



CCTV Policy

The Purpose of this policy is to regulate the management, operation and use of the CCTV system (Closed Circuit Television) at Bright Sparks

CCTV systems are installed (both internally and externally) for the purpose of enhancing security of the building and its associated equipment as well as creating a mindfulness among the occupants of the premises during both the daylight and night hours each day. CCTV surveillance at the nursery is intended for the purposes of:

- protecting the buildings and nursery assets, both during and after opening hours;
- promoting the health and safety of staff, children and visitors.

The system does not have sound recording capability.

The CCTV system is owned and operated by the nursery, the deployment of which is determined by the management team.

The introduction of, or changes to, CCTV monitoring will be subject to consultation with staff, parents and other professionals.

All authorised operators and employees with access to images are aware of the procedures that need to be followed when accessing the recorded images. All employees are aware of the restrictions in relation to access to, and disclosure of recorded images.

SCOPE

This policy relates directly to the location and use of CCTV and the monitoring, recording and subsequent use of such recorded material. The nursery complies with the Information Commissioner's Office (ICO) CCTV Code of Practice to ensure it is used responsibly and safeguards both trust and confidence in its use.

The Code of Practice is published at: <https://ico.org.uk/media/1542/cctv-code-of-practice.pdf>

CCTV warning signs will be clearly and prominently placed at various locations around the nursery.

Signs will contain details of the purpose for using CCTV. In areas where CCTV is used, the nursery will ensure that there are prominent signs placed within the

controlled area.

The planning and design have endeavoured to ensure that the system will give maximum effectiveness and efficiency, but it is not guaranteed that the system will cover or detect every single incident taking place in the areas of coverage.

CCTV monitoring of public areas for security purposes will be conducted in a manner consistent with all existing policies adopted by the nursery, including Equality & Diversity Policy and other relevant policies, including the provisions set down in other educational and related legislation.

This policy prohibits monitoring based on the characteristics and classifications contained in equality and other related legislation e.g. race, gender, sexual orientation, national origin, disability etc.

Video monitoring of public areas for security purposes within the nursery premises is limited to uses that do not violate the individual's reasonable expectation to privacy.

All CCTV systems and associated equipment will be required to be compliant with this policy following its adoption by the nursery. Recognisable images captured by CCTV systems are 'personal data'. They are therefore subject to the provisions of the General Data Protection Regulation and Data Protection Act 2018

LOCATION OF CAMERAS

The cameras are sited so that they only capture images relevant to the purposes for which they have been installed (as described above), and care will be taken to ensure that reasonable privacy expectations are not violated. The nursery will ensure that the location of equipment is carefully considered to ensure that the images captured comply with the legislation.

The nursery will make every effort to position the cameras so that their coverage is restricted to the nursery premises, which includes both indoor and outdoor areas.

CCTV will not be used in bathrooms or nappy changing areas.

Members of staff will have access to details of where CCTV cameras are situated.

CCTV Video Monitoring and Recording of Public Areas may include the following:

- ***Protection of buildings, property & safeguarding:*** The nursery entrances and exits, all play areas including the gardens and the kitchen.
- ***Criminal Investigations (carried out by the police):*** Robbery, burglary or allegations against staff.
- ***Assist in the resolution or investigation of incidents or accidents if/when required.***

STORAGE AND RETENTION OF CCTV IMAGES

Recorded data will not be retained for longer than 31 days except where the image identifies an issue and is retained specifically in the context of an investigation/prosecution of that issue.

Where data is retained for longer than 31 days a USB stick locked away in a secure place will be kept. The Data Protection Act and GDPR does not prescribe any specific minimum or maximum retention periods that apply to all systems or footage. Therefore, retention will reflect the nursery's purposes for recording information, and how long it is needed to achieve this purpose.

The nursery will store data securely at all times.

ACCESS TO CCTV IMAGES

Access to recorded images will be restricted to the staff authorised to view them and will not be made widely available. Supervising the access and maintenance of the CCTV System is the responsibility of the Manager/Registered Person. The Manager/Registered Person may delegate the administration of the CCTV System to another staff member. When CCTV recordings are being viewed, access will be limited to authorised individuals on a need-to-know basis.

SUBJECT ACCESS REQUESTS (SAR)

Individuals have the right to request CCTV footage relating to themselves under the Data Protection Act and the GDPR.

All requests should be made in writing to the Data Protection Officer via the Manager/Registered Person who can be contacted by email at brightsparks2004@yahoo.com Individuals submitting requests for access will be asked to provide sufficient information to enable footage relating to them to be identified. For example: time, date and location.

The nursery does not have a facility to provide copies of CCTV footage but instead the applicant may view the CCTV footage if available. The nursery will respond to requests within 30 days of receiving the request.

The nursery reserves the right to refuse access to CCTV footage where this would prejudice the legal rights of other individuals or jeopardise an on-going investigation.

ACCESS AND DISCLOSURE OF IMAGES TO THIRD PARTIES

- There will be no disclosure of recorded data to third parties other than authorised personnel such as the Police and service providers to the nursery where there would be reasonable need for access to the data (e.g. investigators).
- 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.
- Requests for images should be made in writing to the Data Protection Officer.
- The data may be used within the nursery's discipline and grievance procedures as required and will be subject to the usual confidentiality requirements of those procedures.

8. RESPONSIBILITIES

The Manager/Registered Person will:

- Ensure that the use of CCTV systems is implemented in accordance with this policy.
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within the nursery.
- Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy.
- Ensure that the CCTV monitoring is consistent with the highest standards and protections.
- Review camera locations and be responsible for the release of any information or recorded CCTV materials stored in compliance with this policy.
- Maintain a record of access (e.g. an access log) to or the release of tapes or any material recorded or stored in the system.
- Ensure that monitoring recorded tapes are not duplicated for release.
- Ensure that the perimeter of view from fixed location cameras conforms to this policy both internally and externally.

- Give consideration to both parents and staff feedback/complaints regarding possible invasion of privacy or confidentiality due to the location of a particular CCTV camera or associated equipment.
- Ensure that all areas being monitored are not in breach of an enhanced expectation of the privacy of individuals within the nursery and be mindful that no such infringement is likely to take place.
- Ensure that external cameras are non-intrusive in terms of their positions and views of neighbouring residential housing and comply with the principle of “Reasonable Expectation of Privacy”
- Ensure that images recorded on tapes/DVDs/digital recordings are stored for a period not longer than 31 days and are then erased unless required as part of a criminal investigation or court proceedings (criminal or civil) or other bona fide use as approved by the Manager/Registered Person.
- Ensure that camera control is solely to monitor suspicious behaviour, criminal damage etc. and not to monitor individual characteristics.
- Ensure that camera control is not infringing an individual’s reasonable expectation of privacy in public areas.

9. DATA PROTECTION IMPACT ASSESSMENTS AND PRIVACY BY DESIGN

CCTV has the potential to be privacy intrusive. The nursery will perform a Data Protection Impact Assessment when installing or moving CCTV cameras to consider the privacy issues involved with using new surveillance systems to ensure that the use is necessary and proportionate and address a pressing need identified.

10. POLICY REVIEW

The Manager/Registered Person is responsible for monitoring and reviewing this policy. This policy will be reviewed annually. In addition, changes to legislation, national guidance, codes of practice or commissioner advice may trigger interim reviews.