



Friends Therapeutic Community Trust Surveillance and CCTV Policy

Introduction

Friends Therapeutic Community Trust will maintain a CCTV system consisting of **nine** fixed cameras positioned at strategic locations. Cameras are located at Glebe House Shudy Camps Cambridgeshire CB21 4QH. Eight cameras are located externally, and one internally.

The systems will operate from a room in the main building which staff only have permitted access via a master key system.

This policy sets out the purposes of the system and the procedures to be followed when managing the system.

This policy will be reviewed annually.

Objectives of the CCTV system

1. To protect the trusts buildings, assets and general interests.
2. To increase personal safety and reduce the risk of anti-social behaviour.
3. To assist in the identifying, perpetrators of anti-social behaviour.
4. To protect staff, residents & members of the public while on trust sites.
5. To protect the trust while hosting public events.

Statement of intent

At Friends Therapeutic Community Trust, we take our responsibility towards the safety of staff, visitors and residents very seriously. To that end, we use surveillance cameras to monitor any instances of aggression or physical damage to the trust and its members. The purpose of this policy is to manage and regulate the use of the surveillance and CCTV systems at the trust and ensure that:

- We comply with data protection legislation, including the Data Protection Act 1998 and the General Data Protection Regulation (GDPR) – the latter of which comes into effect on 25 May 2018.
- 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 of people who could be identified, as well as information relating to individuals for

any of the following purposes:

- Observing what an individual is doing
- Taking action to prevent a crime
- Using images of individuals that could affect their privacy

FTCT will treat the CCTV system and all information, documents and recordings obtained in the strictest confidence.

CCTV cameras will be used to monitor activities within the grounds, its car parks and other areas for the purpose of securing the safety and wellbeing of the trust, its residents, employees and visitors.

It will be ensured that private dwellings and property other than that in the periphery of a view that is focused upon trust site locations will not be covered by the CCTV cameras.

The planning and design of the system will aim to ensure that the scheme gives maximum effectiveness and efficiency but it is recognised that no system can guarantee to cover or detect every single incident taking place in the areas of coverage.

This policy would be amended and information shared through the Senior Management Team should further internal cameras be required and installed.

Warning signs will be placed at entrances to the trust sites to advise everyone entering that areas are covered by a CCTV system.

Details of coverage would be disclosed on request.

Signed by:

_____ Facilities and Safety Manager Date:

_____ Head of Business and Operations Date:

Policy Review Date: **October 2019**

Policy Version {1}

1. Legal framework

1.1. This policy has due regard to legislation and statutory guidance, including, but not limited to the following:

- The Regulation of Investigatory Powers Act 2000
- The Protection of Freedoms Act 2012
- The General Data Protection Regulation (GDPR)
- The Data Protection Act 1998
- The Freedom of Information Act 2000
- The Education (Pupil Information) (England) Regulations 2005 (as amended in 2016)
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- The School Standards and Framework Act 1998
- The Children Act 1989
- The Children Act 2004
- The Equality Act 2010

1.2. This policy has been created with regard to the following statutory and non-statutory guidance:

- Home Office (2013) 'The Surveillance Camera Code of Practice'
- Information Commissioner's Office (ICO) (2017) 'Overview of the General Data Protection Regulation (GDPR)'
- ICO (2017) 'Preparing for the General Data Protection Regulation (GDPR) 12 steps to take now'
- ICO (2017) 'In the picture: A data protection code of practice for surveillance cameras and personal information'

1.3. This policy operates in conjunction with the following Trust policies:

- Photography and Videos Policy
- E-security Policy
- Freedom of Information Policy
- Trust Security Policy
- Data Protection Policy
- GDPR Data Protection Policy

2. Definitions

2.1. For the purpose of this policy a set of definitions will be outlined, in accordance with the surveillance code of conduct:

- Surveillance – monitoring the movements and behaviour of individuals; this can include video, audio or live footage. For the purpose of this policy only video footage will be applicable.
- Overt surveillance – any use of surveillance for which authority does not fall under the Regulation of Investigatory Powers Act 2000.
- Covert surveillance – any use of surveillance which is intentionally shared with the subjects it is recording. Staff will be informed of such surveillance on implementation and or induction only.

2.2. Friends Therapeutic Community Trust does not condone the use of covert surveillance when monitoring staff, residents and/or volunteers. Covert surveillance

will only be operable in extreme circumstances.

2.3. Any overt surveillance footage will be clearly signposted on entering the trust site

3. Roles and responsibilities

3.1. The role of the data protection officer (DPO) includes:

- Dealing with freedom of information requests and subject access requests (SAR) in line with legislation, including the Freedom of Information Act 2000.
- Ensuring that all data controllers at Friends Therapeutic Community Trust handle and process surveillance and CCTV footage in accordance with data protection legislation.
- Ensuring that surveillance and CCTV footage is obtained in line with legal requirements.
- Ensuring consent is clear, positive and unambiguous. Pre-ticked boxes and answers inferred from silence are non-compliant with the GDPR.
- Ensuring that surveillance and CCTV footage is destroyed in line with legal requirements when it falls outside of its retention period.
- Keeping comprehensive and accurate records of all data processing activities, including surveillance and CCTV footage, detailing the purpose of the activity and making these records public upon request.
- Informing data subjects of how their data captured in surveillance and CCTV footage will be used by Friends Therapeutic Community Trust, their rights for the data to be destroyed and the measures implemented by the Trust to protect individuals' personal information.
- Preparing reports and management information on the Trust's level of risk related to data protection and processing performance.
- Reporting to the highest management level of the Trust, e.g. the Trustee's
- Abiding by confidentiality requirements in relation to the duties undertaken while in the role.
- Monitoring the performance of the Trust's privacy impact assessment (PIA), and under the GDPR the data protection impact assessment (DPIA), and providing advice where requested.
- Presenting reports regarding data processing at the Trust to SMT and the Trust board.

- 3.2.** Friends Therapeutic Community Trust, as the corporate body, is the data controller
- The Trustees of Friends Therapeutic Community Trust therefore has overall responsibility for ensuring that records are maintained, including security and access arrangements in accordance with regulations.
- 3.3.** The Facilities and Safety Manager deals with the day-to-day matters relating to data protection regarding CCTV and thus, for the benefit of this policy will act as the data controller.
- 3.4.** The role of the data controller includes:
- Processing surveillance and CCTV footage legally and fairly.
 - Collecting surveillance and CCTV footage for legitimate reasons and ensuring that it is used accordingly.
 - Collecting surveillance and CCTV footage that is relevant, adequate and not excessive in relation to the reason for its collection.
 - Ensuring that any surveillance and CCTV footage identifying an individual is not kept for longer than is necessary.
 - Protecting footage containing personal data against accidental, unlawful destruction, alteration and disclosure – especially when processing over networks.
- 3.5.** The role of the Facilities and Safety Manager also includes:
- Meeting with the Director or DPO to decide where CCTV is needed to justify its means.
 - Conferring with the Director or DPO with regard to the lawful processing of the surveillance and CCTV footage.
 - Reviewing the Surveillance and CCTV Policy to ensure it is compliant with current legislation.
 - Monitoring legislation to ensure the Trust is using surveillance fairly and lawfully.
 - Communicating any changes to legislation with all members of staff.

4. Purpose and justification

- 4.1.** The Trust will only use surveillance cameras for the safety and security of the Trust's staff, residents and visitors.
- 4.2.** Surveillance will be used as a deterrent for violent behaviour, unlawful entry and damage to Trust property.
- 4.3.** The Trust will only conduct surveillance as a deterrent and under no circumstances will the surveillance and the CCTV cameras be present in educational classrooms or any designated residential personal space.
- 4.4.** If the surveillance and CCTV systems fulfil their purpose and are no longer required the Trust will deactivate them.

5. The data protection principles

- 5.1.** Data collected from surveillance and CCTV will be:
- Processed lawfully, fairly and in a transparent manner in relation to individuals.
 - Collected for specified, explicit and legitimate purposes and not 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.

- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Accurate and, where necessary, kept up-to-date; every reasonable step will 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.
- 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, 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.
- 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.

6. Objectives

6.1. The surveillance system will be used to:

- Maintain a safe environment.
- Ensure the welfare of residents, staff and visitors.
- Deter criminal acts against persons and property.
- Assist the Trust and police in identifying persons who have committed an offence.

7. Protocols

7.1. The surveillance system will be registered with the ICO in line with data protection legislation.

7.2. The surveillance system is a closed digital system which does not record audio.

7.3. Warning signs have been placed throughout the premises where the surveillance system is active, as mandated by the ICO's Code of Practice.

7.4. The surveillance system has been designed for maximum effectiveness and efficiency; however, the Trust cannot guarantee that every incident will be detected or covered and 'blind spots' may exist.

7.5. The surveillance system will not be trained on individuals unless an immediate response to an incident is required.

7.6. The surveillance system will not be trained on private vehicles or property outside the perimeter of the Trust site.

8. Security

8.1. Access to the surveillance system, software and data will be strictly limited to authorised operators and will be password protected.

8.2. The Trust's authorised CCTV system operators are:

- Nigel Roberts Facilities and Safety Manager.
- Designated, DPO.
- Nigel Roberts Facilities and Safety Manager, Peter Clarke Director Data Controllers.
- Kenny Power Maintenance Technician, Data Processor.

8.3. The main control facility is kept secure and locked when not in use.

8.4. If, in exceptional circumstances, covert surveillance is planned, or has taken place,

- copies of the Home Office's authorisation forms will be completed and retained.
- 8.5. Surveillance and CCTV systems will be tested for security flaws once a month to ensure that they are being properly maintained at all times.
 - 8.6. Surveillance and CCTV systems will not be intrusive.
 - 8.7. The DPO and Director/Facilities and Safety Manager will decide when to record footage, e.g. a continuous loop outside the Trust grounds to deter intruders.
 - 8.8. Any unnecessary footage captured will be securely deleted from the Trust system.
 - 8.9. Each system will have a separate audio and visual system that can be run independently of one another. Audio CCTV will only be used in the case of deterring aggressive or inappropriate behaviour. No current audio system is being used.
 - 8.10. Any cameras that present faults will be repaired immediately as to avoid any risk of a data breach.
 - 8.11. Visual display monitors are located in the main office only.

9. Privacy by design

- 9.1. The use of surveillance cameras and CCTV will be critically analysed using a PIA – under the GDPR this will become a DPIA but it will follow the same principles of a PIA.
- 9.2. A PIA will be carried out prior to the installation of any further surveillance and CCTV system.
- 9.3. If the PIA reveals any potential security risks or other data protection issues, the Trust will ensure they have provisions in place to overcome these issues.
- 9.4. The Trust will ensure that the installation of the surveillance and CCTV systems will always justify its means.
- 9.5. If the use of a surveillance and CCTV system is too privacy intrusive, the Trust will seek alternative provision.

10. Code of practice

- 10.1. The Trust understands that recording images of identifiable individuals constitutes as processing personal information, so it is done in line with data protection principles.
- 10.2. The school notifies all residents, staff and visitors of the purpose for collecting surveillance data via notice boards, letters and emails.
- 10.3. CCTV cameras are only placed where they do not intrude on anyone's privacy and are necessary to fulfil their purpose.
- 10.4. All surveillance footage will be kept for six months for security purposes; the Director/Facilities and Safety Manager are responsible for keeping the records secure and allowing access.
- 10.5. The Trust has a surveillance system for the purpose of the prevention and detection of crime and the promotion of the health, safety and welfare of staff, residents and visitors.
- 10.6. The surveillance and CCTV system is owned by the Trust and images from the system are strictly controlled and monitored by authorised personnel only.
- 10.7. The school will ensure that the surveillance and CCTV system is used to create a safer environment for staff, residents and visitors to the school, and to ensure that its operation is consistent with the obligations outlined in data protection legislation. The policy is available from the school's website.
- 10.8. The surveillance and CCTV system will:
 - Be designed to take into account its effect on individuals and their privacy and personal data.
 - Be transparent and include a contact point, the DPO, through which people can access information and submit complaints.

- Have clear responsibility and accountability procedures for images and information collected, held and used.
- Have defined policies and procedures in place which are communicated throughout the Trust.
- Only keep images and information for as long as required.
- Restrict access to retained images and information with clear rules on who can gain access.
- Consider all operational, technical and competency standards, relevant to the surveillance and CCTV system and its purpose, and work to meet and maintain those standards in accordance with the law.
- Be subject to stringent security measures to safeguard against unauthorised access.
- Be regularly reviewed and audited to ensure that policies and standards are maintained.
- Only be used for the purposes for which it is intended, including supporting public safety, the protection of residents, staff and volunteers, and law enforcement.

10.9. Be accurate and well maintained to ensure information is up-to-date.

11. Access

- 11.1.** Under the GDPR, individuals have the right to obtain confirmation that their personal information is being processed.
- 11.2.** All disks containing images belong to, and remain the property of, the Trust.
- 11.3.** Individuals have the right to submit an SAR to gain access to their personal data in order to verify the lawfulness of the processing.
- 11.4.** The Trust will verify the identity of the person making the request before any information is supplied.
- 11.5.** A copy of the information will be supplied to the individual free of charge; however, the Trust may impose a 'reasonable fee' to comply with requests for further copies of the same information.
- 11.6.** Where an SAR has been made electronically, the information will be provided in a commonly used electronic format.
- 11.7.** Requests by persons outside the Trust for viewing or copying disks, or obtaining digital recordings, will be assessed by the Facilities and Safety Officer, who will consult the DPO, on a case-by-case basis with close regard to data protection and freedom of information legislation.
- 11.8.** Where a request is manifestly unfounded, excessive or repetitive, a reasonable fee will be charged.
- 11.9.** All fees will be based on the administrative cost of providing the information.
- 11.10.** All requests will be responded to without delay and at the latest, within one month of receipt.
- 11.11.** In the event of numerous or complex requests, the period of compliance will be extended by a further two months. The individual will be informed of this extension, and will receive an explanation of why the extension is necessary, within one month of the receipt of the request.
- 11.12.** Where a request is manifestly unfounded or excessive, the Trust holds the right to refuse to respond to the request. The individual will be informed of this decision and the reasoning behind it, as well as their right to complain to the ICO and to a judicial remedy, within one month of the refusal.
- 11.13.** In the event that a large quantity of information is being processed about an individual, the Trust will ask the individual to specify the information the request is in relation to.
- 11.14.** 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 that the

rights of individuals are preserved, but also to ensure that the chain of evidence remains intact, should the images be required for evidential purposes.

11.15. 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 and barristers
- Persons who have been recorded and whose images have been retained where disclosure is required by virtue of data protection legislation and the Freedom of Information Act 2000

11.16. Requests for access or disclosure will be recorded and the Director will make the final decision as to whether recorded images may be released to persons other than the police.

12. Monitoring and review

12.1. This policy will be monitored and reviewed on an annual basis by the DPO and the Facilities and Safety manager.

12.2. The Facilities and Safety Manager will be responsible for monitoring any changes to legislation that may affect this policy, and make the appropriate changes accordingly.

12.3. The Facilities and Safety Manager will communicate changes to this policy to all members of staff.

12.4. The scheduled review date for this policy is May 2019.

13. Complaints

Any complaints about the FTCT CCTV systems will follow the formal FTCT complaints procedure. Details would be provided on request.

14. Public information

Copies of this policy will be available to the public from FTCT upon request or can be found on the trust website.

Policy Review Date: [Oct 2019](#)

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