

CCTV Policy at Castleknock Community College

Castleknock Community College



Review Dates

Staff	January 2015	Reviewed
Parents	January 2015	Reviewed
Student Council	February 2015	Reviewed
BOM	March 2015	Ratified
BOM	February 2019	Reviewed with Amendments

Due for next review March 2022

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The Mission Statement of Castleknock Community College

We the pupils, parents and staff of Castleknock Community College, strive for excellence in a caring and supportive environment. Growing and developing through co-operation will enable all to realise their full potential.

1. Purpose of the Policy

The purpose of this policy is to regulate the use of CCTV and its associated technology in the monitoring of the environs of premises

2. Purpose of the CCTV System

The CCTV system is installed internally and externally in Castleknock Community College 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 ETB premises is intended for the purposes of:

- protecting ETB buildings and assets, both during and after hours
- promoting the health and safety of staff, students and visitors
- preventing bullying
- reducing the incidence of crime and anti-social behaviour (including theft and vandalism)
- supporting the Gardai in a bid to deter and detect crime
- assisting in identifying, apprehending and prosecuting offenders and
- ensuring that the ETB rules and policies are respected so that the ETB can be properly managed.

3. Scope of this policy

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

Where ETB classes and activities are carried out in rented premises, the ETB will ensure that CCTV systems, where installed, are operated in a way that is compatible with the provisions of this Policy.

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4. General Principles

The Board of Management has a statutory responsibility for the protection of the school property and equipment as well as providing a sense of security to its employees, students and invitees to its premises. The College owes a duty of care under the provision of Health, Safety and Welfare legislation and utilises CCTV systems and its associated monitoring and recording equipment as an added mode of security and surveillance for the purpose of enhancing the quality of life the College by integrating the best practices governing the 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 Chief Executive (or delegated officer). 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” at section (9) 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 and the ETB will immediately seek legal advice.

CCTV monitoring of public areas, for security purposes will be conducted in a manner consistent with all existing policies adopted by the ETB including Equality & Diversity Policy, Dignity at Work Policy, Codes of Practice for dealing with complaints of Bullying & Harassment and Sexual Harassment in ETB 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 ETB 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 ETB or a student attending one of its centres.

All CCTV systems and associated equipment will be required to be compliant with this Policy following its adoption by the ETB.

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

5. Justification for the use of CCTV

Section 2(1) (c) (iii) of the Data Protection Acts require that data are "adequate, relevant and not excessive" for the purpose for which they are collected. This means that Dublin and Dún Laoghaire Education and Training Board need 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 ETB Board. 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 ETB schools and centres of education.

In other areas of the premises where CCTV has been installed, e.g. hallways, stairwells, locker areas, the ETB must 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.

6. Location of CCTV Cameras (Appendix 1)

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. Castleknock Community 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 shall be positioned in such a way as to prevent or minimise recording of passers-by or of another person's private property.

Internal Cameras

- Main Entrance (Three Cameras)
- The Reception/Lobby Area
- Principal's Office
- Corridors Rooms 2 – 11 (Two Cameras)
- Students' Entrance (Two Cameras)
- Corridor at Rooms 52 – 57 (Two Cameras)
- Corridor at Rooms 44 – 49 (Two Cameras)
- Corridor at Rooms 40 – 48 (Two Cameras)
- Canteen Lobby (Two Cameras)
- Corridor at Rooms 36 – 37
- Social Area at Rooms 31 – 32
- Corridor at Rooms 23 – 31 (Two Cameras)
- Corridor at Rooms 16 – 21 (Two Cameras)

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External Cameras

- Outside Sports Hall 1
- Outside Room 55 Facing Main Gate
- Outside Canteen at Rear of building
- Court Yard outside Rooms 31- 32
- Court Yard outside Room 26B
- Outside Room 44

Signage will be erected in locations throughout the school.

Staff, students and parents/guardians will be informed of the location and purpose of the CCTV system as outlined above. The right to access images captured by CCTV cameras shall be in accordance with the Data Protection Acts of 1998 and 2003.

7. Covert Surveillance

Castleknock Community College will not engage in covert surveillance. Where An Garda Síochána requests to carry out covert surveillance on ETB 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 ETB will seek legal advice.

8. Notification – Signage

The Principal will provide a copy of this Policy on request to staff, students, parents and visitors to Castleknock Community College. 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 details of locations of each CCTV cameras will also be furnished to the CE of the ETB. 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 Castleknock Community College Board property. 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.

9. 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 they were obtained. A data controller needs to be able to justify this retention period. For a normal 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 is retained specifically in the context of an investigation/prosecution of that issue.

Accordingly, the images captured by the ETB 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.

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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 of the relevant ETB premises.

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 but are not limited to the Gardai, the Deputy Principal, the relevant Year Head, other members of the teaching staff, representatives of the Department of Education and Skills, representatives of TUSLA/the HSE and/or the parent of a student). When CCTV recordings are being viewed, access will be limited to authorised individuals on a need-to-know basis.

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

10. Access

Tapes/DVDs storing the recorded footage and the monitoring equipment must be securely stored in a restricted area. Unauthorised access to that area must not be permitted at any time. The area should be locked when not occupied by authorised personnel. A log of access to tapes/images must be maintained.

Access to the CCTV system and stored images must be restricted to authorised personnel only i.e. (Principal or his designated representative).

In relevant circumstances, CCTV footage may be accessed:

- By An Garda Síochána where Castleknock Community College 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 Castleknock Community College property, or
- To TUSLA 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 Castleknock Community College, or
- To individuals (or their legal representatives) subject to a court order.
- To the Castleknock Community College/ETB's insurance company (and/or its lawfully appointed agents) where the insurance company requires access to same for insurance purposes.

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- To certain other bodies/agencies where the Castleknock Community College/ETB is required to do so or where it is necessary for the ETB to do so.
- To the Board of Management and/or the board of the ETB (and/or any Section 29 Appeals Committee, and/or Teacher Disciplinary Appeals Panel where relevant) to assist in establishing facts in cases involving unacceptable behaviour, disciplinary and/or competence issues in order to ensure that the ETB rules and policies are respected so that the ETB can be properly managed.

Requests by An Garda Síochána: Information obtained through video monitoring may only be released when authorised by the CE of the ETB. 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 ETB 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 ETB. The ETB/ Castleknock Community College may charge up to €6.35 for responding to such a request and must respond within 40 days.

Access Requests can be made by completing the “Data Access Request Form” and sending it to: The Principal of the College or to the Chief Executive at DDLETB

A person should provide all the necessary information to assist Dublin and Dún Laoghaire Education and Training Board / Castleknock Community 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 ETB/ Castleknock Community College.

In giving a person a copy of their data, the ETB may provide a still/series of still pictures, a tape or a disk with relevant images. However, other people's images will be obscured before the data are released.

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II. Responsibilities

The Principal/Director/Manager of each Dublin and Dún Laoghaire Education and Training Board School/Centre/Programme will:

- Ensure that the use of CCTV systems is implemented in accordance with the policy set down by Dublin and Dún Laoghaire Education and Training Board
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within the premises
- Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy.
- Ensure that the CCTV monitoring at / Castleknock Community College premises 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.
- Provide a list of the CCTV cameras and the associated monitoring equipment and the capabilities of such equipment, located at / Castleknock Community College, to the CE of the ETB for formal approval.
- 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 which may require a warrant.
- 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 Castleknock Community College and be mindful that no such infringement is likely to take place.
- Co-operate with the Health & Safety Officer of Dublin and Dún Laoghaire Education and Training Board in reporting on the CCTV system in operation at Castleknock Community College.
- Advise the CE of the ETB that adequate signage at appropriate and prominent locations is displayed as detailed above.
- 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*”.

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- 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 will then be erased unless required as part of a criminal investigation or court proceedings (criminal or civil) or other bona fide use as approved by the CE of the ETB.
- Ensure, in so far as practicable, that when a zoom facility on a camera is being used that 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 that legal advice has been obtained and that such activities have the approval of the CE.

12. Security Companies

The ETB will have a written contract with the security company in place which details the areas to be monitored, how long data is to be stored, what the security company may do with the data; what security standards should be in place and what verification procedures may apply. The written contract should also state that the security company will give the ETB all reasonable assistance to deal with any data access request made under section 4 Data Protection Acts 1988 and 2003 which may be received by the school within the statutory time-frame (generally 40 days).

Security companies that place and operate cameras on behalf of clients are considered to be "Data Processors". As data processors, they operate under the instruction of data controllers (their clients). Sections 2(2) and 2C of the Data Protection Acts place a number of obligations on data processors. These include having appropriate security measures in place to prevent unauthorised access to, or unauthorised alteration, disclosure or destruction of, the data, in particular where the processing involves the transmission of data over a network and against all unlawful forms of processing. This obligation can be met by having appropriate access controls to image storage or having robust encryption where remote access to live recording is permitted. Staff of the security company must be made aware of their obligations relating to the security of data.

13. Implementation & Review

The date from which the Policy will apply is 15th June 2015, which is the date of adoption by the Dublin and Dún Laoghaire Education and Training Board Education and Training Board.

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, C&AG), legislation and feedback from parents/guardians, students, staff and others.

The Chief Executive and delegated officers of the ETB e.g. (Principal, Director, Centre Manager, PO, APO etc.) will monitor the implementation of the Policy.



APPENDIX 1

Definitions of words/phrases used in relation to the protection of personal data and referred to in the text of the ETB CCTV 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.

GDPR - (General Data Protection Regulation) - The Data Protection Act 2018 directs organisations to be compliant when collecting, using or storing information about a subject - including monitoring emails, internet use or using a CCTV system.

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 ETB 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 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.

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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.



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Appendix 1 - Location of Cameras

Internal Cameras

Camera Number	Location
Camera 1	Main Office
Camera 2	Principal's Office
Camera 3	Outside Room 11
Camera 4	Outside Room 6
Camera 5	Left Hand Side Outside Room 44
Camera 6	Students' Entrance
Camera 7	Outside Room 53
Camera 8	Outside Room 52
Camera 9	Right Hand Side Outside Room 44
Camera 10	Outside Room 10
Camera 11	Outside Room 47
Camera 12	Outside Room 41
Camera 13	Canteen Lobby Left Hand Side
Camera 14	Canteen Lobby Right Hand Side
Camera 15	Outside Staffroom
Camera 16	Outside Room 32
Camera 17	Outside Room 32
Camera 18	Outside Room 30
Camera 19	Outside Room 26
Camera 20	Outside Room 23/24
Camera 21	Outside Room 14
Camera 22	Outside Room 12
Camera 23	In Reception Area facing Kitchen
Camera 24	Main Entrance – Reception Area
Camera 25	Main Office
Camera 32	Outside Room 44
Camera 33	New Build – Outside Main Entrance
Camera 34	New Build – Left area down stairs
Camera 35	New Build – Lobby Main Entrance

External Cameras

Camera Number	Location
Room 26	Outside on Sports Hall wall
Room 27	Facing Main Gate
Room 28	Outside Staff Entrance
Room 29	In Courtyard – Outside Room 31-32
Room 30	Outside at Room 26B
Room 31	Outside on back all on Sports Hall

