

## Closed Circuit Television (CCTV) Policy

### 1. Introduction

- 1.1 West Nottinghamshire College “the College” has in place a CCTV surveillance system “the CCTV system” across its campuses. This policy details the purpose, use and management of the CCTV system at the College and details the procedures to be followed in order to ensure that the College complies with relevant legislation and the current Information Commissioner’s Office Code of Practice.
- 1.2 The College will have due regard to the General Data Protection Regulation (EU) 2016/679 (“GDPR”), the Data Protection Act 2018 and any subsequent data protection legislation, and to the Freedom of Information Act 2000, the Protection of Freedoms Act 2012 and the Human Rights Act 1998. Although not a relevant authority, the College will also 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 within it.
- 1.3 This policy is based upon guidance issued by the Information Commissioner’s Office, ‘In the picture: A data protection code of practice for surveillance cameras and personal information’ (“the Information Commissioner’s Guidance”). <https://ico.org.uk/media/1542/cctv-code-of-practice.pdf>
- 1.4 This policy and the procedures detailed within it applies to all of the College’s CCTV systems and any other system capturing images of identifiable individuals for the purpose of viewing and/or recording the activities of such individuals. CCTV images are monitored and recorded in strict accordance with this policy.

### 2. CCTV System overview

- 2.1 The CCTV system is owned by West Nottinghamshire College, Derby Road, Mansfield, Notts. NG18 5BH and managed by the College. Under the Data Protection Act West Nottinghamshire College is the ‘data controller’ for the images produced by the CCTV system. The College is registered with the Information Commissioner’s Office and the registration number is Z8144426. The CCTV system operates to meet the requirements of the Data Protection Act and the Information Commissioner’s Guidance.
- 2.2 The Director: IT, Estates & Learning Resources is responsible for the overall management and operation of the CCTV system, including activities relating to installations, recording, reviewing, monitoring and ensuring compliance with this policy.
- 2.3 The CCTV system operates across the College’s academic and administrative sites.
- 2.4 Signs are placed at all pedestrian and vehicular entrances in order to inform staff, students, visitors and members of the public that CCTV is in operation. The signage indicates that the system is managed by the College and a contact number for the College is provided.
- 2.5 The Director: IT, Estates & Learning Resources is responsible for ensuring that adequate signage is erected in compliance with the ICO CCTV Code of Practice.

- 2.6 Cameras are sited to ensure that they cover College premises as far as is possible. Cameras are installed throughout the College's sites including roadways, car parks, buildings, within buildings and externally in vulnerable public facing areas.
- 2.7 Cameras are not sited to focus on private residential areas.
- 2.8 The CCTV system is operational and records for 24 hours a day, every day of the year. It is not normally monitored live on a regular basis.
- 2.9 Any proposed new CCTV installation will be subject to a Privacy Impact Assessment.

### **3. Purposes of the CCTV system**

- 3.1 The principal purposes of the College's CCTV system are :
  - I. for the prevention, reduction, detection and investigation of crime.
  - II. to ensure the safety of staff, students and visitors;
  - III. to assist in the investigation of suspected breaches of College Code of Conduct

The CCTV system will be used to record activity on the College's campuses and areas under surveillance in case of reported incidents. Any response should be proportionate to the incident witnessed.

- 3.2 The College seeks to operate its CCTV system in a manner that is consistent with respect for the individual's privacy.

### **4. Monitoring and Recording**

- 4.1 Images are recorded centrally on servers located securely in the College and are viewable in secure areas by authorised staff.
- 4.2 The cameras installed provide images that are of suitable quality for the specified purposes for which they are installed and all cameras are checked regularly to ensure that the images remain fit for purpose and that the date and time stamp recorded on the images is accurate.
- 4.3 All images recorded by the CCTV System remain the property and copyright of the College.

### **5. Compliance with Data Protection Legislation**

- 5.1 In its administration of its CCTV system, the College complies with the General Data Protection Regulation (EU) 2016/679 ("GDPR") and the Data Protection Act 2018. Due regard is given to the data protection principles embodied in this legislation. These principles require that personal data shall be:
  - a) processed lawfully, fairly and in a transparent manner;
  - b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;

- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date;
- e) kept in a form which permits identification of the data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures.

## **6. Applications for disclosure of images**

### **Applications by individual data subjects**

- 6.1 Requests by individual data subjects for images relating to themselves, "Subject Access Request", should be submitted in writing to the Manager: Campus Service together with proof of identification. Further details of this process are detailed in the College's Data Protection Policy, and in the Rights of Individuals Policy, which can be found here: <http://www.wnc.ac.uk/privacy/>
- 6.2 In order to locate the images on the College's system, sufficient detail must be provided by the data subject in order to allow the relevant images to be located and the data subject to be identified.
- 6.3 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 obliged 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.

### **Access to and disclosure of images to third parties**

- 6.4 A request for images made by a third party should be made in writing to the Manager: Campus Service.
- 6.5 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 applies under relevant legislation.
- 6.6 Such disclosures will be made at the discretion of the Director: IT, Estates and Learning Resources, with reference to relevant legislation and where necessary, following advice from the Data Protection Officer.
- 6.7 Where a suspicion of misconduct arises and at the formal request of the Investigating Officer or HR Manager/Advisor, the Manager: Campus Service may provide access to CCTV images for use in staff disciplinary cases. As part of an investigation, any images will be shared with the member of staff (and with their consent, their union representative), as part of the investigative report.

6.8 The Manager: Campus Service may provide access to CCTV images to Investigating Officers when sought as evidence in relation to student discipline cases.

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

## **7. Retention of images**

7.1 Unless required for evidential purposes, the investigation of an offence or as required by law, CCTV images will be retained for no longer than 30 days from the date of recording. Images will be automatically overwritten after this point.

7.2 Where an image is required to be held in excess of the retention period referred to in 7.1, the Manager: Campus Service or their nominated deputy, will be responsible for authorising such a request.

7.3 Images held in excess of their retention period will be reviewed on a three monthly basis and any not required for evidential purposes will be deleted.

7.4 Access to retained CCTV images is restricted to the Manager: Campus Service. All other access to CCTV images must be authorised by the Director: IT, Estates and Learning Resources or in their absence the College Data Protection Officer.

## **8. Complaints procedure**

8.1 Complaints concerning the College's use of its CCTV system or the disclosure of CCTV images should be made in writing to Director: IT, Estates and Learning Resources, West Nottinghamshire College, Derby Road, Mansfield, Notts. NG18 5BH.

8.2 All appeals against the decision of the Director: IT, Estates and Learning Resources should be made in writing to the Deputy Principal: Business Development.

## **9. Monitoring Compliance**

9.1 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 within it.

9.2 Access to the CCTV system is restricted and only authorised persons have access to the system. All those with access will have undertaken mandatory Data Protection training.

## **10. Policy review**

10.1 The College's usage of CCTV and the content of this policy shall be reviewed annually by the Director: IT, Estates and Learning Resources and the College Data Protection Officer with reference to the relevant legislation or guidance in effect at the time. Further reviews will take place as required.