

**Privacy notice relating to the processing of  
personal data by the school  
that is captured via CCTV**

**(Version 1.2 – wef 12.04.2023)**



**MAE EICH DATA O BWYS**

**YOUR DATA MATTERS**

Mae'r ddogfen hon ar gael yn Gymraeg / This document is also available in Welsh

## **About this privacy notice**

This privacy notice applies to the processing of personal data by primary, secondary and through schools within Rhondda Cynon Taf (RCT) that are maintained by the local authority (i.e. Rhondda Cynon Taf County Borough Council or RCTCBC) and faith schools that are voluntary funded.

This privacy notice applies to schools where CCTV is in operation.

The privacy notice is provided by RCTCBC for and on behalf of schools under a data protection Service Level Agreement.

## **Introduction**

This privacy notice is intended to provide information about how the school will use (or 'process') personal data about individuals whose image is captured by CCTV.

When processing the personal data, we process only the minimum amount necessary in relation to the purpose.

This notice should be read in conjunction with the school's general privacy notice, which can be found on the school's website.

## **The Data Controller**

The school is the data controller for the personal data it processes, unless otherwise stated. This includes the personal data processed by the Governing Body, head teacher, individual governors, teachers, teaching assistants and support staff etc.

The school is registered with the Information Commissioner's Office (ICO) as a controller.

## **How to contact the school for data protection matters or concerns**

The school's Data Protection Lead is the main point of contact for data protection matters. The Data Protection Lead can be contacted using the school's normal contact methods; by telephone, email, post and in person at the school.

Click [here](#) for the school's contact information.

## **The Data Protection Officer**

RCTCBC provides a data protection support service to the school under a Service Level Agreement, including the provision of a Data Protection Officer (DPO).

The DPO can be contacted in relation to data protection matters. However, we encourage you to contact the school in the first instance. Should you have the need to contact the Data Protection Officer directly you can do so via email to the following email address;

- [Information.management@rctcbc.gov.uk](mailto:Information.management@rctcbc.gov.uk)

We recommend, when contacting the DPO, you send a copy of the correspondence to the school as the data controller.

## **The categories of personal data we process**

We process images of individuals captured by CCTV at the school.

We do not capture audio via the school's CCTV system.

Whilst we do not deliberately set out to capture any other personal data, indirectly CCTV images may capture other information about individuals such as a health issue, criminal offence data (if CCTV captures a potential crime being committed) etc.

## **Whose personal data we process;**

We process personal data relating to individuals whose image is captured by the CCTV. This may include but is not limited to;

- Pupils
- Parents, carers, guardians etc.
- School staff
- Governors
- Visitors
- Contractors
- Public

## Why we process the personal data

We process the personal data to;

- detect, prevent, deter and reduce crime
- enhance the general security of the school, its buildings and assets
- enhance the health and safety of our employees, pupils, parents and visitors to the school.
- for safeguarding purposes
- assist with complaints or concerns (i.e. CCTV images may be used as evidence to support an investigation into a complaint or concern).
- assist with legal or insurance claims (i.e. CCTV images may be used as evidence to support or defend a claim)

## Our lawful basis for processing the personal data

Under the General Data Protection Regulation (GDPR), our lawful basis for capturing and processing CCTV images is;

Purpose	Lawful Basis
To prevent and detect crime	<p><b>Personal Data:</b></p> <ul style="list-style-type: none"><li>• Public Task - Article 6 (e) – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.</li></ul> <p><b>Special Category Data:</b></p> <ul style="list-style-type: none"><li>• Substantial public interest - Article 9 (2) (g) - processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.</li><li>• Data Protection Act, Schedule 1, Part 2, 6 - Statutory and Government purposes</li><li>• Data Protection Act, Schedule 1, Part 2, 10 – Preventing and detecting unlawful acts</li></ul> <p><b>Criminal Offence Data:</b></p> <ul style="list-style-type: none"><li>• Data Protection Act, Schedule 1, Part 2, 6 - Statutory and Government purposes</li><li>• Data Protection Act, Schedule 1, Part 2, 10 – Preventing and detecting unlawful acts</li></ul>

<p>Enhance the general security of the school, its buildings and assets</p>	<p><b>Personal Data:</b></p> <ul style="list-style-type: none"> <li>• Public Task - Article 6 (e) – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.</li> </ul> <p><b>Special Category Data:</b></p> <ul style="list-style-type: none"> <li>• Substantial Public Interest - Article 9 (2) (g) - processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.</li> <li>• Data Protection Act, Schedule 1, Part 2, 6 - Statutory and Government purposes</li> </ul> <p><b>Criminal Offence Data:</b></p> <ul style="list-style-type: none"> <li>• Data Protection Act, Schedule 1, Part 2, 6 - Statutory and Government purposes</li> </ul>
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<p>Enhance the health and safety of our employees, pupils, parents and visitors to the school.</p> <p>&amp;</p> <p>For safeguarding purposes</p>	<p><b>Personal Data:</b></p> <ul style="list-style-type: none"> <li>• Legal Obligation – Article 6(c) - processing is necessary for compliance with a legal obligation to which the controller is subject</li> <li>• Public Task - Article 6 (e) – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.</li> </ul> <p><b>Special Category Data:</b></p> <ul style="list-style-type: none"> <li>• Substantial public interest - Article 9 (2) (g) - processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.</li> <li>• Data Protection Act, Schedule 1, Part 2, 6 - Statutory and Government purposes</li> </ul> <p><b>Criminal Offence Data:</b></p> <ul style="list-style-type: none"> <li>• Data Protection Act, Schedule 1, Part 2, 6 - Statutory and Government purposes</li> </ul> <p><b>Supporting Legislation:</b></p> <ul style="list-style-type: none"> <li>• The Management of Health &amp; Safety at Work 1999 Act</li> <li>• The Health &amp; Safety at Work Act 1974</li> <li>• The Education Act 2022 (Section 175)</li> </ul>
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<p>Assist with complaints or concerns</p>	<p><b>Personal Data:</b></p> <ul style="list-style-type: none"> <li>Public Task - Article 6 (e) – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.</li> </ul> <p><b>Special Category Data:</b></p> <ul style="list-style-type: none"> <li>Substantial public interest - Article 9 (2) (g) - processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.</li> <li>Data Protection Act, Schedule 1, Part 2, 6 - Statutory and Government purposes</li> </ul> <p><b>Criminal Offence Data:</b></p> <ul style="list-style-type: none"> <li>Data Protection Act, Schedule 1, Part 2, 6 - Statutory and Government purposes</li> </ul>
<p>Assist with legal or insurance claims</p>	<p><b>Personal Data:</b></p> <ul style="list-style-type: none"> <li>Legitimate Interests - Article 6(f) GDPR - processing is necessary for the purposes of the legitimate interests pursued by the Controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.</li> </ul> <p><b>Special Category Data:</b></p> <ul style="list-style-type: none"> <li>Legal Proceedings - Article 9(f) GDPR processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.</li> </ul> <p><b>Criminal Offence Data:</b></p> <ul style="list-style-type: none"> <li>Data Protection Act, Schedule 1, Part 3, 33 – Legal Claims</li> </ul>



## Who and where we get the personal data from

We obtain the personal data directly from the individuals whose image is captured by the CCTV installed at the school.

## Who we share personal data with

We do not routinely share CCTV footage with external organisations. However, access to CCTV footage may be requested and disclosed to third parties, for the following purposes, where the law allows us to do so (we have listed below the most common types of requests received. Please note this list is not exhaustive. Requests for personal data captured CCTV will be dealt with on a case-by-case basis).

Police and law enforcement agencies	Personal data captured by CCTV may be shared with the Police for the purpose of; <ul style="list-style-type: none"><li>• Prevention and detection of crime</li><li>• Apprehension or prosecution of offenders</li><li>• Legal proceedings</li></ul>
Local Authority e.g. enforcement team	Personal data captured by CCTV may be shared with the Local Authority for the purpose of; <ul style="list-style-type: none"><li>• Prevention and detection of crime</li><li>• Apprehension or prosecution of offenders</li><li>• Legal proceedings</li></ul>
Courts	Personal data captured by CCTV may be shared with the Courts for the purpose of; <ul style="list-style-type: none"><li>• Legal proceedings</li><li>• Court Order</li></ul>
Solicitors and Legal Representatives etc.	Personal data captured by CCTV may be shared with Legal Representatives for the purpose of; <ul style="list-style-type: none"><li>• Legal proceedings</li></ul>
Insurance companies, claim handlers etc.	Personal data captured by CCTV may be shared with Insurance companies for the purpose of; <ul style="list-style-type: none"><li>• Legal proceedings</li></ul>
Health & Safety Executive	Personal data captured by CCTV may be shared with the Health & Safety Executive and other relevant agencies to support an investigation.

## Internal purposes

We may use and share images captured by CCTV for our own internal purposes as follows.

Please note this list is not exhaustive.

<b>Purpose</b>	<b>Who we may share the images with for this purpose and why</b>
To assist with school-based complaints	<p><b>Governors Support (RCTCBC)</b> – images may be shared, if appropriate, relevant and necessary, to seek advice, support and guidance etc. in line with the Complaints procedures for school governing bodies in Wales.</p> <p><b>Board of Governors / Independent Panel</b> - images may be shared, if appropriate, relevant and necessary, in order that the Governing Body / Independent Panel may fulfil their statutory obligations relating to the school-based complaints, in line with the Complaints procedures for school governing bodies in Wales.</p> <p><b>Human Resources (RCTCBC)</b> – where the complaint relates to a member of staff etc. images may be shared, if appropriate, relevant and necessary, for the purpose of seeking advice, support and guidance etc. in relation to any potential disciplinary matter.</p> <p><b>Information Management (RCTCBC) / Data Protection Officer</b> – where the complaint relates to a data protection matter, images may be shared, if appropriate, relevant and necessary, to seek advice, support, guidance etc. and to investigate any potential personal data breach.</p>
To assist with an Insurance Claim	<p><b>Insurance Section (RCTCBC)</b> – images may be shared with the Insurance Section and the school’s Insurance Company/Claims Handler, if appropriate, relevant, and necessary, for the purpose of dealing with a claim (e.g., as evidence to support claim where the incident has been captured by CCTV).</p>
To assist with a staff disciplinary matter	<p><b>Human Resources (RCTCBC)</b> - images may be shared, if appropriate, relevant and necessary, for the purpose of seeking advice, support and guidance etc. in relation to any disciplinary matter.</p>

## **Data Processors**

A data processor is a company or organisation that processes personal data on behalf of a controller. The school uses data processors that provide services to us. The category of data processors that the school uses in relation to the processing of CCTV data is;

- CCTV system suppliers / support and maintenance service providers.

Our data processors act only upon our instruction. They cannot do anything with the personal data unless we instruct them to do so. They will not share the personal data with any organisation apart from us or use it for their own purposes. They will hold it securely and retain it for the period we instruct.

Should you have a specific query relating to our data processors, please contact the Data Protection Lead.

## **How long we retain the personal data**

The school retains CCTV footage for a period of one month. Following the retention period expiry, footage is permanently and securely destroyed.

Where images are subject to, for example a police or accident investigation etc. a copy of the footage may be retained longer for those purposes.

## **Your data protection rights**

Under data protection law, you have rights we need to make you aware of. The rights available to you depend on our reason for processing your personal data.

### **Your right of access**

You have the right to ask us for copies of your personal data. This right always applies. There are some exemptions, which means you may not always receive all the data we process. [You can read more about this right on the ICO's website.](#)

### **Your right to get your data corrected**

You have the right to ask us to rectify personal data you think is inaccurate. You also have the right to ask us to complete data you think is incomplete. This right always applies. [You can read more about this right on the ICO's website.](#)

### **Your right to get your data deleted**

You have the right to ask us to erase your personal data in certain circumstances. [You can read more about this right on the ICO's website.](#)

### **Your right to limit how organisations use your data**

You have the right to ask us to restrict the processing of your personal data in certain circumstances. [You can read more about this right on the ICO's website.](#)

### **Your right to object to the use of your data**

You have the right to object to us processing your personal data in certain circumstances. [You can read more about this right on the ICO's website.](#)

### **Your right to data portability**

This only applies to personal data you have given us. You have the right to ask that we transfer the personal data you gave us from one organisation to another or give it to you. This right only applies if we are processing the personal data based on your consent or under, or in talks about entering a contract and the processing is automated. [You can read more about this right on the ICO's website.](#)

You are not required to pay any charge for exercising your rights. We have one month to respond to your request from the date your request is validated. We may extend this period by a further two months if the request is complex or we receive a number of requests from you.

Please contact the school's Data Protection Lead if you wish to make a request.

### **Your right to make a data protection complaint to the school**

You have the right to complain to the school if you believe we have not handled your personal data responsibly and in line with good practice.

If you have a concern, we encourage you to contact the Data Protection Lead in the first instance. Most concerns can be resolved relatively quickly through a simple phone call or email to the school. Should you wish to make a formal complaint you can do so via our complaints policy.

### **Your right to make a data protection complaint to the ICO**

You can also complain to the ICO if you are unhappy with how we have used your data, but we encourage you to contact us first.

The ICO's contact information is:

- Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
- Helpline number: 0303 123 1113
- Website: <https://www.ico.org.uk>

## Version Control

Version no	Valid From	Valid To	Comments
1.0	27.09.2022	21.02.2023	Document creation. Final document
1.1	21.02.2023	12.04.2023	Amended to included availability of Welsh version
1.2	12.04.2023		Slight amendment to wording and spelling. Updated to include reference to capturing criminal conviction data. Inserted table re lawful basis for processing.