



Kilmacanogue National School

CCTV Policy

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Closed Circuit Television Systems (CCTVS) are installed
in Kilmacanogue National School

Reviewed by the Baord of Management Annually

Published: March 2022

Approved by:

Judy O'Toole – Chairperson of Board of Management

Ann Marie Bourke – Acting Principal

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1 Introduction

1.1 Context

Closed Circuit Television Systems (CCTVS) are installed in Kilmacanogue National School. The CCTV systems have been introduced in consultation with staff, the board of management and the parent's association. The operation of the system will be for limited purpose and will be reviewed regularly in consultation with staff, the board of management and the parent's association.

1.2 Purpose

The purpose of this policy is to regulate the use of Closed Circuit Television and its associated technology in monitoring the environs of the premises under the remit of the Board of Management at Kilmacanogue National School.

CCTV systems are installed externally and internally on the premises for the purpose of enhancing security of the building and its associated equipment as well as creating a mindfulness among the occupants, at any time, that a surveillance security system is in operation around the premises during both the daylight and night hours each day. CCTV surveillance at the School is intended for the purposes of:

- Protecting the school buildings and school assets, both 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 the Gardaí in a bid to deter and detect crime
- Assisting in identifying, apprehending and prosecuting offenders
- Ensuring that the school rules are respected so that the school can be properly managed.

1.3 Scope

This policy relates directly to the location and use of CCTV and the monitoring, recording and subsequent use of such recorded material.

2 General Principles

2.1 Duty of Care & Responsibilities

Kilmacanogue National School has a statutory responsibility for the protection of its property, equipment and other plant as well providing a sense of security to its employees, students and invitees to its premises. The Board of Management of Kilmacanogue National School owes a duty of care under the provisions of Safety, Health and Welfare at Work Act 2005, Occupiers Liability Act, 1995 Data Protection Act 1998-2003 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.

2.2 Due Process

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 documented and legal advice will be sought if any such request is made.

CCTV monitoring of public areas for security purposes will be conducted in a manner consistent with all existing policies adopted by the school.

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 the school.

All CCTV systems and associated equipment will be required to be compliant with this policy following its adoption by the Board of Management at Kilmacanogue National School. Recognisable images captured by CCTV systems are "personal data." They are therefore subject to the provisions of the Data Protection Acts.

2.3 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 Kilmacanogue National School 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 as well as CCTV within the school building 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.

3 Location of Cameras

The Board of Management of the School has endeavoured to select locations for the installation of CCTV cameras which will best serve the object of the policy but which will have a minimal effect on an individual's right to privacy. Cameras are positioned in such a way as to prevent or minimise recording of passers-by or of another person's private property.

Appropriate locations for signage will include:

Access and egress point to the premises i.e. external doors, school gates.

4 Covert Surveillance

The school will not engage in covert surveillance. Where An Garda Síochána requests to carry out covert surveillance on school premises, such covert surveillance may require a judicial Order. Accordingly, any such request made by An Garda Síochána will be requested in writing and the school will seek legal advice.

5 Notification - Signage

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 at each location in which a CCTV camera is sited to indicate that CCTV is in operation. Adequate signage will also be prominently displayed at the entrance. Signage shall include the name and contact details of the data controller as well as the specific purpose for which the CCTV camera is in place in each location.

6 Storage & Retention

In accordance with Section 2 (1) (c) (iv) of the Data Protection Acts, states that data shall be retained for a period no longer than 28 days.

The images/recordings will be stored in a secure environment with a log of access kept. 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 Gardaí, the Deputy Principal, 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.

Digital recordings will be stored in a secure encrypted environment in line with Data Protection Acts. Access will be restricted to authorised personnel. A soft copy of the recordings (DVD, USB or otherwise) shall not be made without the express consent of the Board of Management and must be for a specified purpose and compliant with Data Protection legislation.

7 Access

Soft copies of recorded footage and the monitoring equipment itself will be securely stored in a restricted area. Unauthorised access to that area will not be permitted at any time. The area will be locked when not occupied by authorised personnel. A log of access to soft copies and /or monitoring equipment will be maintained and stored in the principal's office.

Access to the CCTV system and stored images will be restricted to the Principal of the school

In relevant circumstances, CCTV footage may be accessed:

- ☐ By An Garda Síochána where the School are required by law to make a report regarding the commission of a suspected crime
- ☐ 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
- ☐ To the HSE and/or any other statutory body charged with child safeguarding
- ☐ To data subjects (or their legal representatives), pursuant to an access request where the time, date and location of the recordings are furnished

- To individuals (or their legal representatives) subject to a court order
- To the school insurance company where the insurance company requires same in order to pursue a claim for damage done to the insured property.

7.1 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. Such requests should be made in writing and the school should immediately seek legal advice.

7.2 General 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 a fee for responding to such a request and must respond within 40 days.

A person should provide all the necessary information to assist Kilmacanogue National School 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, disk, USB with relevant images. However, other images of other individuals will be obscured before the data is released.

8 Responsibilities

The Principal will:

- Ensure that the use of CCTV systems is implemented in accordance with the policy set down by The Board of Management of Kilmacanogue National School.
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within Kilmacanogue National School.
- Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy
- Ensure that the CCTV monitoring at Kilmacanogue National School 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

- Maintain a record of access (e.g. an access log) to or the release of tapes or any material recorded or stored in the system
- 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
- 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
- Ensure that adequate signage at appropriate and prominent locations is displayed as detailed above
- 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 monitoring tapes are stored in a secure place with access by authorised personnel only
- Ensure that images recorded on tapes/DVDs/digital recordings are stored for a period not longer than 28 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 when a zoom facility on a camera is being used, there is a second person present with the operator of the camera to guarantee that there is no unwarranted invasion of privacy
- 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
- Ensure that where An Garda Síochána request to set up mobile video equipment for criminal investigations, legal advice has been obtained and such activities have the approval of the Chairperson of the Board.

9 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.

Signed: Judy O'Toole
(Chairperson of Board of Management)
Date: 07/02/2019

Signed: Ann Marie Bourke
(Acting Principal)
Date: 07/02/2019

Date of next review: September 2024