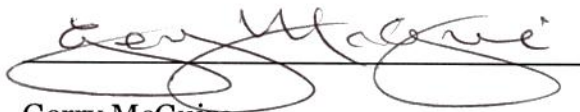


CCTV POLICY

2021 - 2023

Ardgillan College

Date for review: November 2023



Gerry McGuire

Chairperson

Board of Management

1-12-2021

Date ratified by the Board of Management

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 Ardgillan College.”

CCTV systems are installed (both internally and externally) 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 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 Ardgillan College is intended for the purposes of:

- promoting the health and safety of staff, pupils and visitors;
- protecting the school buildings and school assets, both during and after school hours;
- 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; and
- ensuring that the school rules are respected so that the school can be properly managed.

SCOPE

This policy relates to all personnel in and all visitors to Ardgillan College. It relates directly to the location and use of CCTV and the monitoring, recording and subsequent use of such recorded material.

GENERAL PRINCIPLES

The Board of Management as the corporate body 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 visitors to its premises. The college owes a duty of care under the provisions of Safety, Health and Welfare legislation 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 primary aims of the CCTV monitoring at the college is to ensure the health and safety of students and staff, to deter crime and vandalism and to assist in the protection and safety of the said property and its equipment and materials.

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 or political or religious activities.

CCTV POLICY AT ARDGILLAN COLLEGE

Information obtained through the CCTV system may only be released when authorised by the Principal. Consultation may take place with the Chairperson of the Board of Management and/or the CEO of Dublin & Dun Laoghaire ETB if this is deemed necessary by the Principal.

Any requests for CCTV recordings/images from An Garda Síochána will be recorded and legal advice may 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 Board of Management including provisions set down in Equality and other Education 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 school premises is limited to uses that do not violate the individual's reasonable expectation to privacy.

Data from the CCTV system will be accessed and used in accordance with the Data Protection Acts.

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.

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. hallways, stairwells, 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.

LOCATION OF CAMERAS

Ardgillan College 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 Ardgillan College include the following:

- **Protection of school buildings and property:** The building's perimeter, entrances and exits, lobbies 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

NOTIFICATION – SIGNAGE

The Principal will provide a copy of this CCTV Policy on request to staff, students, parents and visitors to the school. The location of CCTV cameras will also be indicated to the Board of Management. Adequate signage will also be prominently displayed at the entrance to Ardgillan College property.



WARNING

CCTV cameras in operation

Images are being monitored and recorded for the purpose of crime-prevention, the prevention of anti-social behaviour, the prevention of bullying, for the safety of our staff and students and for the protection of Ardgillan College and its property.

Appropriate locations for signage will include:

- at entrances to premises i.e. external doors, school gates
- reception area

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. Personal data recorded by the CCTV system shall be retained for a maximum of 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.

The images/recordings will be stored in the administration area and access will be restricted to authorised personnel. The area will be locked when not occupied.

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 Deputy Principal, the relevant Year Head, other members of the teaching staff, representatives of the Department of Education and Skills). When CCTV recordings are being viewed, access will be limited to authorised individuals on a need-to-know basis.

ACCESS

The recorded footage and the monitoring equipment will be securely stored in a restricted area. Access to the CCTV system and stored images will be restricted to authorised personnel only i.e the Principal or designated representatives. The area will be locked when not occupied by authorised personnel.

In relevant circumstances, CCTV footage may be accessed:

- By An Garda Síochána where Ardgillan College (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 Ardgillan College property, or
- To the HSE and/or any other statutory body charged with child safeguarding; or
- To assist the Principal in establishing facts in cases of unacceptable student behaviour, in which case, the parents/guardians will 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 Ardgillan College or
- To individuals (or their legal representatives) subject to a court order.
- To the school/ETB'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 where such a request is made in writing.

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/CEO of the ETB. The school/ETB may charge up to €6.35 for responding to such a request and must respond **within 40 days**.

Access requests can be made to the following: Ms Nuala Ní Mhurchú, Principal, Ardgillan College, Castlelands, Balbriggan, Co. Dublin.

A person should provide all the necessary information to assist Ardgillan College 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.

RESPONSIBILITIES

The Principal will:

- Ensure that the use of CCTV systems is implemented in accordance with the policy set down by Ardgillan College
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within Ardgillan College
- Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy
- Ensure that the CCTV monitoring at Ardgillan College 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

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/ETB) the C&AG (in the case of ETBs), national management bodies, legislation and feedback from parents/guardians, students, staff and others.

IMPLEMENTATION & REVIEW

- 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
- Co-operate with the Health & Safety Officer of Ardgillan College 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 tapes are stored in a secure place with access by authorised personnel only
- Ensure that images recorded 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 or, by the CEO on behalf of the ETB.
- 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

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 Act – The Data Protection Acts 2018 confers 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 Act 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.

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 Act places responsibilities on such entities in relation to their processing of the data.