**The Willow Tree Children’s Centre**

**CCTV Policy**

A Closed Circuit Television System (CCTV) is installed in The Willow Tree Children’s Centre under the remit of the Board of Management.

**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 the premises under the remit of the Board of Management of The Willow Tree Children’s Centre.

A CCTV system is installed both internally and externally on 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 setting 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  in a bid to deter and detect crime;
• assisting in identifying, apprehending and prosecuting offenders;
• ensuring that the school rules are respected so that the school can be properly managed.

**SCOPE**
This policy relates directly to the location and use of CCTV and the monitoring, recording and subsequent use of such recorded material.

**GENERAL PRINCIPLES**
The Board of Management of The Willow Tree Childrens Centre, as the corporate body, has a statutory responsibility for the protection of school property and equipment as well as providing a sense of security to its employees, students and invitees to its premises. We owe a duty of care under the provisions of Safety, Health and Welfare at Work Act 2005 and associated legislation and utilise the CCTV system and 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 settings community by integrating the best practices governing the public and private surveillance of its premises.

The primary aim of the CCTV system in The Willow Tree Children’s Centre is to deter crime and vandalism and to assist in the protection and safety of the said property and its associated equipment and materials.

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 management, 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 legal advice will be sought if any such request is made (See ‘Access’ 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 school 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 Board of Management, including the provisions set down in Equality and other Education-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 the setting 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 Willow Tree Children’s Centre. Recognisable images captured by CCTV systems are ‘personal data’. They are therefore subject to the provisions of the [Data Protection Act 2018](http://www.irishstatutebook.ie/eli/2018/act/7/enacted/en/html?q=data+protection) and the [General Data Protection Regulation (GDPR) 2018](https://www.dataprotection.ie/docs/GDPR/1623.htm).

**JUSTIFICATION FOR USE OF CCTV**
Section 2(1)(c)(iii) of the Data Protection Act requires that data is ‘adequate, relevant and not excessive’ for the purpose for which it is collected. This means that the Board of Management of The Willow Tree Children’s Centre 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.

The CCTV system will not be used to monitor learning/recreational activity in the setting.

**LOCATION OF CAMERAS**
The location of cameras is a key consideration. Board of Management of The Willow Tree 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 The Willow Tree Children’s Centre may include the following:
• Protection of the buildings and property: The building’s perimeter, entrances and exits, lobby and corridor, receiving area for goods/services.
• Monitoring of Access Control Systems: Monitor and record restricted access areas at entrances to building 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**
The Board of Management of The Willow Tree Children’s Centre will not engage in covert surveillance.
Where An Garda Síochána requests to carry out covert surveillance on the 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 setting will seek legal advice.

**NOTIFICATION – SIGNAGE**
Management will provide a copy of this CCTV policy on request to staff, 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 is sited to indicate that CCTV is in operation. Adequate signage will also be prominently displayed at the entrance to The Willow Tree Children’s Centre property.
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

**STORAGE & RETENTION**
Section 2(1)(c)(iv) of the Data Protection Act 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 management. Management 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, other members of the staff, representatives of the Department of Education and Skills or DCEDIY, representatives of the HSE and/or the parent of a recorded child). 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 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 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. 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. management.
In relevant circumstances, CCTV footage may be accessed:
• By An Garda Síochána where The Board of Management of The Willow Tree Children’s Centre (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 the property, or
• To the HSE and/or any other statutory body charged with child safeguarding; or
• To assist management 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 The Willow Tree Children’s Centre, or
• To individuals (or their legal representatives) subject to a court order.
• To the setting’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 management 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 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 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 management. The setting must respond within 40 days.
Access requests can be made to the Registered provider, details below.
A person should provide all the necessary information to assist the setting 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 setting.
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**
Management will:
• Ensure that the use of the CCTV system is implemented in accordance with the policy set down by The Board of Management of The Willow Tree Children’s Centre
• Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within The Willow Tree Children’s Centre
• Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy
• Ensure that the CCTV monitoring at The Willow Tree Children’s Centre 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, their locations and the associated monitoring equipment and the capabilities of such equipment to the Board of Management for formal approval
• If required, 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 and be mindful that no such infringement is likely to take place
• Advise the Board of Management to ensure that adequate signage, at appropriate and prominent locations, is displayed
• 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 of Management
• 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 of Management

**Links to other policies**
All policies are consistent with one another, within the framework of the overall ethos of the setting. Relevant policies already in place, being developed or reviewed, are examined with reference to the CCTV policy and any implications which it has for them are addressed.
The following policies are among those considered:
• Data Protection policy
• Child Protection policy
• Anti-bullying policy
• Code of Behaviour
• Use of Internet, Photographic and Recording Devices Policy

The CCTV policy has been developed mindful of our obligation under Data Protection Legislation.

**Communication Plan [For staff & families]**

All parents/guardians are to be informed of the policy and procedures regarding Healthy Eating on enrolment. Staff members will check with parents/guardians that they have read and understood the policy and provide any assistance needed.

A summary of this policy will be included in the Parent/Guardian Handbook and the full policy is available on the website www.blennerville.playschool.com

This policy will also be reviewed with staff at induction and annual staff training. When a complaint is received, the person making the complaint will be given a copy of this Policy and Procedures.

A copy of all policies will be available during all hours of operation to staff members and parents/guardians upon request.

Parents/guardians may receive a copy of the policy at any time upon request.

Parents/guardians and the staff team will receive written notification of any updates.

This policy must be observed by management and all staff members.

This policy is underwritten by the Child Care Act 1991 (Early Years Services) Regulations 2016 and the Child Care Act 1991 (Early Years Services) (Registration of Pre-school and school-age Services) Regulations 2018.

This policy was adopted by The Willow Tree Children’s Centre on 01st of January 2024.

Signed by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

On behalf of Management

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