

CCTV

Policy & Procedure

Policy Statement

The purpose of this policy is to regulate the management and operation of the Closed-Circuit Television (CCTV) System at Goldilocks Nursery). It also serves as a notice and a guide to data subjects (including pupils, parents, staff, volunteers, visitors to the Nursery and members of the public) regarding their rights in relation to personal data recorded via the CCTV system (the System).

The System is administered and managed by Mrs Jamelia (Cemaliye) Osman, which acts as the Data Controller. This Policy will be subject to review from time to time and should be read with reference to the Nursery's managing children's records, confidentiality & information sharing policy. For further guidance, please review the Information Commissioner's CCTV and Video Surveillance guidance.

All fixed cameras are in plain sight on the Nursery premises, and the Nursery does not routinely use CCTV for covert monitoring unless a concern has arisen or monitor private property outside the Nursery grounds.

The Nursery's purposes of using the CCTV system are set out below and, having fully considered the privacy rights of individuals, the Nursery believes these purposes are all in its legitimate interests. Data captured for the purposes below will not be used for any commercial purpose.

This policy should be read with reference to the General Data Protection Regulation Act 2018, the Protection of Freedoms Act 2012 and the CCTV and video surveillance guidance from the Information Commissioner's Office (ICO) available at:

<https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/cctv-and-video-surveillance/>

This policy should also be read in conjunction with the Nursery's:

Managing Children's Records, Confidentiality & Information Sharing Policy & Procedure

Objectives

This CCTV policy explains how our nursery will operate its CCTV equipment and comply with the current legislation.

The nursery uses CCTV equipment to provide a safer, more secure environment for children and staff and to prevent bullying, vandalism and theft. Essentially it is used for:

- To Safeguard and protect children, staff, volunteers, visitors and members of the public with regard to their personal safety.
- The prevention, investigation and detection of crime
- To protect the Nursery buildings and equipment, and the personal property of children, staff, volunteers, visitors and members of the public.
- To monitor staff when carrying out work duties if there is reason to believe a suspected breach of duty, Safeguarding or Staff Code of Conduct Policy
- Facilitate the identification of any activities/event which might warrant disciplinary proceedings being taken against staff and assist in providing evidence to the Nursery Manager.
- The apprehension and prosecution of offenders (including use of images as evidence in criminal proceedings).
- Monitoring the security of the site.

Location

Cameras are located in those areas where the nursery has identified a need. The nursery's CCTV system is used solely for purposes(s) identified above.

- Outside play areas
- Office
- Staff Room
- Daddy Bear main room
- Mummy Bear room
- Baby Bear room
- Hallway
- Reception area
- Storage Room
- Front of building

Maintenance

Martin Andrews and Jamelia (Cemaliye) Osman maintains The CCTV system under an annual maintenance contract that includes periodic inspections.

The contractors are responsible for:

- Ensuring the nursery complies with its responsibilities in relation to guidance on the location of the camera.
- Ensuring the date and time reference are accurate.
- Ensuring that suitable maintenance and servicing is undertaken to ensure that clear images are recorded.
- Ensuring that cameras are protected from vandalism in order to ensure that they remain in working order.

Identification

In areas where CCTV is used the nursery will ensure that there are prominent signs placed at both the entrance of the CCTV zone and within the controlled area.

The signs will:

- Be clearly visible and readable.
- Be an appropriate size depending on context.

Type of equipment

The nursery's standard CCTV cameras record visual images only and will not record sound.

Administration

The role of data controller is delegated to Mrs Cemaliye (Jamelia) Osman; she has responsibility for the control of images and deciding how the CCTV system is used. The nursery is registered with the Information Commissioner's Office; the registration includes the use of CCTV images and the purpose for which the images are used. All operators and employees with access to images are aware of the procedures that need to be followed when accessing the recorded images. All operators are made aware of their responsibilities under the CCTV Code of Practice. Access to recorded images is restricted to staff that need to have access in order to achieve the purpose of using the equipment. All access to the medium on which the images are recorded is documented. All employees are aware of the restrictions in relation to access to, and disclosure of, recorded images.

Image storage, viewing and retention

Recorded images are stored securely to maintain their integrity and to ensure specific times and dates can be clearly identified. Access to live images is limited to the CCTV operator, except where monitors display

scenes visible from the monitored area. Recorded footage is only viewable in restricted areas by authorised staff.

The nursery reserves the right to use CCTV footage where incidents occur that cannot reasonably be ignored, such as criminal activity, potential gross misconduct, or behaviour posing a risk to others.

Images retained for evidential purposes are securely stored in a locked area accessible only to the system administrator. A record is kept detailing the reason for retention, storage location, any use of the footage, and the date of eventual deletion.

There is no legally prescribed maximum retention period for CCTV images under the UK GDPR or Information and Records Management Society. However, the nursery ensures images are not kept longer than necessary. CCTV footage is retained for a maximum of **30 days**, unless required for an ongoing investigation or legal obligation. After the retention period, images are securely deleted or erased.

Disclosure

Disclosure of recorded images to third parties is strictly controlled and may only be authorised by the Data Controller. Such disclosure will only be permitted when:

- It is fair to the individuals involved;
- There is a legal obligation to do so (e.g. under information access rights);
- It aligns with the original purpose for which the CCTV system was established.

All requests for access or disclosure are formally recorded. Where a request is refused, the reason for refusal is also documented.

Note: Disclosure to law enforcement agencies may be authorised even if the CCTV system was not originally intended for crime prevention or detection, where failure to disclose would prejudice the prevention or detection of crime.

Subject access requests

Individuals whose images are captured by the CCTV system have the right to request access to footage in which they appear. Unless they consent otherwise, they are also entitled to receive a copy of those images. Upon receiving a valid request under the UK GDPR, the Nursery will respond within **one calendar month**.

There is no charge for providing a copy of the images unless the request is deemed **manifestly unfounded or excessive**, in which case a reasonable fee may be applied.

As a private childcare provider, the Freedom of Information Act does **not** apply to the Nursery. Requests for CCTV footage containing personal data must be submitted as a **Subject Access Request (SAR)** under the UK GDPR.

In most cases, if the footage contains images of other identifiable individuals in addition to the requester, it will be treated as personal data and may not be disclosed under a SAR unless it is reasonable to do so. Individuals making a request must supply sufficient information to enable the Nursery to identify them in the footage and locate the relevant recordings.

Requests should be addressed directly to the Data Controller.

The Nursery may refuse access to images where disclosure:

- Would likely cause substantial and unwarranted harm to another individual;
- Is requested for the purpose of automated decision-making; or
- Would involve the disclosure of other individuals' personal data and redaction is not possible.

In such cases, the Data Controller may, at their discretion, allow the requester to **view** the footage in a secure setting without receiving a copy.

Monitoring and evaluation

The Nursery undertake regular audits to ensure that the use of CCTV continues to be justified. The audit includes a review of:

- Its stated purpose.
- The location.
- The images recorded.
- Storage length.
- Deletion.

Reviewing

The efficacy of this policy will be reviewed annually by Mrs Cemaliye (Jamelia) Osman. If the nursery decides to change the way in which it uses CCTV, it will inform the Information Commissioner within 28 days.

CCTV Footage Access Request

The following information is required before the Nursery can provide copies of or access to CCTV footage from which a person believes they may be identified.

Please note that CCTV footage may contain the information of others that needs to be protected.

Name and Address (Proof of ID may be required):	
Description of footage(e.g. description of yourself, clothing, activity etc.):	
Location of camera:	
Date of footage sought	
Approximate time:	

Signature.....

Print Name.....

Date.....

NB if requesting CCTV footage of a child under 16, a person with parental responsibility should sign this form. For children 16 or over, the child's authority or consent must be obtained except in circumstances where that would clearly be inappropriate and the lawful reasons to provide to the parent(s) outweigh the privacy considerations of the child.