



INTRODUCTION

The Closed Circuit Television System (CCTV) is installed in Carrigeen N.S. under the remit of the Board of Management. The operation of this system will be reviewed regularly in consultation with the Staff, Board of Management and Parent's Association.

PURPOSE OF THE POLICY

The purpose of this policy is to regulate the use of CCTV and its associated technology in the monitoring of both the internal and external environs of premises under the remit of the Board of Management of Carrigeen N.S.

PURPOSE OF THE CCTV SYSTEM

The CCTV system is installed 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 in the external environs of the premises during both the daylight and night hours each day. CCTV surveillance of 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 to the school.
3. **Deterring bullying and aggressive behaviour.**
4. **Reducing the incidents of crime and anti-social behaviour** (including theft and vandalism) which may occur both inside and outside school hours.
5. **Supporting the Gardaí** in a bid to detect and deter crime and to assist in identifying, apprehending and prosecuting offenders.
6. **Ensuring that the school rules are respected** so that the school can be properly managed and that the school's duty of care within and or/in the external environs of the premises can be discharged at all times.

SCOPE OF THE POLICY

This applies to all personnel, pupils and visitors to Carrigeen N.S. It relates directly to the location and use of CCTV, the monitoring, recording and subsequent use of such recorded material.

GENERAL PRINCIPLES

The Board of Management of Carrigeen N.S. 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 Board of Management of Carrigeen N.S. owes a duty of care under the provision of Safety, Health and Welfare at Work Act 2005 and associated legislation. Carrigeen N.S. utilises CCTV systems and

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its 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 within Carrigeen N.S while integrating the best practices governing the surveillance of its premises, including using any evidence obtained in any disciplinary issue.

Monitoring for security purposes will be conducted in a professional, ethical and legal manner and any diversion of the use of CCTV security technologies and personnel for other purposes is prohibited by this policy. For example CCTV monitoring of political or religious activities, or employee and/or student evaluations would undermine the acceptability of the resources for use regarding critical safety and security objectives and is therefore prohibited by this policy.

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 the provisions set down in Equality and other Education related legislation.

The industry code of practice for video monitoring prohibits monitoring based on the classifications contained in Equality and other related legislation e.g. gender, marital status, family status, sexual orientation, religion, age, disability, race or membership of the Traveller community.

Video monitoring of public areas, for security purposes, within the said establishment, is limited to areas that do not violate the reasonable expectation to privacy as defined by law.

Information obtained in violation of this policy may not be used in a disciplinary proceeding against an employee or a student of 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 Carrigeen N.S. Recognisable images captured by CCTV systems are personal data. They are therefore subject to the provisions of the Data Protection Act 1988 to 2018.

JUSTIFICATION FOR THE 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 that Carrigeen 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 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.

LOCATION OF CAMERAS

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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. Carrigeen N.S. 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 Carrigeen School may include the following:

- ***Protection of school buildings and property:*** The building's perimeter, entrances and exits, lobbies and corridors, special storage 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:*** exit door controls, external alarms
- ***Video Patrol of Public Areas:*** Main entrance/exit gates
- ***Criminal Investigations (carried out by An Garda Síochána):*** Robbery, burglary and theft surveillance

COVERT SURVEILLANCE

Carrigeen 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 legal advice.

NOTIFICATION AND SIGNAGE

The Principal will provide a copy of this CCTV Policy on request to staff, students, parents and visitors to the school. A copy of this policy will also be published on the Carrigeen N.S. website. 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 Carrigeen N.S. property. Signage shall include the name and contact details of the data controller.

Appropriate locations for signage will include:

- at entrances to premises.
- reception area.
- at or close to each internal camera.

STORAGE AND RETENTION

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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. 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 a serious discipline or criminal issue and is retained specifically in the context of an investigation/prosecution of that issue.

Tapes/DVDs/Discs storing 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.

ACCESS

Access to the CCTV system and stored images will be restricted to authorised personnel only. In the case of Carrigeen N.S. this will be the School Principal .

In relevant circumstances, CCTV footage may be accessed for any of the following reasons:-

1. By An Garda Síochána where Carrigeen N.S. are required by law to make a report regarding the commission of a suspected crime.
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 Carrigeen N.S. property.
3. By the HSE, TUSLA and/or any other statutory body charged with child safeguarding.
4. To assist the Principal in establishing facts in cases of unacceptable student behaviour in which case, the parents/guardians will be informed.
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 Carrigeen N.S.
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.

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: 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

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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 must respond **within 40 days**.

Access requests can be made to the following: Mr. Damien Aylward, Principal, Carrigeen N.S., Carrigeen, Via Waterford.

A person should provide all the necessary information to assist Carrigeen N.S. 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 Board of Management will :

- Ensure that a policy is in place, compliant with relevant legislation, to govern the use of CCTV in the school.
- Ensure this policy is reviewed regularly by the Board of Management.

The Principal will:

- Act as Data Controller on behalf of the Board of Management.
- Ensure that the use of the CCTV system is used in accordance with the policy set down by the Board of Management.
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within the school.
- Ensure that all CCTV monitoring systems are compliant with this policy.
- Be responsible for the release of any information or material in compliance with this policy.
- Maintain a record of the release of any material recorded or stored on this system.
- Provide a list of the CCTV cameras, their locations and the associated monitoring equipment and the capabilities of such equipment to the Board of Management 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.
- Ensure that all areas being monitored are not in breach of a reasonable expectation of the privacy of individuals within the school.
- Advise the Board of Management to ensure that adequate signage, at appropriate and prominent locations, is displayed.
- Ensure that external cameras are not intrusive in terms of their positions and views of residential housing and comply with the principle of "reasonable expectation of privacy".
- Ensure that recorded material is retained for a period not longer than 28 days and will 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 Board of Management.

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- Ensure that monitors are stored in a secure place with access by authorised personnel only.
- 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 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. Implementation of the policy will be monitored by the Principal of the school.

This Policy was ratified by the Board of Management with the consultation of the Parents Association
on _____

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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.