

DRIVING FORWARD PROFESSIONAL
STANDARDS FOR TEACHERS



Closed Circuit Television (CCTV) Policy

January 2021

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Change control

<i>Version</i>	<i>Date</i>	<i>Detail</i>
1	January 2019	Developing policy
2	April 2019	Policy updated to include Record of CCTV Image Viewing Record Form (Appendix A)
3	January 2021	Review of policy

1. GENERAL INFORMATION

1.1 Introduction

This policy will ensure that the General Teaching Council for Scotland (GTCS) operates its CCTV in a way that complies with the standards set out in the Data Protection Code of Practice for Surveillance Cameras and Personal Information published by the Information Commissioners Office (ICO).

1.2 Purpose and Scope

The purpose of this policy is to outline the safeguards in place for the operation of and access to CCTV systems in place and the images recorded and stored.

This policy applies to the use and management of CCTV equipment and images by GTCS.

1.3 Purpose

GTCS's CCTV system will be used for the following purposes:

- To provide a safe and secure working environment for employees, contractors, and visitors to Clerwood House.
- For the detection and prevention of crime in order to protect GTCS staff, property and equipment within Clerwood House and the surrounding car park and grounds.

1.4 Compliance with Data Protection Legislation

GTCS is a data controller with obligations set out by law.¹ In its administration of the CCTV system, GTCS complies with the Data Protection Act 2018, the UK General Data Protection Regulation (UK GDPR) and the data protection principles, which require that personal data, must be:

- 1 processed lawfully, fairly and in a transparent manner;
- 2 collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- 3 adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- 4 accurate and, where necessary, kept up to date;
- 5 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;
- 6 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).
- 7 GTCS will be responsible for, and be able to demonstrate, compliance with the data protection principles (accountability).

GTCS must not transfer personal data to another country without appropriate safeguards being put in place and must comply with the rights of data subjects under Data Protection Law, including assisting them in exercising individual rights in relation to their own personal data. GTCS will be responsible for, and be able to demonstrate, compliance with the data protection principles, in accordance with the requirement for accountability in UK GDPR.

¹ by Data Protection law in the The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 ("UK GDPR"), the Data Protection Act 2018 and other law relating to data protection and the processing of personal data, ("Data Protection Law").

This Policy should be read in conjunction with our Data Protection Policy, in order to understand how we comply with Data Protection law.

2. Responsibilities

2.1 The Senior Strategic Manager – Finance and Procurement is responsible for:

- Establishing procedures to ensure that only certain individuals can access CCTV images
- Establishing procedures to ensure that all access to CCTV images is evidenced by maintaining an access log
- Ensuring that the CCTV equipment is appropriately maintained and in working order

2.2 The Senior Manager – Corporate Executive and Governance is responsible for:

- Managing the GTCS Reception team which plays a vital 'front of house' role for the organisation.
- Ensuring that procedures associated with any access requests to CCTV images are adhered to.
- Ensuring that the staff employed in the Reception Team are adequately trained to be able to assist with any access requests received.
- Ensuring that any faults are reported timeously to the Property Services Team.

2.3 The Information Compliance Officer is responsible for:

- Ensuring that the policy is communicated to GTCS and other individuals contracted to work for GTCS.
- Management of the process in place for subject access requests and requests under freedom of information legislation.
- Carrying out an annual review of the policy and reviewing the continued need for CCTV.
- Carry out an annual audit of the process and the access logs to ensure compliance with the ICO code.
- Monitoring the implementation of this policy.
- Investigating complaints about suspected misuse made by staff and others.

2.4 The Director of Regulation and Legal Services is responsible for:

- Receiving complaints from employees about suspected misuse of the CCTV system or of the information collected.
- Supporting the Information Compliance Officer to investigate complaints about misuse made by members of staff.

3 About the CCTV system

The system installed is the Turbo HD DVR.

4 Location of Cameras

CCTV cameras are located as set out below:

Camera	Where is camera situated?	Area of sight.
1	Front vestibule	Front vestibule
2	Above meeting room 3 internal	Front hall
3	Above meeting room 1 to left of building external	Main car park

4	Above door to stores/kitchen	Back door/stores/catering kitchen corridor
5	Above print room window external	Side car park
6	Above meeting room 3	Patio
7	Above fire exit door of ext	Air con plant and back stairs
8	Outside corner office lower gd fl	Rear building & stairs to field

5 Signage

Signs will be clearly visible and readable so that employees, contractors and other visitors to Clerwood House are made aware that they are entering an area covered by CCTV. The signs will indicate:

- The presence of monitoring and recording
- The ownership of the system
- Contact telephone number

6 Recording and Retention of Images

Images produced by the CCTV equipment are intended to be as clear as possible so that they are effective for the purposes set out above. Maintenance checks of the equipment will be undertaken annually by the contractor to ensure it is working properly, that the cameras are covering the correct positions and that the system is producing high quality images.

Retention of images

Images will be retained for 60 days after which they will be overwritten automatically by the server. Images will only be transferred to another form of media where:

- Images are requested for evidential purposes in legal proceedings.
- An incident has occurred that is under local or police investigation.
- A request in writing has been received from an individual requesting a copy of images. Please note that any request for CCTV images will be treated as a Subject Access Request or in line with Freedom of Information (Scotland) Act guidelines (see para. 9 & 10). This is dependent on the subject matter of the request. CMT, Senior Strategic Manager - Finance & Procurement must be notified of any requests for CCTV images on receipt of the request

Images will not be retained longer than needed for the purpose for which they have been transferred to another form of media.

7 Access to and Disclosure of Images

Access to, and disclosure of, images recorded on CCTV will be controlled and consistent with the purpose for which they were originally collected.

Recorded images will be held securely to prevent unauthorised disclosure. Access to recorded images will be restricted to the following staff:

- Senior Strategic Manager: Finance and Procurement
- Senior Manager – Corporate Executive and Governance
- GTCS Reception Team
- Members of GTCS Finance and Procurement Team
- Information Compliance Officer

Live images from the cameras will be available on monitors within the reception area which are placed to ensure that visitors and other members of staff are unable to view the images. Viewing of recorded images will be undertaken in the reception area and staff not permitted to view the images will be restricted from entering this area when recorded images are being viewed.

GTC Scotland staff who are authorised to view recorded images will only do so where there is risk to the property from damage or unauthorised access. Viewing may also take place when images are requested for evidential purposes in legal proceedings or in response to a Data Protection Subject Access Request or Freedom of information (Scotland) Act 2002 request.

Disclosure of images and the provision of copies of recorded images to thirds parties will, in the main, be limited to the following:

- The police and other law enforcement agencies where recorded images course assist in:
 - The prevention or detection of a crime
 - The identification and prosecution of an offender
 - The identification of a victim or witness
- Prosecution agencies
- Relevant legal representatives

Other third party requests will be carefully considered by the Information Compliance Officer as wider disclosure may be unfair to the individuals concerned and result in a breach of data protection compliance. GTCS will only release information to a third party where it considers that their needs outweigh those of the individuals whose information has been recorded.

All requests for disclosure will be recorded in the appropriate Subject Access Request or Freedom of Information register (see para. 9 & 10) including the name of the requester, date of request, date of disclosure and the reason for the request. If disclosure is refused the reasons will be recorded.

8 Staff Training

GTCS employees who are monitoring and handling CCTV images will be trained in the operation and administration of the CCTV system to ensure that their use of the system is in accordance with this policy and the ICO code.

9 Subject Access Requests

Under data protection legislation (Data Protection Act 2018), anyone who is captured by CCTV cameras has the right to view the image as this is considered to be personal information held about them by the Data Controller, namely GTCS. Any individual who requests their personal information must submit a Data Protection Subject Access Request in writing to:

Information Compliance Officer
General Teaching Council for Scotland
Clerwood House
96 Clerwood Road
Edinburgh
EH12 6UT

Email – dataprotection@gtcs.org.uk

When making a request, the following information should be provided:

- The date and approximate time of the recording
- The location(s) where the recording took place
- A description of the information required

All requests received made under a Subject Access Request should be logged in the current Subject Access Request register.

10. Freedom of Information (Scotland) Act 2002 (FOISA)

A request for information related to CCTV system should be made in writing to:

Information Compliance Officer
 General Teaching Council for Scotland
 Clerwood House
 96 Clerwood Road
 Edinburgh
 EH12 6UT

Email: foi@gtcs.org.uk

In order for a request to be valid it must meet the requirements of a valid request as detailed in GTCS policy – *Handling Requests under FOISA*.

If the information requested is held, GTCS will consider if disclosure is appropriate or determine if an exemption needs to be considered to prevent disclosure.

If a request relates to the personal data of the requester, then it is exempt under FOISA and will be treated as a Subject Access Request under data protection legislation. If a request relates to the personal data of other people then it is unlikely that GTCS will be permitted to disclose this information. This is because disclosing personal data of a third party may be a breach of data protection.

All requests received made under a FOISA should be logged in the current FOISA register.

11. Requests to view CCTV images

When a request to view CCTV is made, arrangements should be made with the requester for this to take place within Clerwood House. In attendance should be:

- A member of the Finance and Procurement Team
- The Information Compliance Officer

A “Record of CCTV Image Viewing” form (**Appendix A**) should be completed and signed by all present at the viewing.

All viewings of CCTV images will be recorded on the CCTV Viewing Log.

12. Freedom of Information (Scotland) Act 2002 (FOISA)

This policy will be subject to monitoring to ensure compliance with legislation and the ICO code. Monitoring will take the form of an annual audit led by the Information Compliance Officer.

13. Complaints

Complaints concerning the misuse of the CCTV system or the information held, should be reported as follows:

- Members of GTCS staff – report to the Director of Regulation and Legal Services
- Members of the public – report to the Information Compliance Officer

The Information Compliance Officer will investigate complaints supported by the Director of Regulation and Legal Services and a member of the HR team where the complaint has been made by a member of staff.

14. GTCS Policies and other documents

This policy should be read in conjunction with the following:

- GTCS Data Protection Policy
- Information Security Policy
- GTCS General Privacy Notice
- GTCS Health & Safety Policy
- GTCS Lone Working Policy

This policy respects and complies with the following:

- Human Rights Act 1998
- Data Protection legislation
- Freedom of Information (Scotland) Act 2002
- ICO Code of Practice for Surveillance Cameras and Personal Information.

**Clerwood House – CCTV
Record of CCTV image viewing**

Description of reported incident	
Date of reported incident	
Organisation	
Contact	
Date of viewing	
Present at viewing of CCTV:	
Other personal data visible	

Signed: _____

Signed: _____

Signed: _____