

4.11 CCTV

Policy statement

Kamelia Kids is securely monitored by a CCTV (Closed Circuit TV) surveillance system. We recognise that CCTV has become a common feature of our daily lives and while its use is accepted, CCTV operators have certain duties and responsibilities to those whose images are caught on camera. The Trustees and Senior Leadership team have overall responsibility for the data protection and the implementation of this policy. The Nursery Operations Director is responsible for the development and operation of the surveillance camera system and for ensuring compliance with this policy. An annual audit and review of this policy and including the use of a surveillance camera system will be conducted.

Procedures

- The nursery will adhere to the SSAIB codes of Practice (CCTV) Guidance Amended Surveillance Camera Code of Practice and implement the 12 guiding principles through this policy.
- The use of CCTV and the associated image is covered by Kamelia Kids GDPR policy and procedures and the 'data protection code of practice for surveillance cameras and personal information.'
- This policy is shared with staff, parents and carers, available on our website.
- Any concerns or complaints, follow the nursery complaints policy, about the use of surveillance camera systems should be directed to the Nursery Operations Director, by email scharlesworth@kameliakids.org.uk
- It is our practice to communicate this policy and procedures to all staff and is part of their induction.

The system

- The installation and maintenance of a surveillance camera system is carried out by Invader Security Solutions Ltd, www.invadersecurity.co.uk
- The equipment for the system complies with the relevant sections of the British Standards, BS EN50132-1&7 and SSAIB codes of Practice (CCTV).

- There are 28 cameras, either White IP 5MP Turret Day/Night - Providing Night Vision in monochrome at low light Lens: 2.8mm Fixed. 30m IR Resolution 5MP Power POE Sensitivity 0.0 Lux with IR on.
- Cameras are in all children's rooms, all gardens and at external points of the nursery including the laundry yard, front entrance area and staff car park.
- No camera is hidden from view, and all will be prevented from focusing on our neighbour's houses. All users of the nursery will be notified of the use of CCTV by appropriate signage that are in prominently displayed places.
- Recorder: Type NVR Plus 24 Ch POE Switch Channels 32 Hard Drive 16TB.
- Record Duration: 21 Days at 15FPS.
- Recorder location: In the office, in a locked cupboard, Monitor Resolution 1080P Size 32".
- Monitor location: In the office on wall bracket Monitoring Via APP Network.
- The digital recorder and single effectiveness of the limited system do not guarantee that the system will detect every incident on the nursery site.

The purpose of the system

The primary purpose of the CCTV system is to monitor:

- The security of the premises internally and externally.
- The health and safety and safeguarding of the children, their families, staff, and visitors.
- The prevention, detection, and investigation of criminal activity.
- The trespass and vandalism or damage to the building and theft.
- The system will not be used to provide image or sound for social media or the world wide web.
- Safeguards are in place so that cameras are not in spaces or covering where personal care needs are carried out, e.g., children toileting or nappy changing, and in staff/visitor toilets/areas.

The CCTV system will support the Senior Leadership Team to monitor:

- Staff interactions with children.
- Increase learning opportunities for staff.
- Develop best practice.
- Facilitate the identification of an incident which may necessitate action being taken including establishing evidence of concerns or allegations to provide evidence should it lead to an investigation.

Access

- To safeguard against unauthorised access and use, viewing of the recorded images and information is restricted to the Senior Leadership Team, Room Managers and Deputy Room Managers, within the nursery management office.
- Each access will be documented on a monitoring record, located next to the CCTV monitor.
- The nursery is registered with the Information Commissioner's Office (ICO) under the terms of the Data Protection Act. The nursery complies with ICO CCTV Code of Practice to ensure it is used responsibly.
- All authorised employees with access to images are aware of the procedures to be followed when accessing the recorded images. All employees are trained to understand their responsibilities under the CCTV Code of Practice. All employees are aware of the restrictions in relation to access to, and disclosure of, recorded images.
- Although images and other information should not be kept for longer than necessary to meet the purposes for recording them, on occasions, there may be a need to retain images for a longer period, for example where a law enforcement body is investigating a crime, to give them the opportunity to view the images as part of an active investigation.
- Disclosure of images or information may be appropriate where data protection legislation makes exemptions which allow it, provided that the applicable requirements of the data protection legislation are met or were permitted by other legislation such as the Counter Terrorism Act 2008.

- This is not a 'webcam' facility; parents/carers will not access to view recordings.

Subject Access Requests (SAR)

Individuals have the right to request access to CCTV footage relating to themselves under the Data Protection Act and GDPR. Individuals submitting requests for access will be asked to provide sufficient information to enable the footage relating to them to be identified, for example, date, time and location.

The nursery will respond to requests within 14 calendar 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.

A record will be made of the date of the disclosure, along with details of to whom the information has been provided (the name of the person and the organisation they represent) and the reason it was required.

Where footage contains images relating to third parties, the nursery will take appropriate steps to mask and protect the identities of those individuals.

The nursery will always seek guidance from the ICO.

Subject Access Requests (SAR) by parents

Parents may make a Subject Access Request on behalf of their child. Prior to sharing any footage, the nursery will check whether they have parental responsibility for the child they wish to view and note any current safeguarding concerns. The Nursery Operations Director will decide about whether sharing the footage is in the best interests of the child and any decision made will be recorded.

If the footage contains images of other people (including staff and children), we will only disclose the footage if we have the third party's consent to do so, or if it's reasonable to do so without their consent. Where this isn't the case we *will redact the footage to remove or disguise the third parties wherever possible/*may provide stills with the identity of third parties blanked out where this is appropriate.

The nursery will always seek guidance from the ICO.

Legal framework

SSAIB codes of Practice (CCTV) Guidance Amended Surveillance Camera Code of Practice (Updated March 2022)

Amended Surveillance Camera Code of Practice (accessible version) - GOV.UK (www.gov.uk) UK General Data Protection Regulation (UK GDPR) Data Protection Act 2018 (DPA 2018)

ICO Video Surveillance Guidance

[Video surveillance \(including guidance for organisations using CCTV\) | ICO](#)

Further Guidance

The Information Commissioner Information Commissioner's Office (ICO)

Information Sharing Duty

<https://www.gov.uk/government/publications/information-sharing-to-safeguard-children-and-young-people>