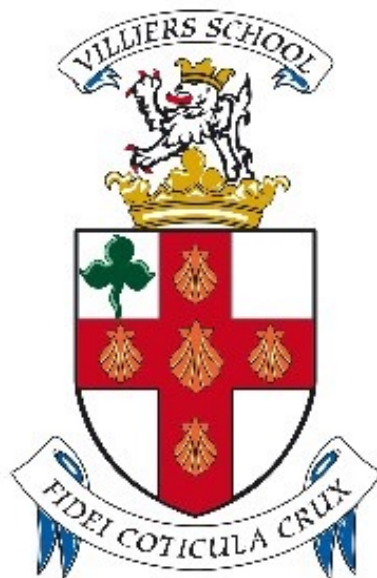


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# Villiers School



CCTV POLICY

February 2020

## **INTRODUCTION**

Closed Circuit Television Systems (CCTVS) are installed in Villiers School. New CCTV systems will be introduced in consultation with Staff, the Board of Governors, the Board of Management and the Parent Teacher Association. Where systems are already in operation, their operation will be reviewed regularly in consultation with Staff, the Board of Governors, the Board of Management and the Parent Teacher Association.

### **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 Villiers School. CCTV systems are installed (both internally and externally) in 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 one time, that a surveillance security system is in operation within and/or in the external environs of the premises during both the daylight and night hours each day. CCTV surveillance at the Villiers School is intended for the purposes of:

- promoting the health and safety of staff, pupils and visitors;
- preventing bullying;
- ensuring that the school rules are respected so that the school can be properly managed;
- reducing the incidence of crime and anti-social behaviour (including theft and vandalism);
- protecting the school buildings and school assets, both during and after school hours;
- assisting in identifying, apprehending and prosecuting offenders; and
- supporting the Gardai in a bid to deter and detect 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 rented premises, Villiers School will endeavour to ensure that CCTV systems, where installed, are operated only in a way that is compatible with the provisions of this policy.

### **3. GENERAL PRINCIPLES**

Villiers School as a corporate body has a statutory responsibility for the protection of its property, equipment and other plants as well providing a sense of security to its employees, students and invitees to its premises. Villiers 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 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 Headmistress, 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. (See “Access” below). 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.

CCTV monitoring of public areas for security purposes will be conducted in a manner consistent with all existing policies adopted by the School, including Equality & Diversity Policy, Dignity at Work Policy, Codes of Practice for dealing with complaints of Bullying and Harassment and Sexual Harassment and other relevant policies, including the provisions set down in equality and other educational and related legislation.

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 the 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 School. Recognisable images captured by CCTV systems are “personal data.” They are therefore subject to the provisions of the EU General Data Protection Regulation (GDPR).

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

Article 5(c) of the EU General Data Protection Regulation of 2016/679 (GDPR) requires that data is “adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (‘data minimisation’)”. 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.**

CCTV has been installed in general circulation areas, e.g. corridors, assembly areas, hallways, stairwells, locker areas, halls of residence, study halls. The Headmistress has demonstrated that there is a proven risk to security and/or health and safety and that the installation of CCTV is proportionate in addressing such issues that have arisen prior to the installation of the system.

### **5. 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. Villiers School has endeavoured to select locations for the installation of CCTV 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 Villiers School may include the following:

- *Protection of school buildings and property:* The building's perimeter, entrances and exits, lobbies and corridors, special storage areas, cashier locations, receiving areas for goods/services.
- *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.

### **6. COVERT SURVEILLANCE**

Villiers 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 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.

### **7. NOTIFICATION – SIGNAGE**

The Headmistress 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 is placed at each location in which a CCTV camera(s) is

sited to indicate that CCTV is in operation. Adequate signage is also prominently displayed at all entrances to Villiers School.



#### WARNING

CCTV cameras in operation

Images are being monitored and recorded for the safety of our staff and students, the prevention of bullying, the prevention of anti-social behaviour, for the protection of Villiers School and its property and crime-prevention. This system will be in operation 24 hours a day, every day. These images may be passed to An Garda Síochána.

This scheme is controlled by The Headmistress of Villiers School

Appropriate locations for signage will include:

- • at entrances to premises i.e. external doors, school gates
- • reception area
- • at or close to each internal camera

#### 8. STORAGE & RETENTION

Article 5 (e) of the EU General Data Protection Regulation of 2016/679 (GDPR) 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 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 Headmistress. The Headmistress 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 Deputy Headmistress, the relevant Dean, other members of the teaching staff and boarding 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 environment with a log of access. Access will be restricted to authorised personnel.

## 9. ACCESS

The recorded footage and the monitoring equipment 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 digital recordings will be maintained.

Access to the CCTV system and stored images will be restricted to authorised personnel only i.e. Headmistress of the School.

In relevant circumstances, CCTV footage may be accessed:

- To assist the Headmistress in establishing facts in cases of unacceptable student behaviour, in which case, the parents/guardians will be informed; or
- By An Garda Síochána where Villiers School (or its agents) is 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 Villiers School property, or
- To the HSE and/or any other statutory body charged with child safeguarding; or
- By data subjects (or their legal representatives), pursuant to an access request where the time, date and location of the recordings is furnished to Villiers School; or
- By individuals (or their legal representatives) subject to a court order.
- By 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 Headmistress 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 Headmistress of the School. The request is free of charge and will be responded within **1 month** of receipt of your request.

Access requests can be made to the following address:

Headmistress

Villiers School, North Circular Road, Limerick, Ireland. V94F983

A person should provide all the necessary information to assist Villiers 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 or digital recordings. However, other images of other individuals will be obscured before the data is released.

## **10. RESPONSIBILITIES**

The Headmistress will:

- Ensure that the use of CCTV systems is implemented in accordance with the policy set down by Villiers School
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within Villiers School.
- Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy
- Ensure that the CCTV monitoring at Villiers 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
- 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 Policy of Villiers 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 monitoring digital recordings are stored in a secure place with access by authorised personnel only
- Ensure that images recorded on digital recordings are stored for a period not longer than 28 days and are then automatically 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.

## **11. 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, Audit units (internal and external to the School), 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 12<sup>th</sup> February 2020. Implementation of the policy will be monitored by the Headmistress of the School.



## 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 digital recordings are then stored on a hard drive for 28 days.

**EU General Data Protection Regulation of 2016/679 (GDPR)** - This Regulation lays down rules relating to the protection of natural persons with regard to the processing of personal data and rules relating to the free movement of personal data and protects fundamental rights and freedoms of natural persons and in particular their right to the protection of personal data. All School staff must comply with the provisions of the GDPR 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;

**‘Personal data’** means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

**‘Processing’** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

**‘Controller’** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;

**‘Processor’** means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

This policy has been ratified by the Board of Management on \_\_\_\_\_