

FOI Advice

An FOI has been received by many schools from Big Brother Watch with regards to CCTV, if you are one of these schools please see below advice from the Local Authority in dealing with this request. If you have not received this FOI then please disregard this article.

Schools are under a legal obligation to answer the request and although some have expressed an interest in refusing the request to be able to do so you would need to apply one of the formal exemptions as defined by the Act. It is not enough to simply state that it breaches the internal security arrangements. All refusals also have to have a very detailed explanation as to which formal exemption is being applied and the reasons for doing so.

The questions in this FOI are quite broad for questions **1 & 2** and you would simply be giving a total figure and not explicit details of each camera, that way it could be argued that it does not compromise the security anymore than that of people knowing cameras are in existence in the first instance (which you should be advising). **These questions need to be answered.**

Q3 may be more explicit, however, you would need to decide which exemption you could apply to refuse this question. (A possible exemption that could possibly apply here is section 38, although we are not sure you can justify that to release this information would endanger an individual.) Therefore you could turn the question around and answer that cameras are excluded from these areas (if this is the case).

We do not see any valid legal argument for refusing to answer questions 4 - 9, **therefore these questions need to be answered.**

Should you require any further advice, please do not hesitate to contact Teresa Burdett on 01603 223839.