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1. Introduction

The use of Closed Circuit Television (CCTV) within Walsall College (and its associated sites), and Little Professors Nursery (See Appendix 1) is to ensure that:

- staff, students, visitors and members of the public using its facilities are safeguarded;
- the facilities and sites are secure;
- it deters anti-social or illegal activity; and
- we have the ability to aid the police to identify if an offence is committed.

Our CCTV systems are registered with the Information Commissioners Office (ICO) under the Data Protection Act 2018, which incorporates the General Data Protection Regulation (GDPR).

This policy details the purpose, use and management of the CCTV system at the College and the Nursery and details the procedures to be followed in order to ensure that we comply with the relevant legislation and the current Information Commissioner's Office Code of Practice.

The College has due regard to the Data Protection Act 2018, which includes the General Data Protection Regulation (GDPR), and any other subsequent data protection legislation, and to Freedom of Information Act 2000, the Protections of Freedoms Act 2012 and the Human Rights Act 1998. Although, not a relevant authority, the College will have due regard to the Surveillance Camera Code of Practice, issued under the Protection of Freedoms Act 2012 and in particular the 12 guiding principles contained therein.

This policy applies to all CCTV systems including body worn cameras, covert installations and any other system capturing images of identifiable individuals for the purpose of viewing and or recording the activities of such individuals. CCTV images/ recordings are monitored in strict accordance with this policy.

2. Scope

The CCTV system is owned by Walsall College and managed by the College and its appointed agents. Under the Data Protection Act 2018, the College is the Data Controller for the images produced by the CCTV system.

The Director of Operations & Resources is responsible for the overall management of the CCTV system within the College, including activities relating to installations, recording, reviewing, monitoring and ensuring compliance with this policy.

Signs are placed around each campus in order to inform staff, students, visitors and members of the public that CCTV is in operation on the premises. This signage indicates that the CCTV systems is operated by Walsall College and contact details of the security team is provided. Signs should ensure

Ref - CCTV Policy	Issue Date - April 2022
Page - 1 of 7	Review Date - April 2022

that adequate information is provided to comply with the requirements to inform individuals about how and why personal data is processed.

CCTV cameras are situated at every College campus, this includes car parks, buildings and roadways and externally in vulnerable public facing areas.

CCTV cameras are not sited to focus on residential areas.

The CCTV system is operational 24 hours a day, every day of the year.

Any new CCTV cameras that wish to be installed should be subject to a Data Protection Impact Assessment (DPIA).

This policy should be read with other related policies and procedures, such as the Data Protection Policy, the CCTV Code of Practice, and any other related policies or procedures.

You may be liable to disciplinary action being taken, if you fail to comply with the provisions of this, and all related policies and procedures.

3. Purposes of the CCTV Systems

The CCTV system will be used to observe the College Campuses and other areas that are under surveillance in order to identify incidents that require a response. Any response should be proportionate to the incident being witnessed.

The CCTV system operates in a manner that is consistent with respect for individual's privacy.

4. Objectives

The objectives of the Walsall College CCTV system, as determined by the College which form the lawful basis for the processing of data, are;

- To help reduce the fear of crime;
- The help deter crime;
- To help detect crime and provide evidential material for discipline proceedings;
- To assist in the overall management of Walsall College;
- To enhance community health & safety and welfare within Walsall College;
- To assist in supporting the Police and civil proceedings which will help detect crime.

5. Monitoring and Recording

CCTV cameras are monitored within the Security Control Room at Wisemore campus. This is a secure area, where only authorised personnel can access.

The Security Control Room is equipped with a Home Office licensed radio system linking it with uniformed security officers who provide foot and mobile patrols and are able to respond to incidents identified on CCTV cameras.

Access to CCTV will be strictly limited to the Security team, The Senior Management team, the Duty Manager, IT Manager, Data Protection Officer, and the Deputy Data Protection Officer.

Ref - CCTV Policy	Issue Date - April 2022
Page - 2 of 7	Review Date - April 2022

Images are recorded centrally on secure servers within the College system. Only authorised personnel have access to this server.

CCTV cameras installed provide images that are of suitable quality for their intended purposes. Cameras are checked daily to ensure that the images remain fit for purpose and that the date and time stamps on the images are accurate.

All images recorded by the CCTV cameras remain the property and copyright of the College.

The use of covert cameras will be restricted to rare occasions, when a series of criminal acts have taken place within a particular area that is not fitted with CCTV. A DPIA will be completed which will outline the purposes for use and the authority of the Director of Operations & Resources will be sought before any covert cameras are used. The Director of Operations & Resources should be satisfied that all other physical methods of prevention have been exhausted prior to the use of covert recording.

Covert recordings will only take place if informing the individual(s) concerned would seriously prejudice the reason for making the recording and where there is reasonable grounds to suspect that illegal or unauthorised activity is taking place. All such monitoring will be in accordance with legal requirements including with Human Rights legislation, fully documented and will only take place where it is justified, appropriate, proportionate and necessary.

Body worn cameras may be used during Security patrol duties. Trained security staff only will conduct the downloading of images from such cameras and cameras will be cleared regularly to minimise the risk to data being retained on a mobile device or being lost via a portable device being stolen.

Security staff wearing body worn cameras will disclose, when approaching persons, that they are being video and audio recorded and refer them to the appropriate privacy notice.

Out of hours the CCTV system will be monitored on College campus by the contracted Security team. Operators of the CCTV system have had specific training on the system and all contracted Security Officers hold a Public Space Surveillance CCTV licence.

6. Compliance with Data Protection Legislation

In the administration of the CCTV system, the College complies with the Data Protection Act 2018. Due regard is given to the data protection principles embodied in the Data Protection Act. These principles require that personal data shall be:

- Processed lawfully, fairly and in a transparent manner;
- Collected for specified, explicit and legitimate purposes and further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes ('purpose limitation');
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');
- Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods

Ref – CCTV Policy	Issue Date – April 2022
Page - 3 of 7	Review Date – April 2022

insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals ('storage limitation');

- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

Walsall College must be able to demonstrate that we comply with the above principles.

7. Applications of Disclosure of Images

Requests by individual data subjects for images relating to themselves 'Subject Access Request' should be submitted in writing to the Data Protection Officer together with proof of identification.

In order to locate the images on the College CCTV system, sufficient details must be provided by the data subject in order to allow the relevant images to be located and the data subject to be identified.

Where the College is unable to comply with a Subject Access Request without disclosing the personal data of another individual who is identified or identifiable from that information, it is not obligated to comply with the request, unless satisfied that the individual has provided their express consent to the disclosure, or if it is reasonable, having regard to the circumstances, to comply without the consent of the individual.

A request for images made by a third party should be made in writing to the Data Protection Officer by emailing dataprotection@walsallcollege.ac.uk.

In limited circumstances, it may be appropriate to disclose images to a third party, such as when a disclosure is required by law, in relation to the prevention or detection of crime or in other circumstances where an exemption can be applied under relevant legislation.

Such disclosures will be made at the discretion of the Director of Operations & Resources or person in charge at the time of the request, with reference to relevant legislation and where necessary, following advice from the College's Data Protection Officer.

A CCTV Request from must be submitted prior to release of downloads to the police or other authorised third party and all requests passed to the Data Protection Officer or Deputy Data Protection for recording.

Should a download be required as evidence, a copy may be released to the police under the procedure described in the above paragraph. Downloads will only be released on the understanding that they remain the property of Walsall College and are to be treated in accordance with this policy.

Where suspicion of misconduct arises and at the formal request of the Investigating Officer or HR Manager/Advisor, the Data Protection Officer may provide access to the CCTV images for use in staff disciplinary cases.

The Director of Operations & Resources, with the advice from the Data Protection Officer, may provide access to CCTV images to Investigating Officers when sought as evidence in relation to student discipline cases.

Ref - CCTV Policy	Issue Date - April 2022
Page - 4 of 7	Review Date - April 2022

A record of any disclosures made under this policy will be held on the CCTV log itemising the date, time, requestor, authoriser and reason for the disclosure.

8. Retention of Images

Unless required for evidential purposes, the investigation of an offence or as required by law, CCTV images will be retained for no longer than 28 days from the date of recording. Images will be automatically overwritten after this point.

Where an image is required to be held in excess of the retention period referred to in the point above, the Data Protection Officer, will be responsible for authorising such requests.

Images held in excess of their retention period will be reviewed by the Director of Operations & Resources on a three monthly basis and any not required for evidential purposes will be deleted.

Access to retained CCTV images is restricted to the Data Protection Officer and other persons as required and as authorised by the Director of Operations & Resources.

9. Complaints Procedure

Complaints concerning the College's use of the CCTV system or the disclosure of CCTV images should be made in writing to the Data Protection Officer by emailing dataprotection@walsallcollege.ac.uk.

10. Monitoring Compliance

All staff involved in the operation of the College's CCTV System will be made aware of this policy and will only be authorised to use the CCTV System in a way that is consistent with the purposes and procedures contained therein.

All staff with responsibility for accessing, recording, disclosing or otherwise processing CCTV images will be required to undertake data protection training on an annual basis.

11. Policy Review

The College's usage of CCTV and the content of this policy shall be reviewed annually by the Director of Operations & Resources with reference to the relevant legislation or guidance in effect at the time.

Ref – CCTV Policy	Issue Date – April 2022
Page - 5 of 7	Review Date – April 2022

Appendix 1 – Little Professor’s Nursey CCTV

Little Professors Nursery is securely monitored by CCTV. Head of Operational Services is responsible for the operation of the CCTV and for ensuring compliance with this policy.

1. Purpose of CCTV

CCTV has been installed to assist in ensuring a safe and secure environment for staff, children, parents/guardians and visitors of the Nursery. These purposes will be achieved by monitoring the system to:

- ensure high standards of care are maintained;
- assist in the overall security of individuals, premises and equipment;
- facilitate the identification of any incident which may necessitate disciplinary action being taken against a staff member and assist in providing evidence for any disciplinary action taken; and

2. CCTV System

CCTV cameras are situated within the Nursery; this includes the baby area, 2-5 years area and the garden. These cameras also record audio of the areas where they are situated.

Signs are prominently displayed in key location to indicate that CCTV is in operation.

On occasions CCTV footage will be used for the purpose of staff monitoring, this will only be applicable in circumstances when an incident has been reported to the Nursery Management.

3. Applications of Disclosure of Images and Audio

Requests by individual data subjects for images relating to themselves ‘Subject Access Request’ should be submitted in writing to the Data Protection Officer together with proof of identification.

In order to locate the images on the College CCTV system, sufficient details must be provided by the data subject in order to allow the relevant images to be located and the data subject to be identified.

Where the College is unable to comply with a Subject Access Request without disclosing the personal data of another individual who is identified or identifiable from that information, it is not obligated to comply with the request, unless satisfied that the individual has provided their express consent to the disclosure, or if it is reasonable, having regard to the circumstances, to comply without the consent of the individual.

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Ref – CCTV Policy	Issue Date – April 2022
Page - 6 of 7	Review Date – April 2022

Such disclosures will be made at the discretion of the Director of Operations & Resources or person in charge at the time of the request, with reference to relevant legislation and where necessary, following advice from the College's Data Protection Officer.

Where suspicion of misconduct arises and at the formal request of the Investigating Officer or HR Manager/Advisor, the Data Protection Officer may provide access to the CCTV images for use in staff disciplinary cases.

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Ref - CCTV Policy	Issue Date - April 2022
Page - 7 of 7	Review Date - April 2022