

# Millstreet Community School CLOSED CIRCUIT TELEVISION(CCTV) POLICY



## **POLICY STATEMENT**

Closed Circuit Television (CCTV) is an increasing feature of our everyday lives. It can be, and is, used for a variety of reasons and has been regulated in accordance with the Data Protection Acts 1988 – 2018.

This policy is designed to inform staff, students and the public about the safeguards in place with regard to the operation of and access to the CCTV systems and the resultant images in the school.

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 Millstreet Community 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 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 and / or student classroom activity and / or performance in the school.

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 locations of CCTV cameras are indicated by the Board of Management in section 6.1 of this policy.

## **1. PURPOSE**

1.1 The CCTV systems within the school monitor the exterior of buildings, car parks, reception areas, entrances and specific office locations.

1.2 CCTV surveillance at Millstreet Community School is intended for the purposes of:

- a) as an aid to security, both during and after school hours;
- b) promoting the health and safety of staff, pupils and visitors;
- c) to deter/detect bullying;
- d) to deter/detect and reduce incidences of anti-social behaviour, crime, theft and vandalism;
- e) assisting in identifying, apprehending and prosecuting offenders;
- f) to ensure compliance with the school's Code of Behaviour; and
- g) to enable the Board of Management to discharge its duty of care.

1.3 CCTV in itself does not offer protection but rather deterrence.

## **2. SCOPE**

This Policy applies to the premises and grounds of Millstreet Community School. This policy relates directly to the location and use of CCTV and the monitoring, recording and subsequent use of such recorded material.

## **3. GENERAL PRINCIPLES**

3.1 The Board of Management of Millstreet Community School, as the corporate body, has a statutory responsibility for the protection of its property, equipment and other plant as well as providing a sense of security to its employees, students and invitees to its premises.

3.1.1 The Board of Management of Millstreet Community School 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 surveillance of its premises.

3.2 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.

3.2.1 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.

3.2.2 CCTV monitoring of public areas for security purposes will be conducted in a manner consistent with all existing policies adopted by the school, including Dignity at Work Policy, Codes of Practice for dealing with complaints of Bullying & Harassment and Sexual

Harassment and other relevant policies, including the provisions set down in equality and other educational and related legislation.

3.3 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.

3.3.1 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.

3.4 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.

3.5 All CCTV systems and associated equipment will be required to be compliant with this policy following its adoption by Millstreet Community School.

3.6 Recognisable images captured by CCTV systems are personal data. They are therefore subject to the provisions of the Data Protection Acts 1988 and 2003.

#### **4. LEGISLATION/OTHER RELATED POLICIES**

- A. Data Protection Acts 1988-2018
- B. School Data Protection Policy

#### **5. ROLES AND RESPONSIBILITIES**

5.1 It is the responsibility of the School Principal to monitor this policy and to ensure it is implemented in the school. The Principal will:

- Ensure that the use of CCTV systems is implemented in accordance with the policy set down by Millstreet Community School.
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within Millstreet Community School.
- Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy
- Ensure that the CCTV monitoring at Millstreet Community 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
- Approve the location of any temporary cameras that may need 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 Officer of Millstreet Community School 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 recorded images are stored for a period not longer than 30 days and are then erased unless required as part of a criminal investigation or court proceedings (criminal or civil) or other bona fide use (such as stated in 1.2 above) as approved by the Chairperson of the Board of Management.
- 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 or staff performance
- 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 of Management.

5.2 The School Principal cannot release/access CCTV footage except on the expressed request of a data subject captured in the footage.

5.3 All employees must adhere to the relevant parts of this policy.

5.4 Data Subject Access Requests for access to recordings/images will be dealt with by the School Principal who will coordinate with the Clerical Officer.

## **6. SITING OF CAMERAS AND SIGNAGE**

### 6.1 Siting

6.1.1 Millstreet Community School has endeavoured to select locations for the installation of CCTV cameras which are least intrusive to protect the privacy of individuals.

6.1.2 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.

6.1.3 In Millstreet Community School cameras are located in the following areas:

- Entrances and exits to the building and grounds,
- The external perimeter of the school building
- Entrances to Special Storage & Plant Areas (e.g. Machinery Shed, Boiler house)

## 6.2 Signage

Legible “CCTV CAMERAS IN OPERATION ON THESE PREMISES” signs are displayed in prominent places where they can be clearly seen by Staff, Students and the Public. The signs contain the following information:

*CCTV CAMERAS IN OPERATION ON THESE PREMISES*

*Images are being monitored and recorded for the following purposes:*

- *as an aid to security, both during and after school hours;*
- *promoting the health and safety of staff, students and visitors;*
- *to deter/detect bullying;*
- *to deter/detect and reduce incidences of anti-social behaviour, crime, theft and vandalism;*
- *assisting in identifying, apprehending and prosecuting offenders;*
- *to ensure compliance with the school’s Code of Behaviour; and*
- *to enable the Board of Management to discharge its duty of care.*

*This system is in operation 24 hours a day, every day.*

*These images may be passed on to An Garda Síochána*

*This scheme is controlled by Millstreet Community School*

*For more information, contact the School Principal (029) 70087*

## 7. QUALITY OF THE IMAGES

The equipment is maintained and updated on a regular basis to ensure that images are as clear as possible in order that they are effective for the purpose/s for which they are intended.

## 8. RETAINING INFORMATION AND PROCESSING IMAGES

8.1 Images are not retained for longer than 30 days unless they are required for evidential purpose in legal proceedings. Under these circumstances, the information should be retained securely and clearly marked as to why it is being retained for a period exceeding 30 days.

## 9. ACCESS TO THE IMAGES

9.1 Access to, and the disclosure of, images to third parties is strictly controlled and documented. This is to ensure that the rights of the individual are maintained and that the chain of evidence remains intact should the images be required for evidential purposes.

9.1.1 Millstreet Community School will not engage in covert surveillance.

9.1.2 In relevant circumstances, CCTV footage may be accessed:

- (i) By An Garda Síochána where Millstreet Community School are required by law to make a report regarding the commission of a suspected crime; or
- (ii) 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 Millstreet Community School property; or
- (iii) To the HSE and/or any other statutory body charged with child safeguarding; or
- (iv) To assist the Principal in establishing facts In cases of unacceptable student behaviour, in which case, the Parents/Guardians will be informed; or
- (v) To data subjects (or their legal representatives), pursuant to an access request where the time, date and location of the recordings is furnished to Millstreet Community School; or
- (vi) To individuals (or their legal representatives) subject to a court order; or
- (vii) 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.

## 9.2 Data Subject Access Requests

9.2.1 Under Data Protection legislation, an individual has the right to view personal information held about them by an organisation. The School Principal will coordinate with the Clerical Officer to arrange for the copying of or on site viewing of the recording, to satisfy the request.

9.2.2 The images of identifiable 3rd party individuals also captured in the CCTV footage may have to be redacted to protect the data protection rights of those individuals. The School Data Subject Access Request Procedure shall apply.

9.2.3 In addition, the following should be logged:

- (i) Details of the image disclosed, i.e. the date, time and location of the image the reason for the disclosure
- (ii) Whether any images were disguised or blurred to prevent identification of individuals other than the data subject

9.2.3 If it is not possible to disguise images, an external company may be called in to facilitate this. This will need to be logged.

9.2.4 Requests will not be complied with if insufficient details are supplied relating to the date and time of the recording. A letter must be sent to the requester advising them of this.

9.2.5 If the data subject wishes to view the images on site, as opposed to a copy being sent, the viewing should take place in a closed office with only the relevant individuals present.

9.2.6 To exercise their right of access, a data subject must make an application in writing to the School Principal. The school may charge up to €6.35 for responding to such a request and must respond within 40 days.

9.2.7 Access requests can be made to the following: The Principal, Millstreet Community School, Coomlogane, Millstreet Town, Co. Cork.

9.2.8 A person should provide all the necessary information to assist Millstreet Community School in locating the CCIV recorded data, such as the date, time and location of the recording.

9.2.9 If the image is of such poor quality as not to clearly identify an individual; that image having been viewed and verified as unusable by the Principal and one other (such as Deputy Principal or Chairperson of the Board of Management): the said image may not be considered to be personal data and may not be handed over by the school.

9.2.10 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.

### 9.3 Garda Síochána Requests

9.3.1 In line with the Data Protection Acts 1988- 2018, An Garda Síochána is entitled to view personal information about individuals if it is for the following purposes:

- a) For the prevention or detection of crime
- b) The apprehension or prosecution of offenders
- c) Required urgently to prevent injury or other damage to the health of a person or serious loss of or damage to property,
- d) Required by or under any enactment or by a rule of law or order of a court

9.3.2 Requests must be made on the official Garda Data Protection form and passed to the Principal.

9.3.3 Actions will be logged as per the Subject Access guidance in Section 9.2 above. Should information be required to be retained for evidential purposes, procedures detailed in Section 8.2 should be followed

9.4 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.

9.4.1 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 Deputy Principal, representatives of the Department of Education and Skills, representatives of the HSE and / or the Parent/Guardian of a recorded student).

- a) When CCTV recordings are being viewed, access will be limited to authorised individuals on a need-to-know basis.
- b) Recordings will be stored in a secure environment with a log of access kept. Access will be restricted to authorised personnel.

## 10. REVISION AND AUDIT

10.1 This policy will be reviewed every 2 years, or earlier when necessary, following changes in procedures and/or legislation or a relevant event.

10.2 Review and Evaluation will take cognisance of changing information or guidelines (e.g. from the Data Protection Commissioner, An Garda Síochána, Department of Education, Audit Units (internal and external to the school) National Management Bodies, legislation and feedback from Parents/Guardians, Students, Staff and others.

## 11. POLICY RATIFICATION

This policy applies from 26.01.2021, the date of adoption by the Board of Management. Implementation of the policy will be monitored by the Principal of the School.

Signed: Mary Fitzgerald (Chairperson) Date: 26th January 2021  
Mrs M. Fitzgerald

Signed: P. Ó Síodhcháin (Principal) Date: 26th January 2021  
P. Ó Síodhcháin, Uas