

# CCTV Policy



## St. Joseph's Secondary School Spanish Point 2019-2020

**Policy Ratified: 29<sup>th</sup> January 2020**

Review Date: As required

Signed: *Caoimhe*

## **INTRODUCTION**

Closed Circuit Television Systems (CCTVS) are installed in St. Joseph's Secondary School Spanish Point.

The purpose of the CCTV System Policy of St. Joseph's Secondary School Spanish Point is to regulate the management, operation and use of the closed circuit television (CCTV) system.

The Policy follows Data Protection Commissioner Guidelines and is drafted in conformity with the Data Protection Acts 2018.

The System is wholly owned by the School.

### **1. PURPOSE OF POLICY**

The purpose of this policy is to regulate the use of Closed Circuit Television and its associated technology in the monitoring of both the internal and external environs of the premises under the remit of St. Joseph's Secondary School Spanish Point.

CCTV surveillance is intended for the purposes of:

- protecting the school buildings and school assets, before, during and after school hours
- promoting the health and safety of staff, pupils and visitors
- preventing bullying
- reducing the incidence of crime and anti-social behaviour (including theft and vandalism)
- supporting An Garda Síochána in a bid to deter and detect crime
- assisting in identifying, apprehending and prosecuting offenders; and
- ensuring that the school rules are respected so that the school can be properly managed

*(Note: The System will not be used to monitor staff conduct or performance except where required to investigate the alleged perpetration of a crime)*

## **2. SCOPE**

This policy relates directly to the location and use of CCTV and the monitoring, recording and subsequent use of such recorded material. Where classes and activities are carried out in St. Joseph's Secondary School Spanish Point, this policy will ensure that CCTV systems, where installed, are operated only in a way that is compatible with the provisions of this policy.

## **3. GENERAL PRINCIPLES**

- St. Joseph's Secondary School Spanish Point has a statutory responsibility for the protection of its property, equipment as well as providing a sense of security to its employees, students and invitees to its premises.
- St. Joseph's Secondary School Spanish Point owes a duty of care under the provisions of Safety, Health and Welfare at Work Act 2005 and associated legislation and utilises CCTV systems and their associated monitoring and recording equipment as an added mode of security and surveillance for the purpose of enhancing the quality of life of the school community by integrating the best practices governing the public and private surveillance of its premises.
- The use of the CCTV system will be conducted in a professional, ethical and legal manner and any diversion of the use of CCTV security technologies for other purposes is prohibited by this policy e.g. CCTV will not be used for monitoring employee performance.
- Information obtained through the CCTV system may only be released when authorised by the Principal, following consultation with the Chairperson of the Board of Management. Any requests for CCTV recordings/images from An Garda Síochána will be fully recorded and legal advice will be sought if any such request is made. If a law enforcement authority, such as An Garda Síochána, is seeking a recording for a specific investigation, An Garda Síochána may require a warrant and accordingly any such request made by An Garda Síochána should be requested in writing and the school will immediately seek legal advice.
- This policy prohibits monitoring based on the characteristics and classifications contained in equality and other related legislation e.g. race, gender, sexual orientation, national origin, disability etc.
- Video monitoring of public areas for security purposes within school premises is limited to uses that do not violate the individual's reasonable expectation to privacy. Information obtained in violation of this policy may not be used in a disciplinary proceeding against an employee of the school or a student attending one of its

schools/centres. All CCTV systems and associated equipment will be required to be compliant with this policy following its adoption by the Board of Management.

- Recognisable images captured by CCTV systems are “personal data.” They are therefore subject to the provisions of the Data Protection Act 2018.

#### **4. JUSTIFICATION FOR USE OF CCTV**

Section 2 (1) (c) (iii) of the **Data Protection Acts** requires that data is "adequate, relevant and not excessive" for the purpose for which it is collected. This means that St. Joseph's Secondary School Spanish Point needs to be able to justify the obtaining and use of personal data by means of a CCTV system. The use of CCTV to control the perimeter of the school buildings for security purposes has been deemed to be justified by the board of management. The system is intended to capture images of intruders or of individuals damaging property or removing goods without authorisation. CCTV systems will not be used to monitor normal teacher/student classroom activity in school. In other areas of the school where CCTV has been installed, e.g. the general purpose area (Atrium), locker areas, the Principal has demonstrated that there is a proven risk to security and/or health & safety and that the installation of CCTV is proportionate in addressing such issues that have arisen prior to the installation of the system.

#### **5. COVERT SURVEILLANCE**

St. Joseph's Secondary School Spanish Point will not engage in covert surveillance. Where An Garda Síochána requests to carry out covert surveillance on school premises, such covert surveillance may require the consent of a judge. Accordingly, any such request made by An Garda Síochána will be requested in writing and the school will seek legal advice.

#### **6. NOTIFICATION – SIGNAGE**

Copies of the Policy will be available to the public from the School Administration Office and the School Website (<http://www.stjosephsspanishpoint.ie>). The Principal will provide a copy of this CCTV Policy on request to staff, students, parents and visitors to the school. This policy describes the purpose and location of CCTV monitoring, a contact number for those wishing to discuss CCTV monitoring and guidelines for its use. The location of CCTV cameras will also be indicated to the Board of Management. Adequate signage will be placed throughout the grounds to indicate that CCTV is in operation. Adequate signage will also be prominently displayed at the entrance to St. Joseph's Secondary School Spanish Point property.

#### **7. LOCATION OF CAMERAS**

The location of cameras is a key consideration. Use of CCTV to monitor areas where individuals would have a reasonable expectation of privacy would be difficult to justify. St. Joseph's Secondary School Spanish Point has endeavoured to select locations for the

installation of CCTCV cameras which are least intrusive to protect the privacy of individuals. Cameras placed so as to record external areas are positioned in such a way as to prevent or minimise recording of passers-by or of another person's private property.

CCTV Video Monitoring and Recording of Public Areas in St. Joseph's Secondary School Spanish Point may include the following:

- Protection of school buildings and property: The building's perimeter, entrances and exits, reception and corridors
- Monitoring of Access Control Systems: Monitor and record restricted access areas at entrances to buildings and other areas
- Verification of Security Alarms: Intrusion alarms, exit door controls, external alarms
- Video Patrol of Public Areas: Parking areas, Main entrance/exit gates, Traffic Control
- Criminal Investigations (carried out by An Garda Síochána): Robbery, burglary and theft surveillance

## **8. STORAGE & RETENTION**

Section 2(1)(c)(iv) of the Data Protection Acts states that data "shall not be kept for longer than is necessary for" the purposes for which it was obtained. A data controller needs to be able to justify this retention period. For a normal CCTV security system, it would be difficult to justify retention beyond a month (28 days), except where the images identify an issue – such as a break-in or theft and those particular images/recordings are retained specifically in the context of an investigation/prosecution of that issue.

Accordingly, the images captured by the CCTV system will be retained for a maximum of 28 days, except where the image identifies an issue and is retained specifically in the context of an investigation/prosecution of that issue.

The images/recordings will be stored in a secure environment. Access will be restricted to authorised personnel. Supervising the access and maintenance of the CCTV System is the responsibility of the Principal. The Principal may delegate the administration of the CCTV System to another staff member. In certain circumstances, the recordings may also be viewed by other individuals in order to achieve the objectives set out above (such individuals may include the Gardai, the relevant Year Head, other members of the teaching staff, representatives of the Department of Education and Skills, representatives of the HSE and/or the parent of a recorded student). When CCTV recordings are being viewed, access will be limited to authorised individuals on a need-to-know basis.

## 9. COMPLAINTS

Any complaints about the School's CCTV system should be addressed to the Principal.

Any person who might be deemed a Data Subject in relation to the System shall be at liberty to make a complaint directly to the office of the Data Protection Commissioner, Canal House, Station Road, Portarlington, Co. Laois.

## 10. ACCESS

Access to the CCTV system and stored images will be restricted to the Principal and only those Staff members given authorisation by the Principal.

In relevant circumstances, CCTV footage may be accessed:

- By An Garda Síochána where St. Joseph's Secondary School Spanish Point (or its agents) are required by law to make a report regarding the commission of a suspected crime; or
- Following a request by An Garda Síochána when a crime or suspected crime has taken place and/or when it is suspected that illegal/anti-social behaviour is taking place on St. Joseph's Secondary School Spanish Point's property, or
- To the HSE and/or any other statutory body charged with child safeguarding; or
- To assist school management in establishing facts in cases of unacceptable student behaviour, in which case, the parents/guardians may be informed; or
- To data subjects (or their legal representatives), pursuant to an access request where the time, date and location of the recordings is furnished to St. Joseph's Secondary School Spanish Point, or
- To individuals (or their legal representatives) subject to a court order.
- To the school's insurance company where the insurance company requires same in order to pursue a claim for damage done to the insured property.

Requests by An Garda Síochána: Information obtained through video monitoring will only be released when authorised by the Principal following consultation with the Chairperson of the Board of Management. If An Garda Síochána request CCTV images for a specific investigation, An Garda Síochána may require a warrant and accordingly any such request made by An Garda Síochána should be made in writing and the school should immediately seek legal advice.

Access requests: On written request, any person whose image has been recorded has a right to be given a copy of the information recorded which relates to them, provided always that such an image/recording exists i.e. has not been deleted and provided also that an exemption/prohibition does not apply to the release. Where the image/recording identifies

another individual, those images may only be released where they can be redacted/anonymised so that the other person is not identified or identifiable. To exercise their right of access, a data subject must make an application in writing to the school Principal. The school may charge for responding to such a request and must respond within forty days.

Access requests can be made to the following: Mr. Paul Reidy, Principal, St. Joseph's Secondary School Spanish Point. All such requests and responses will kept on file here at the school.

A person should provide all the necessary information to assist in locating the CCTV recorded data, such as the date, time and location of the recording. If the image is of such poor quality as not to clearly identify an individual, that image may not be considered to be personal data and may not be handed over by the school.

In giving a person a copy of their data, the school may provide a still/series of still pictures, a tape or a disk with relevant images. However, other images of other individuals will be obscured before the data is released.

## **11. RESPONSIBILITIES**

The Principal will:

- Ensure that the use of CCTV systems is implemented in accordance with the policy set down by St. Joseph's Secondary School Spanish Point
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within St. Joseph's Secondary School Spanish Point
- Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy
- Ensure that the CCTV monitoring at St. Joseph's Secondary School Spanish Point is consistent with the highest standards and protections
- Review camera locations and be responsible for the release of any information or recorded CCTV materials stored in compliance with this policy
- Ensure that monitoring recorded tapes are not duplicated for release
- Ensure that the perimeter of view from fixed location cameras conforms to this policy both internally and externally
- Approve the location of temporary cameras to be used during special events that have particular security requirements and ensure their withdrawal following such events. NOTE:

[Temporary cameras do not include mobile video equipment or hidden surveillance cameras used for authorised criminal investigations by An Garda Síochána].

- Give consideration to both students and staff feedback/complaints regarding possible invasion of privacy or confidentiality due to the location of a particular CCTV camera or associated equipment
- Ensure that all areas being monitored are not in breach of an enhanced expectation of the privacy of individuals within the school and be mindful that no such infringement is likely to take place
- Co-operate with the Health & Safety Post Holder of St. Joseph's Secondary School Spanish Point in reporting on the CCTV system in operation in the school
- Ensure that external cameras are non-intrusive in terms of their positions and views of neighbouring residential housing and comply with the principle of "Reasonable Expectation of Privacy"
- Ensure that images recorded on tapes/DVDs/digital recordings are stored for a period not longer than twenty eight days and are then erased unless required as part of a criminal investigation or court proceedings (criminal or civil) or other bona fide use as approved by the Chairperson of the Board
- Ensure that camera control is solely to monitor suspicious behaviour, criminal damage etc. and not to monitor individual characteristics
- Ensure that camera control is not infringing an individual's reasonable expectation of privacy in public areas

## **12. IMPLEMENTATION & REVIEW**

The policy will be reviewed and evaluated from time to time. On-going review and evaluation will take cognisance of changing information or guidelines (e.g. from the Data Protection Commissioner, An Garda Síochána, Department of Education and Skills, national management bodies, legislation and feedback from parents/guardians, students, staff and others. The date from which the policy will apply is the date of adoption by the Board of Management. Implementation of the policy will be monitored by the Principal of the school.

### **Child Protection**

Please refer St. Joseph's Child Safeguarding Statement, which is available on request. It is on prominent display at both of the school's entrance foyers and is available on the school's website.

[www.stjosephsspanishpoint.com](http://www.stjosephsspanishpoint.com)



## **APPENDIX 1 – DEFINITIONS**

Definitions of words/phrases used in relation to the protection of personal data and referred to in the text of the policy;

**CCTV** – Closed-circuit television is the use of video cameras to transmit a signal to a specific place on a limited set of monitors. The images may then be recorded on video tape or DVD or other digital recording mechanism.

**The Data Protection Acts** – The Data Protection Acts 1988 and 2003 confer rights on individuals as well as responsibilities on those persons handling, processing, managing and controlling personal data. All school/ETB staff must comply with the provisions of the Data Protection Acts when collecting and storing personal information. This applies to personal information relating both to employees of the organisation and individuals who interact with the organisation Data - information in a form that can be processed. It includes automated or electronic data (any information on computer or information recorded with the intention of putting it on computer) and manual data (information that is recorded as part of a relevant filing system or with the intention that it should form part of a relevant filing system).

**Personal Data** – Data relating to a living individual who is or can be identified either from the data or from the data in conjunction with other information that is in, or is likely to come into, the possession of the data controller.

**Access Request** – this is where a person makes a request to the organisation for the disclosure of their personal data under Section 3 and/or section 4 of the Data Protection Acts.

**Data Processing** - performing any operation or set of operations on data, including:

- Obtaining, recording or keeping the data,
- Collecting, organising, storing, altering or adapting the data,
- Retrieving, consulting or using the data,
- Disclosing the data by transmitting, disseminating or otherwise making it available,
- Aligning, combining, blocking, erasing or destroying the data.

**Data Subject** – an individual who is the subject of personal data.

**Data Controller** - a person who (either alone or with others) controls the contents and use of personal data.

**Data Processor** - a person who processes personal information on behalf of a data controller, but does not include an employee of a data controller who processes such data

in the course of their employment, for example, this might mean an employee of an organisation to which the data controller out-sources work. The Data Protection Acts place responsibilities on such entities in relation to their processing of the data.

## APPENDIX 2

### INTERNAL

	LOCATION	NO. OF CAMERAS
1.	Atrium	2
2.	Top Corridor (Outside Science Lab)	1
3.	Front Door	1

### EXTERNAL

	LOCATION	NO. OF CAMERAS
1.	Ground Floor, bottom corridor *Outside Home Economics Room	2
2.	Outside (Outside Front Door)	1