

CCTV Policy Ballyfeeney N.S 2023

Introduction

Closed Circuit Television Systems (CCTVS) are installed in Ballyfeeney N.S.

The CCTV systems have been introduced in consultation with staff and the Board of Management. The operation of the system will be for a limited purpose and will be reviewed regularly in consultation with staff, the board of management and the parent's 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 the Board of Management of Ballyfeeney N.S.

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

1. protecting the school buildings and school assets, both during and after school hours;
2. promoting the health and safety of staff, pupils and visitors;
3. preventing bullying;
4. reducing the incidence of crime and anti-social behaviour (including theft and vandalism);
5. supporting the Gardaí in a bid to deter and detect crime;
6. assisting in identifying, apprehending and prosecuting offenders; and
7. ensuring that the school rules are respected so that the school can be properly managed

2. Scope

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

Ballyfeeney N.S. 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. The Board of Management of Ballyfeeney N.S. owes a duty of care under the provisions of Safety, Health and Welfare at Work Act 2005, the Occupiers Liability Act, 1995, the Data Protection Act, 1998-2018 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 advice from the data protection commissioner and or legal advice will be sought if any such request is made. (See “Access” below)

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 of Ballyfeeney N.S. Recognisable images captured by CCTV systems are personal data. They are therefore subject to the provisions of the Data Protection Acts 1988 to 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 Ballyfeeney N.S. 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 and external areas 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 premises where CCTV has been installed, e.g. hallways, 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. Location of Cameras

The school has endeavoured to select locations for the installation of CCTCV cameras which will best serve the object of the policy but which will have a minimal effect on an individual’s right to privacy. The external Cameras are placed so as to record external areas

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 Ballyfeeney N.S. 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 – Please note that due to the fact that there is an exit door in the school sports hall that opens directly into the school yard, there is a camera located in this room however it is not recording between the hours of 9am and 3pm daily.
- 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

Ballyfeeney N.S. 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 Data Protection Commissioner/legal advice.

7. 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(s) is sited to indicate that CCTV is in operation. Adequate signage will also be prominently displayed at the entrance to Ballyfeeney N.S.

Warning signage will state as follows:

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 Ballyfeeney N.S. and its property. This system will be in operation 24 hours a day, every day. These images may be passed to An Garda Síochána.

This system is controlled by the Board of Management of Ballyfeeney N.S.

For more information contact the Principal on (071) - 9633855

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 and 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.

Access

Tapes/DVDs/portable storage devices will be stored in a secure environment. Access will be restricted to authorised personnel. The area will be locked.

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

In relevant circumstances, CCTV footage may be accessed:

1. By An Garda Síochána where Ballyfeeney N.S. are required by law to make a report regarding the commission of a suspected crime; or
2. 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 Ballyfeeney N.S. property, or
3. By the HSE and/or by any other statutory body charged with child safeguarding; or
4. To assist the Principal in establishing facts in cases of unacceptable student behaviour, in which case the parents/guardians will be informed; or
5. To data subjects (or their legal representatives), pursuant to an access request where the time, date and location of the recordings is furnished to Ballyfeeney N.S., or
6. To individuals (or their legal representatives) subject to a court order
7. 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 or defend a claim against the school.

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.

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.

Written Access requests can be made to the Principal, Mr Diarmuid Sutton, Ballyfeeney N.S., Scramogue, Co. Roscommon F42WV63.

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

9. Responsibilities

The Principal will:

1. Ensure that the use of CCTV systems is implemented in accordance with the policy set down by the Board of Management of Ballyfeeney N.S.
2. Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within Ballyfeeney N.S.
3. Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy.
4. Ensure that the CCTV monitoring at Ballyfeeney N.S. is consistent with the highest standards and protections
5. Review camera locations and be responsible for the release of any information or recorded CCTV materials stored in compliance with this policy.
6. 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
7. Ensure that monitoring recorded tapes are not duplicated for release.
8. Ensure that the perimeter of view from fixed location cameras conforms to this policy both internally and externally.
9. Give consideration to both students' and staff feedback and/or complaints regarding possible invasion of privacy or confidentiality due to the location of a particular CCTV camera or associated equipment

10. 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

11. Co-operate with the Health & Safety Officer of Ballyfeeney N.S. in reporting on the CCTV system in operation in the school.

12. 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”

13. Ensure that monitoring tapes/DVDs/digital recordings are stored in a secure place with access by authorized personnel only.

14. 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 Board of Management.

15. 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.

16. Ensure that camera control is solely to monitor suspicious behaviour, criminal damage etc. and not to monitor individual characteristics

17. Ensure that camera control is not infringing an individual’s reasonable expectation of privacy in public areas

18. Ensure that where An Garda Síochána request to set up mobile video equipment for criminal investigations, Data Protection Commissioner/legal advice has been obtained and such activities have the approval of the Chairperson of the Board of Management.

Security Companies

The school CCTV system is controlled by the Principal in conjunction with the Board of Management. The system was installed by M.J Flood - Security (MJ Flood Group Ltd). Whilst the company does not operate the system on behalf of the school, it will give the school all reasonable assistance to deal with any subject access request made under Data Protection legislation which may be received by the school within the statutory time-frame. It will also provide maintenance services as and when required same whilst complying with Data Protection legislation to at all times.

10. Implementation & Review

This 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.

Reviewing and evaluating the 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, Department of Education and Skills or TUSLA), legislation and feedback from parents/guardians, students, school staff and others. The policy will be revised as necessary in the light of such review and evaluation and within the framework of school planning.

Signed: _____

Mr. Joe Murphy

Chairperson of the Board of Management

Date: 14th April 2023

Signed: _____

Principal

Mr. Sutton

Date: 14th April 2023