing of relevant data.
- 5 The Director of Operations and Business Development shall approve all existing and new use of CCTV.

- 6 Where CCTV cameras are placed in the workplace, Newbattle Abbey College will ensure that adequate signs are displayed to alert individuals that their image may be recorded.
- 7 Authorised staff may monitor live feeds from CCTV cameras where it is deemed reasonably necessary, for example to protect health and safety.
- 8 Recorded images shall be viewed by authorised members of staff. Recorded images shall only be viewed in designated, secure offices.
- 9 CCTV can, in exceptional circumstances be viewed remotely by those staff listed at Appendix 1. The use of remote access must be authorised by a member of the Senior Management Team.

10 Use of Data gathered by CCTV

- 1 Data gathered from CCTV cameras shall be transmitted and stored in a way that maintains its integrity, availability, and confidentiality, to ensure that the rights of individuals whose images recorded by the CCTV systems are protected.
- 2 Data shall be protected by appropriate technical measures eg encryption.
- 3 Contractual safeguards shall be in place to protect the security, confidentiality, and integrity of relevant CCTV data, where data processors have been engaged.

11 Retention of CCTV images

Images will normally be retained for **20 days**, and thereafter will be automatically deleted. However, they can be held for longer in the following circumstances:

- 1 Where compliance with a legal obligation requires an extended retention period.
- 2 In specific circumstances in which longer retention periods are required to establish patterns of behaviour or to retain evidence and where the Data Protection Officer has authorised this.
- 3 In the event that extended closure makes a longer retention period necessary, and where the Data Protection Officer has authorised this.
- 4 Data and images recorded by the CCTV system shall be permanently and securely deleted once the purpose for which they were collected has expired.
- 5 The Facilities Manager shall maintain a log of when data is deleted.

- 6 Any physical matter such as tapes, discs, hard copy prints, still photographs shall be disposed of as confidential waste.

12 Additional Surveillance Camera Systems

In the event the College considers further cameras are required on the site, the following will apply:

- 1 A Privacy Impact Assessment (PIA) shall be carried out prior to introducing a new surveillance camera system or placing a new CCTV camera in a workplace location.
- 2 CCTV cameras shall only be placed in areas where there is an expectation of privacy (for example, in changing rooms) in very exceptional circumstances, ie where it is judged to be strictly necessary to deal with the most serious concerns or dangerous circumstances. Signage will be used where necessary.

13 Covert CCTV Monitoring

- 1 Newbattle Abbey College will only engage in covert CCTV monitoring or surveillance (that is, where individuals are unaware that monitoring or surveillance is taking place) in highly exceptional circumstances, where there are reasonable grounds to suspect that criminal activity or extremely serious malpractice is taking place and, after suitable consideration, the College reasonably believes there is no less intrusive way to tackle the issue.
- 2 In the exceptional event that covert monitoring is considered to be justified, it will only be carried out with the express authorisation of the Principal and the Data Protection Officer.
- 3 Covert monitoring shall only be carried out for a limited and reasonable period of time consistent with the objectives of making the recording and shall only relate to the specific suspected illegal or unauthorised activity.

14 Review of CCTV use

The ongoing use of existing CCTV cameras in the workplace shall be reviewed regularly to ensure that their use remains necessary and appropriate, and that any surveillance camera system is continuing to address the needs that justified its introduction.

15 Access to CCTV images

The release of recorded footage or access shall be allowed to law enforcement in order to aid an investigation on the approval of a member of the Senior Management Team. Any such request must be valid and lawful.

Images from CCTV cameras shall not be routinely disclosed to other third parties, without express permission being given by the Data Protection Officer who shall ensure that the disclosure observes the Data Protection Legislation.

The Facilities Manager will maintain a log of all disclosures of CCTV images.

No images from the CCTV system or recordings in any format shall be posted online or disclosed to the media.

16 Subject Access Requests

Data subjects may make a request for disclosure of their personal information and this may include CCTV images (data subject access request). A data subject access request is subject to the statutory conditions and should be made in writing and in accordance with Newbattle Abbey College's data protection policy.

In order for Newbattle Abbey College to locate relevant footage, any requests for copies of recorded CCTV images must include the date and time of the recording; the location where the footage was captured; the precise location of the camera; and, if necessary, information identifying the individual, eg a description of clothing worn.

Images of third parties shall be obscured when disclosing CCTV data as part of a subject access request, or, where it is considered necessary to do so.

17 Complaints

Any questions about this policy or any concerns about Newbattle Abbey College's use of CCTV should be raised with the Director of Operations and Business Development in the first instance. If the issue cannot be resolved, the complaint can be escalated to the Data Protection Officer.

Those subject to this policy have the right to lodge a complaint to Newbattle Abbey College regarding the use of CCTV. Please contact the Director of Operations and Business Development at office@newbattleabbeycollege.ac.uk or telephone 0131 663 1921.

You have the right to lodge a complaint to the Information Commissioner's Officer if you believe Newbattle Abbey College has not complied with the GDPR. Contact at:

The Information Commissioner's Office - Scotland
45 Melville Street
Edinburgh
EH3 7HL
Telephone: 0303 123 1115
Via email: scotland@ico.org.uk

Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

This policy does not form part of a formal contract of employment with Newbattle Abbey College, but it is a condition of employment that employees will abide by the regulations and policies set down by the College.

This Policy should be read in conjunction with other relevant College policies, procedures and guidance documents, whether specifically listed above or subsequently published or amended.

The College reserves the right to update, introduce, or revise policies and procedures from time to time.

Compliance with the most current versions of applicable policies and procedures, as published, is expected.

Title:	CCTV Policy and Code of Practice
Lead Officer:	Director of Operations/DPO
Date last reviewed	March 2023
Next Review date:	April 2026
Approved By:	Audit & Risk
Date first approved:	2023

APPENDIX 1

Staff Authorised to Access CCTV images 1 February 2023

PRINCIPAL

DEPUTY PRINCIPAL

DIRECTOR OF OPERATIONS AND BUSINESS DEVELOPMENT

FACILITIES MANAGER

IT CO-ORDINATOR

ESTATES & FACILITIES ASSISTANT

LIST OF CAMERA LOCATIONS

College cameras

- 1- Main Drive
- 2- Reception
- 3- Crypt entry door
- 4- Common fire escape door
- 5- Dining Hall
- 6- Corridor part 1
- 7- Corridor part 2
- 8- Corridor part 3 Rear door entry
- 9- Courtyard block entry doors
- 10- Boiler house entry doors
- 11- Ground floor rear fire exit
- 12- Business park entrance
- 13- Business Park link Gate
- 14- Principal's entrance corridor

Rural skills unit 10b

- 1- External main front entrance
- 2- External rear entrance
- 3- Side elevation fire exit
- 4- Machinery store

Students hut

- 1- Pathway accessing the hut
- 2- Front building elevation
- 3- Bin store
- 4- Side elevation and plant room view