

# Belfast Metropolitan College

## SCREENING FORM

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### Background

Under Section 75 of the Northern Ireland Act 1998, the FE Sector is required to have due regard to the need to promote equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- **between men and women generally;**
- **between persons with a disability and persons without; and,**
- between persons with dependants and persons without.

Without prejudice to the obligations set out above, the FE Sector is also required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

### Screening

The screening procedure should lead to one of two conclusions:

- The policy being screened does not have a significant impact on equality of opportunity and therefore does not require an Equality Impact Assessment (EQIA)
- The policy being screened has (or is likely to have) a significant impact on equality of opportunity and will require an EQIA.

Screening Date: 30 May 2019

## 1.0 Information about the policy

### Name of the policy CCTV Policy

Is this an existing, revised or a new policy?

Revised

**Aim and Description of Policy** – What is it trying to achieve: how will this be achieved i.e. key elements: what are the key considerations e.g. financial, legal.

This policy has been developed to comply with legal obligations and to provide guidance in the recording, processing and accessing of CCTV images across all Belfast Metropolitan College (Belfast Met) campuses. Belfast Met processes the personal data of living individuals such as its staff, students, contractors, research subjects and customers, including images captured by CCTV systems. This processing is regulated by the Data Protection Act 2018 (DPA), the General Data Protection Regulations and the Information Commissioner's *CCTV Code of Practice*. The UK's regulator for the DPA is the Information Commissioner's Office.

It is the duty of Data Controllers such as Belfast Met to comply with the data protection principles with respect to personal data. This policy describes how Belfast Met will discharge its duties in order to ensure the continuing compliance of its CCTV systems with the DPA in general, the data protection principles and the CCTV Code of Practice and The Employment Practices Code in particular.

Belfast Metropolitan College uses CCTV cameras as part of its requirement to safeguard staff, students and visitors and to protect College property against criminal damage and for the detection of criminal activity. The College reserves the right to review and use footage from CCTV cameras for the purpose of investigations relating to students and/or staff misconduct.

The policy also takes cognisance of the Freedom of Information Act (FOIA) 2000 and the Human Rights Act 1998 (HRA).

The College does not use covert recording systems nor automated recognition technologies.

This policy only applies to buildings where Belfast Met records images on CCTV and is therefore Data Controller. Belfast Met also delivers in buildings not owned by the College but where CCTV is in operation. Belfast Met is not the Data Controller in such circumstances however, appropriate Belfast Met staff may require access to this data in certain circumstances.

All staff, students, visitors and contractors should have a reasonable expectation of being

captured on CCTV on a daily basis. Belfast Met will inform people they are in an area where a surveillance system is in operation. Prominent signs will be visible in areas where CCTV is in operation. Additionally, the use of CCTV for the purposes outlined in this policy will be communicated to staff and students at induction and through roll out of this policy and they will be advised that images can be used in an investigation into potential staff or student misconduct.

Cameras will be situated so that they only capture images relevant to that purpose, and to ensure they do not capture areas not intended to be the subject of surveillance.

The Corporate Compliance Officer, nominated security staff and allocated security personnel will have access to CCTV images. Disclosure of information from the surveillance system must be controlled and all access will be recorded. In the event of an investigation into staff or student potential misconduct, CCTV images may be used. Data subjects have a right to access their personal data (including CCTV images of themselves).

Who owns and who implements the policy?

Belfast Metropolitan College – Estates and FM Department and reviewed by the Estates Compliance Officer

## 1.1 Implementation factors

a) What are the factors that would detract from the achievement of the aims of the Policy?

Are they:-

	Financial
	Legislation
X	Communication
X	Staff Development
	Consistent approach
	Other – please specify:-

b) What action is necessary to ensure that the aims/outcomes of the policy are met?

- Regular monitoring of the policy
- Consistent application of the policy across all departments and

- campuses of all colleges
- Regular communication
- Inclusion at staff and student induction

## 1.2 Main stakeholders affected

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon and who need to be consulted with as part of the equality consultation.

X	Governing Body
X	Managers
X	Staff
X	Students/service users
	Other public sector organisations
X	Voluntary/community/trade unions
X	Other, please specify:-

Detail any consultation that has taken place with stakeholders.

This is a revised policy. Discussions happened initially with these groups.

## 1.3 Other College policies that relate to this policy

<b>Policies:-</b>	<b>College/Sector</b>
Data Protection Policy	Sector
GDPR Handbook	Sector
Data Breach Procedure	College
Your Rights Procedure	College
Consent Procedure	College
Disciplinary Policy for Academic and Non-Academic Staff	
Staff Code of Conduct	

## 1.4 Available evidence

Evidence to help inform the screening process may take many forms. Colleges should ensure that their screening decision is informed by relevant data.

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details below.

CCTV has been put in place in all College buildings and there have been no issues raised by staff or students (or neighbours of the college) about their positioning and use.

The College ensures it complies with its legal obligations and the policy has been developed to highlight this.

Access to the images contained on CCTV happens in a very strict environment and in the last year there have only been 9 requests for access to these images.

Although the policy permits for access to these images if there has been an allegation of misconduct, they are generally only accessed when there has been an accident or incident on site.

## 1.5 Needs, experiences and priorities

Taking into account the information referred to above, what considerations are essential to ensure those in the following categories can achieve fair participation in relation to this policy, and what actions the College will take to address these consideration(s)?

<b>Section 75 category</b>	<b>Details of needs/experiences/priorities</b>	
	<b>Consideration</b>	<b>Actions to promote equality*</b>
Religious	The policy has been developed to communicate	n/a

belief	the rights of each individual to privacy under the law.	Make information about the policy available in a variety of formats to suit those with a disability (particularly visual) or those whose first language is not English.
Political opinion	The College has a legal obligation to only collect relevant information (including images) and protect that information for a specific period.	
Racial group		
Age		
Marital status	It is important that everyone is aware of their rights under the law. It is the college's responsibility to communicate this effectively to all groups. Consequently, it is important that different means are used to communicate this information for different groups. Those with certain disabilities (e.g. visual, severe learning disability) and those whose first language is not English may not understand that their image is collected, what happens to that image and when it will be accessed. The policy states that staff and students must be made aware of this during induction and throughout the year. Signage will be visible enough for most people however those whose first language is not English, those who are physically impaired and those with a learning difficulty will require support from the college to help them understand their right to privacy and our policy.	
Sexual orientation		
Men and women generally		
Disability		
Dependants		

\*considerations may include flexibility to facilitate the needs of an individual (timetabling for those with young children); adjustments to facilitate those with a disability (alternative formats); provision of facilities to address needs (prayer room)

## Part 2

### Introduction

Having collated relevant information in relation to Part 1, it is now necessary to use this information when making a decision as to whether or not there is a need to carry out an equality impact assessment.

In assessing the questions in Section 2 it will be necessary to determine the impact of the policy in respect of Section 75.

If the college's conclusion is that there is a **major** in respect of one or more of the Section 75 equality of opportunity and/or good relations categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the college's conclusion is that there is a **minor** in respect of one or more of the Section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

If the college's conclusion is that there is no impact, i.e. **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the College may decide to screen the policy out. If a policy is "screened out" as having no relevance to equality of opportunity or good relations, the College should give details of the reasons for the decision taken.

### **In favour of a 'major' impact**

- a) The policy is significant in terms of its strategic importance;
- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
- c) Potential equality and/or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities;
- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

### **In favour of 'minor' impact**

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

### **In favour of none**

- a) The policy has no relevance to equality of opportunity or good relations.
- b) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, by applying the screening questions given overleaf and indicate the level of impact on the group i.e. minor, major or none.



## 2.0 Screening questions

1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories? (major/minor/ none)		
Section 75 category	Details of policy impact	Level of impact? major/minor/none
Religious belief	<p>There should be no adverse impact on any of these categories as the policy is designed to protect the interests of all people. However, these protections and our use of CCTV need to be communicated effectively to all categories equally. This may mean that information may be required in alternative formats for certain groups e.g. those with a visual disability or learning difficulty or those whose first language is not English.</p>	None
Political opinion		None
Racial group		None
Age		None
Marital status		None
Sexual orientation		None
Men and women generally		None
Disability		None
Dependants		None

**2 Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?**

Section 75 category	If <b>Yes</b> , provide details	If <b>No</b> , provide reasons
Religious belief	<p>This is non-discriminatory. Every individual entering or leaving the College will be recorded. Controls have been put in place to prevent the use of cameras for voyeurism or predatory behaviours. Inequalities may exist if the policy is not communicated in different ways to suit those with visual impairments, learning difficulties or whose first language is not English.</p>	
Political opinion		
Racial group		
Age		
Marital status		
Sexual orientation		
Men and women generally		
Disability		
Dependants		

**3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?  
minor/major/none**

Good relations category	Details of policy impact	Level of impact major/minor/none
Religious belief	None	
Political opinion		
Racial group		

**4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?**

Good relations category	If <b>Yes</b> , provide details	If <b>No</b> , provide reasons
Religious belief		No. The policy refers to individual rights and is designed to protect individuals regardless of category of difference.
Political opinion		
Racial group		

5. Is there a better opportunity to promote positive attitudes towards people with a disability or encourage participation of people with a disability in public life? (as required by the DDA 1995 as amended)		
	If <b>Yes</b> , provide details	If <b>No</b> , provide reasons
Disability	Not applicable as the policy is a rights based policy and driven by legislation	

### Part 3

#### 3.0 Screening decision

Option 1 (no impact)	If the decision is not to conduct an equality impact assessment, please provide details of the reasons.	No impact on evidence based on information provided on this screening form. The onus is on the policy holder to ensure equal access to the information about this policy, the reason for recording images, what we do with the images and when they will be accessed.
Option 2 (minor impact)	If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should be mitigated or an alternative policy be introduced.	
Option 3 (major impact)	If the decision is to subject the policy to an equality impact assessment, please provide details of the reasons.	

If Option 1 is identified proceed to Part 4 of the form.

If Option 2 is identified proceed to 3.1 Mitigation (minor impact).

If Option 3 is identified proceed to 3.2 EQIA - Timetabling and prioritising

### 3.1 Mitigation (minor impact)

When the college concludes that the likely impact is 'minor' and an equality impact assessment is not to be conducted, the college may consider mitigation to lessen the severity of any negative equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?

Yes/No (please delete as appropriate). If no please proceed to 3.2

If yes, give the **reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

The actions to be taken forward to mitigate the impact of this policy decision are as follows:-

N/A

If No, please proceed to 3.2 as an EQIA is necessary.

### 3.2 EQIA - Timetabling and prioritising

An EQIA is a mechanism, where existing and proposed policies are assessed in order to determine whether they have an adverse impact on equality of opportunity for the relevant Section 75 categories EQIA's require the analysis of both quantitative and qualitative data.

Factors to be considered in timetabling and prioritising policies for equality impact assessment.

If the policy has been '**screened in**' for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

Priority criterion	Rating (1-3)
Effect on equality of opportunity and good relations	
Social need	
Effect on people's daily lives	
Relevance to a public authority's functions	

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public authority in timetabling. Details of the Public Authority's Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

Is the policy affected by timetables established by other relevant public authorities?

If yes, please provide details

**Part 4**

**4.1 Monitoring**

The College should consider the guidance contained in the Commission's Monitoring Guidance for Use by Public Authorities (July 2007).

The Commission recommends that where the policy has been amended or an alternative policy introduced, the public authority should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

Effective monitoring will help the college identify any future adverse impact arising from the policy which may lead the college to conduct an equality impact assessment, as well as help with future planning and policy development.

As part of the monitoring qualitative and quantitative data may be used. Please state monitoring proposals:

What will be monitored? <i>.P11 d/g!</i>	What is the timescale? <i>. and 13/12</i>	Who will monitor the impact? <i>. and 13/12</i>
The ways in which the college communicate information to ensure that different means are used to suit those with a disability and those whose first language is not English.  Checking with staff and students (particularly in the areas identified) if they understand that their image maybe be recorded on CCTV, what the images are used for	Annually when being reviewed by the Estate Compliance Officer	Estates Compliance Officer will note the findings annually to the Corporate Compliance Officer.

<p>and when they can be accessed e.g. when there is an accident/incident or an investigation into misconduct.</p>		
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Reporting on Monitoring (insert college arrangements)

Regular reports to the Centre Manager, Strategic Planning

**Part 5**

**Signing off of Screening form for the policy.**

Signed McCauley Date: 6/6/19

Signed Peter Kane. Date: 10/6/19.

Signed R De Lacy Date: 10/6/19