

OUR LADYS SECONDARY SCHOOL



CCTV Policy

Our Lady's Mission Statement

Our Lady's Secondary School is a Voluntary Catholic Secondary School operating under the trusteeship of CEIST according to the traditions of the Sisters of Mercy. We, the staff and students, enjoy working together to realise our full potential in a healthy, safe, stimulating and friendly environment where the atmosphere is one of mutual respect, cooperation and challenge. We take a holistic approach focusing on the wellbeing and development of each individual socially, culturally and academically. Within our school community, each student is treated equally. All are considered uniquely talented, with effort valued as much as excellence. On a day-to-day basis, the Christian message inspires everyone in the school to be charitable, inclusive and understanding.

School Context

Our Lady's Secondary School is a Voluntary Catholic School under the trusteeship of CEIST. The school is Co-Educational and currently has approximately 815 students and over 65 teachers as well as a range of ancillary and support staff. The school has a Board of Management comprised of Trustee Nominees, Teacher Nominees and Parent Nominees. The Board of Management delegates the day-to-day running of the school to the Principal. The school supports the principles of inclusiveness, equality of access and parental choice in relation to enrolment. In supporting these principles, it also recognizes the rights of the Trustees CEIST, the Religious and Educational Philosophy of the Sisters of Mercy and the funding and resources available.

Mercy Philosophy of Education

Inspired by the vision of Catherine McCauley, Mercy Education is committed to holistic development and to the achievement of the full potential of each student, particularly those who are disadvantaged or marginalised. It is a process informed and influenced by the teaching and example of Jesus Christ and is conducted in an atmosphere of care, respect and joy. Mercy Education is committed to ongoing whole school development in collaboration and partnership with the Board of Management, Staff, Students, Parents/Guardians and the wider community.

CEIST Core Values

The Core Values of CEIST are:

- Promoting Spiritual & Human Development
- Achieving Quality in Teaching and Learning
- Showing Respect for Every Person
- Creating Community
- Being Just and Responsible

INTRODUCTION

Closed Circuit Television System (CCTV) is installed in Our Lady's Secondary School Castleblayney under the remit of the Board of Management.

New CCTV systems will be introduced in consultation with staff, the Board of Management and the Parents Association. Where systems are already in operation, their operation will be reviewed regularly in consultation with staff, the Board of Management and the Parents Association.

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 Our Lady's Secondary School. CCTV systems are installed both internally and externally in premises for the purpose of enhancing the security of buildings and associated equipment as well as for creating a mindfulness among 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 daylight and night hours. CCTV surveillance at Our Lady's Secondary School is intended for the purposes of:

- protecting the buildings and assets, both during and after hours;
- promoting the health and safety of staff, students and visitors;
- preventing bullying;
- to maintain good order and to ensure the schools Code of Behaviour is respected
- reducing the incidence of crime and anti-social behaviour (including theft and vandalism, and the use of banned and / or illegal substances);
- supporting An Garda Síochána in a bid to deter and detect crime;
- for verification purposes and for dispute resolution, particularly in circumstances where there is a dispute as to facts and where the recordings may be capable of resolving that dispute.

SCOPE

This policy applies to all personnel in and visitors to Our Lady's Secondary School and relates directly to the location and use of CCTV, the monitoring, recording and subsequent use of such recorded material.

GENERAL PRINCIPLES

Our Lady's Secondary School has a statutory responsibility for the protection of its property, equipment and other plant as well as for providing a sense of security to its employees, students and visitors to its premises. Our Lady's Secondary School owes a duty of care under the provisions of the Safety, Health and Welfare at Work Act 2005 and associated legislation. It utilises CCTV systems and their associated monitoring/recording equipment as an added mode of security and surveillance for the purpose of enhancing the quality of life of all members of the school's community by integrating best practices governing the public and private surveillance of its premises.

The use of CCTV systems 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 under the direction of the Board of Management. Any requests for CCTV

recordings/images from An Garda Síochána etc should be in writing and will be fully recorded and legal advice may be sought if any such request is made. (See “Access” at section (9) below).

CCTV monitoring of public areas, for security purposes, will be conducted in a manner consistent with all existing policies adopted by the Our Lady’s Secondary School, including Equality & Diversity Policy, Child Protection Policy, Dignity at Work Policy, Codes of Practice for dealing with complaints of Bullying & Harassment and Sexual Harassment in Our Lady’s Secondary School Workplaces 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 these premises, is limited to uses that do not violate the 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 Our Lady’s Secondary School. Recognisable images captured by CCTV systems are personal data. They are therefore subject to the provisions of the Data Protection Acts 1988 and 2003.

All CCTV systems and associated equipment will be required to be compliant with this policy following its adoption by Our Lady’s Secondary School. Recognisable images captured by CCTV systems are “personal data.” They are therefore subject to the provisions of the EU General Data Protection Regulation of 2016/679 (GDPR).

JUSTIFICATION FOR USE OF CCTV

Section 2(1) (c) (iii) of the Data Protection Acts requires that data are "adequate, relevant and not excessive" for the purposes for which they are collected.

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’)”.

This means that Our Lady’s Secondary 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 a 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. CCTV systems will not be used to monitor normal teacher/student classroom activity in Our Lady’s Secondary School.

In other areas of the premises where CCTV has been installed, e.g. hallways, stairwells, corridors, entrances to enclosed areas, locker areas, Our Lady’s Secondary School will make every effort to demonstrate 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

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. The Board of Management of Our Lady's Secondary 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, shall be 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 Our Lady's Secondary School includes the following:

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

COVERT SURVEILLANCE

Our Lady's Secondary School does 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 Board of Management of the school will seek legal advice.

NOTIFICATION – SIGNAGE

This CCTV Policy is available to staff, students, parents and visitors to the school via the school's website. 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 Our Lady's Secondary School. Signage shall include the name and contact details of the data controller as well as the specific purpose(s) for which the CCTV camera is in place in each location.



Warning: CCTV cameras in operation.

We wish to inform all staff, students and visitors to our school that these premises are under CCTV surveillance for the purpose of enhancing the security of the building and its associated equipment as well as creating mindfulness among the occupants. The surveillance security system is in operation to deter crime, vandalism, bullying, theft as well as any other forms of anti social behaviour. CCTV surveillance is also an aid to Health and Safety and to the discharge of the Board of Management's duty of care within and/or in the external environs of the premises during both the daylight and night hours each day. These images may be passed to An Garda Síochána.

**This scheme is controlled by Our Lady's Secondary School
For further Information please contact the Principal at (042) 97 40351**

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.

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 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, the relevant Year Head, 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.

Tapes/DVDs/Digital storage will be stored in a secure environment with a log of access to tapes kept. Access will be restricted to authorised personnel. Similar measures will be employed when using disk storage, with automatic logs of access to the images created.

ACCESS

Tapes/DVDs/Digital Storage equipment storing the recorded footage and the monitoring equipment will be securely stored in the Principal's Office. Unauthorised access to that area will not be permitted at any time. A log of access to tapes/images will be maintained. Access to the CCTV system and stored images will be restricted to authorised personnel only i.e. Principal and Deputy Principals of the school.

In relevant circumstances, CCTV footage may be accessed:

- By An Garda Síochána where Our Lady's Secondary School (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 Our Lady's Secondary School property.
- To the HSE and/or any other statutory body charged with child safeguarding.
- 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 Our Lady's Secondary School.
- To individuals (or their legal representatives) subject to a court order.
- 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.

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.

Access requests: Subject Access Requests (SARs)

On written request to the School Principal, 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 up to €6.35 for responding to such a request and must respond **within 40 days**.

A person should provide all the necessary information to assist Our Lady's Secondary 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 with relevant images. However, other images of other individuals will be obscured before the data is released.

Should the requester wish 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, authorised individuals present.

Access requests can be made to the following address:

Principal
Our Lady's Secondary School
Castleblayney
Co. Monaghan.

RESPONSIBILITIES

The Principal will:

- Ensure that the use of CCTV systems is implemented in accordance with the policy set down by Our Lady's Secondary School.
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within Our Lady's Secondary School.
- Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy
- Ensure that the CCTV monitoring at Our Lady's Secondary 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 Officer of Our Lady's Secondary 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 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.

IMPLEMENTATION & REVIEW

The policy will be reviewed and evaluated every 3 years or more frequently to reflect 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. Implementation of the policy will be monitored by the Principal of the school.

Date: June 1st 2023

Next Review June 2025

Chairperson of the Board of Management:



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 Acts – The Data Protection Acts 1988 and 2003 confer rights on individuals as well as responsibilities on those persons handling, processing, managing and controlling personal data. All school staff must comply with the provisions of the Data Protection Acts 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 under Section 3 and/or section 4 of the Data Protection Acts.

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 Acts place responsibilities on such entities in relation to their processing of the data.

APPENDIX 2 - PRIVACY IMPACT ASSESSMENT

Before a school installs a new CCTV system, it is recommended that a documented privacy impact assessment is carried out. A school which properly conducts such an assessment is less likely to introduce a system that contravenes the provisions of the Data Protection Acts 1988 & 2003. This is an important procedure to adopt as a contravention may result in action being taken against a school by the Office of the Data Protection Commissioner, or may expose a school to a claim for damages from a student.

Some of the points that might be included in a Privacy Impact Assessment are:

- What is the school's purpose for using CCTV images? What are the issues/problems it is meant to address?
- Is the system necessary to address a pressing need, such as staff and student safety or crime prevention?
- Are the CCTV cameras intended to operate on the outside of the premises only?
- Is it justified under the circumstances?
- Is it proportionate to the problem it is designed to deal with?
- Is it intended that CCTV cameras will operate inside of the building?
- Are internal CCTV cameras justified under the circumstances?
- Are internal CCTV cameras proportionate to the problem they are designed to deal with?
- What are the benefits to be gained from its use?
- Can CCTV systems realistically deliver these benefits? Can less privacy-intrusive solutions, such as improved lighting, achieve the same objectives?
- Does the school need images of identifiable individuals, or could the system use other images which are not capable of identifying the individual?
- Will the system being considered deliver the desired benefits now and remain suitable in the future?
- What future demands may arise for wider use of images and how will they be addressed?
- Is the school, the data controller for the entire CCTV system (bearing in mind that some schools under the PPP are managed for operational purposes by management companies, in which case specific legal advice may need to be sought)?
- Where a management company is in place, is the school satisfied that it complies with the Data Protection Acts with regard to the processing of images of staff, students and visitors to your school captured on any CCTV systems under its management?
- What are the views of those who will be under CCTV surveillance?
- What could be done to minimise intrusion for those whose images may be captured, particularly if specific concerns have been expressed?
- How have staff, students and visitors been assured by the School that they will not be monitored and that the CCTV system will be used only for the stated purposes?
- Does the school's policy on the use of CCTV make it clear that staff (teaching and non-teaching) will not be monitored for performance or conduct purposes?
- Have the views of staff & students regarding the location of cameras been taken into account?
- Can the location of each internal camera be justified in accordance with the overall purpose for the use of the CCTV system?
- Has appropriate signage been erected at the location of each internal camera indicating that recording is taking place and outlining the purpose of such recording?
- Who will have access to the system and recordings/images?
- What security measures are in place to protect the CCTV system and recordings/images?
- Are those who will have authorised access to the system and recordings/images clear about their responsibilities?
- Are the camera monitors kept out of view of staff, students and visitors and is access to the camera monitors restricted to a limited number of staff on a 'need to know' basis?
- Is the room(s) which houses the camera monitors and the CCTV system securely locked when unattended?
- Does the school have a procedure in place to ensure that recordings/images are erased or deleted as soon as the retention period (28 days) has expired?

- Does the school have a procedure in place for handling requests for access to recordings/images from An Garda Síochána?
- Will appropriate notices be in place to ensure that individuals know that they are being monitored?
- Does the school have a data protection policy? Has it been updated to take account of the introduction of a CCTV system?
- Does the school have a procedure in place to handle access requests seeking a copy of images recorded by the CCTV system (within the statutory timeframe of forty days)?
- Has the right of access been communicated to staff, students and visitors?
- Has the school communicated its policy on the use of CCTV to staff, students and visitors and how has this been done?
- How are new students and new staff informed of the school's policy on the use of CCTV?