



Lycée Français d'Irlande

Closed Circuit TV Policy

ORGANISATION:	Lycée Français d'Irlande
POLICY APPLIES TO:	<u>Collège et Lycée:</u> Lycée Français d'Irlande, Roebuck Road, Dublin 14 <u>Maternelle et Élémentaire:</u> Lycée Français d'Irlande, Foxrock Avenue, Dublin 18
LOCATION:	Roebuck Road, Dublin 14
PRIVACY COORDINATOR:	John Coleman
AUTHORISED BY:	Board of Management of Lycée Français d'Irlande
AUTHORISED DATE:	December 2018
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1.0 Policy statement

1.1 Closed circuit television (CCTV) at the premises of Lycée Français d'Irlande, Roebuck Road, Dublin 14 and Lycée Français d'Irlande, Foxrock Avenue, Dublin 18 ("the school") is regulated in accordance with the General Data Protection Regulation 2016/679 ("GDPR").

2.0 Policy purpose

2.1 The purpose of this policy is to summarise the safeguards in place regarding the operation of the CCTV systems and access to those systems and the images captured as a result of their operation.

CCTV surveillance at the school is intended for the purposes of:

- protecting the school buildings and school assets, both during and after school hours;
- promoting the health and safety of staff, pupils and visitors;
- preventing bullying;
- reducing the incidence of crime and anti-social behaviour (including theft and vandalism);
- supporting the Gardaí's efforts 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.

3.0 Policy scope

3.1 This policy applies to all staff and third parties involved in the operation of Lycée Français d'Irlande's CCTV systems. Where classes and activities are carried out in rented premises, Lycée Français d'Irlande will ensure that CCTV systems, where installed, are operated only in a way that is compatible with the provisions of this policy.

4.0 Legislation

4.1 The General Data Protection Regulation 2016/679.

4.2 There are six principles of data processing outlined in the GDPR, and our CCTV operation ensures that these principles are upheld.

Data must be:

1. processed fairly and lawfully
2. obtained only for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with the purpose for which it was originally collected
3. adequate, relevant and not excessive
4. accurate and up-to-date
5. kept in a form that permits identification of data subjects for no longer than necessary
6. processed in a manner that ensures appropriate security of personal data

5.0 Purposes of CCTV

5.1 The CCTV system is operated on Lycée Français d'Irlande's premises for the safety and security of our students, our staff and visitors to our premises as well as the protection of information located or stored on the premises, and all assets located at the premises. Lycée Français d'Irlande owes a duty of care under the provisions of the Safety, Health and Welfare at Work Act 2005 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 best practice into its governance of the public and private surveillance of its premises.

5.2 We may use the CCTV system in order to investigate any security incidents or accidents at the premises that would involve securing evidence, should such incidents or accidents occur.

5.3 We may use the CCTV system during investigation of any allegations against our staff. It may be used as evidence for the purpose of disciplinary action if there has been a breach of school policies or procedures, or any other misconduct.

6.0 Purpose limitation

6.1 The CCTV system is not used for any purpose other than that outlined in 5.0 above.

6.2 Lycée Français d'Irlande will not engage in covert surveillance. Should An Garda Síochána ask 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 must be in writing and the school will seek legal advice.

7.0 Roles and responsibilities

7.1 The CCTV system on our secondary school premises is operated by St. Kilian's Deutsche Schule, Roebuck Road, Dublin 14 under a Data Processing Agreement with Lycée Français d'Irlande.

The Privacy Coordinator will:

- Ensure that the use of CCTV systems is implemented in accordance with the policy set down by Lycée Français d'Irlande
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within Lycée Français d'Irlande
- Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy
- Ensure that the CCTV monitoring at the 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 to or the release of tapes or any material recorded or stored in the system (e.g. an access log)
- Ensure that recorded tapes are not duplicated for release
- 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 student 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 there is no breach of an enhanced expectation of privacy of individuals in the areas being monitored within the school and that no such infringement is likely to take place
- Ensure that external cameras are non-intrusive in terms of their positions and views and comply with the principle of a reasonable expectation of privacy

- Ensure that recorded 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 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 if An Garda Síochána ask 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
- Ensure that the operation of the CCTV system is carried out under a Data Processing Agreement

7.2 The secondary school system is accessed when required by authorised staff and management of St. Kilian's Deutsche Schule on the instruction of, and in conjunction with, an authorised representative from Lycée Français d'Irlande. The primary school system is accessed when required by authorised LFI personnel.

8.0 Summary description and technical specifications for the CCTV system

8.1 The CCTV system is a conventional static system. It records digital images and is equipped with motion detection. It records any movement detected by the cameras in the area under surveillance, together with time, date and location.

8.2 All cameras operate 24 hours a day and 7 days a week.

8.3 The image quality is such as to permit the identification of individuals in the area covered by the cameras.

8.4 The cameras are all fixed (there are no pan-tilt-and-zoom cameras), and thus they cannot be used by operators to zoom in on a target or follow individuals around.

9.0 Location of cameras

9.1 Cameras are positioned in such a way as to minimise recording of another person's private property.

9.2 Cameras are located at the entrance doors, in the parking area, and in stairwells and corridors in the secondary school buildings.

10.0 Signage

10.1 Clear signs notifying students, staff and visitors that CCTV recording is in use are displayed in a prominent place where they will be clearly seen.

10.2 The signs contain the following information:

- Identification of Lycée Français d'Irlande as responsible for the surveillance;
- The purpose of the surveillance;
- Contact details; and
- The image of a camera.

11.0 Quality of the images from CCTV

11.1 It is important that the recorded images be as clear as possible in order for them to be effective for the purpose/s for which they are intended.

11.2 The equipment and recording media are maintained on a regular basis to ensure images are of a high quality.

12.0 Retaining information and processing images

12.1 It is important that recorded images be retained only for a necessary period of time to fulfil the purpose/s for which they were processed. Therefore, unless the recorded images are required for evidential purposes in legal proceedings, they will not be retained beyond a maximum of 28 days. All recordings are stored at the premises of Lycée Français d'Irlande.

12.2 The images/recordings will be stored in a secure environment. 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 Gardai, the deputy Principal, the relevant class teacher, 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.

13.0 Access to the images

13.1 All CCTV recordings and monitoring equipment will be securely stored in a restricted area. The area will be locked when not occupied by authorised personnel.

13.2 Lycée Français d'Irlande will ensure that access to and any disclosure of images to third parties is strictly controlled and documented. This is to ensure that the rights of the individual are maintained, and that the chain of evidence remains intact should the images be required for evidential purposes. Access to these images will normally be through the following: a court order for discovery, a freedom of information access request, or a data protection access request.

13.2 In exceptional circumstances, to assist with a formal internal investigation or disciplinary procedure, images may be disclosed where it can be reasonably expected that the images will help the investigation or prosecution of a sufficiently serious disciplinary offence or a criminal offence.

The CCTV footage may be accessed:

- By An Garda Síochána where Lycée Français d'Irlande (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 Lycée Français d'Irlande's property, or by 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

- By data subjects (or their legal representatives) pursuant to an access request provided the time, date and location of the recordings is furnished to Lycée Français d'Irlande; or
- By individuals (or their legal representatives) subject to a court order; or
- By the school's insurance company if the insurance company requires same in order to pursue a claim for damage done to insured property.

14.0 Subject access requests (SARs)

14.1 Under the GDPR, individuals have a right of access to any personal information held about them by a Data Controller, which in this case is Lycée Français d'Irlande. All requests should be made in writing to the Privacy Coordinator, Lycée Français d'Irlande, Roebuck Road, Dublin 14 giving a specific time and date for the relevant recording.

14.2 In the event that we at Lycée Français d'Irlande receive a SAR where CCTV images are requested, we will provide this unless the image/s has/have been deleted provided that an exemption/prohibition does not apply to the release.

14.3 If it is not possible for us to disguise the images easily, we may be required to employ the services of an external company to facilitate this.

14.4 Requests will not be complied with where there are insufficient details supplied relating to the date and time of the recording. Correspondence will be sent to the requester advising them of this.

14.5 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.

15.0 Access requests from An Garda Síochána

15.1 In line with the GDPR, An Garda Síochána are entitled to view personal information about individuals, if it is for the following purposes:

- For the prevention or detection of crime;
- For the apprehension or prosecution of offenders;
- When it is required urgently to prevent injury or other damage to the health of a person, or serious loss of or damage to property;
- When it is required by or under any enactment, or by a rule of law or order of a court.

15.2 Access requests from An Garda Síochána must be made to the Principal on the official Garda Data Protection Access Request Form.

16.0 Implementation and reviews

16.1 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 or An Garda Síochána) 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.