

# Video Surveillance Procedures Manual 203-A



<b>Category:</b>	Administration
<b>Administered by:</b>	Senior Administrator Responsible for Operations
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## 1. General

These procedures address the collection, use, disclosure, retention, disposal and access to information with respect to the Board's obligations under the legislation. They also deal with the day-to-day operation of the board's video surveillance systems.

## 2. Definitions

(Adapted from the *Guidelines for Using Video Surveillance Cameras in Schools*, Information and Privacy Commissioner of Ontario, July 2009.)

### **Personal Information**

In this policy and procedures, personal Information means recorded information about an identifiable individual, which includes, but is not limited to, information relating to an individual's race, colour, national or ethnic origin, sex, age and disabilities. Any image on a video surveillance system that is clear enough to identify a person or the activities in which he or she is engaged in, is "personal information" under the legislation.

### **Record**

In this policy and procedures, record means any information, however recorded, whether in printed form, on film, by electronic means or otherwise, and includes: a photograph, a film, microfilm, a videotape, a machine readable record and a record that is capable of being produced from a machine readable record.

### **Video Surveillance System**

In this policy and procedures, video surveillance system refers to video, physical or other mechanical, electronic or digital surveillance system or device that enables continuous or periodic video recording, observing or monitoring of individuals in school Board buildings, on school Board premises and school buses. It includes audio devices, thermal imaging technology or any other component associated with recording the image of an individual.

### **Reception Equipment**

In this policy and procedures, reception equipment means the equipment or device used to receive or record the personal information collected through a video surveillance system, including a camera or video monitor or any other video, audio, physical or mechanical, electronic or digital device.

### **Storage Device**

In this policy and procedures, storage device refers to a video tape, computer disc or drive, CD-ROM, computer chip or other device used to store the recorded data of visual, audio or other images captured by a video surveillance system.

## **3. Installation and Operational Requirements**

- 3.1 Video Surveillance cameras will only be installed in identified public areas where video surveillance is deemed necessary.
- 3.2 The equipment will be installed to monitor only the areas requiring video surveillance and will not be directed to look through windows of adjacent buildings or onto adjacent property. All locations will be authorized by the Board.
- 3.3 Video surveillance cameras are prohibited in areas where students, staff and authorized visitors have a high expectation of privacy including change rooms, washrooms and staff rooms.
- 3.4 The equipment will operate up to twenty-four (24) hours, seven (7) days a week within the system's capabilities and limitations.
- 3.5 Principals, site managers and/or designates will work with authorized Board staff to install and operate video surveillance equipment.

- 3.6 Video surveillance cameras will be adjusted only by operators sanctioned by authorized Board staff in consultation with principals, site managers and/or designates.
- 3.7 Video monitors (reception equipment) will be located in a strictly controlled access area. Only authorized and designated staff will have access to the reception equipment and area. Monitors will not be located in any area that allows public viewing.
- 3.8 Clearly written signage which complies with MFIPPA will be prominently displayed at sites where video surveillance is used, including school buses, to provide reasonable and adequate warning about the use of the system.
- 3.9 Principals, site managers and/or designates will provide, upon formal request under MFIPPA, information regarding the notification and personal information requirements under the legislation when requested by staff, public, or students exceeding the age of 16.
- 3.10 Principals will consult with the school community on the installation and location of video surveillance cameras, and will ensure that the school community is notified, on a regular basis about the rationale for the use of the cameras.
- 3.11 Service providers and their employees must comply with this policy and the relevant legislation in performing any duties and functions related to the video surveillance program. In cases where there is non-compliance with this policy or the legislation, the Board will consider this a breach of contract leading to penalties for the service provider.

#### **4. Use, Disclosure, Retention, Security and Disposal**

- 4.1 Information obtained through video surveillance will only be used for the purposes noted in this policy relating to the protection of staff, students, the public and property. This information could lead to discipline or consequences for individuals, or assist in the detection or deterrence of criminal activity and vandalism.
- 4.2 Video surveillance will not be used for monitoring staff performance.

- 4.3 Only the Principal, site manager and a limited number of designated alternates may review the “real-time” information. After a formal, written request is made to the appropriate supervisor, access to real time information may be given to law enforcement to aid in an investigation.
- 4.4 Access to storage devices will be limited to authorized, designated personnel only. After a formal, written request is made to the appropriate supervisor, access to recorded information may be given to law enforcement to aid in an investigation.
- 4.5 A log will be kept that provides details of all access to and use (viewing) of the recorded materials (See Appendix A for the log).
- 4.6 The recorded information will be reviewed only when an incident has been reported or observed, or to investigate a potential crime.
- 4.7 The retention period for information that has not been viewed for law enforcement, school or public safety purposes will have a target retention of thirty (30) days up to a maximum of 60 days.
- 4.8 Storage devices that are not in use will be stored in a secure, locked location in a controlled access area. Each used storage device will be dated and labeled.
- 4.9 Recorded information that has not been viewed will be routinely erased in a manner in which it cannot be reconstructed or retrieved.
- 4.10 When recorded information has been viewed for law enforcement, school or public safety, the materials will be retained for a minimum of one (1) year unless this time frame is reduced by way of a formal resolution of the Board, or requested by the individual whose image has been captured and viewed.
- 4.11 The storage devices required for evidentiary purposes will be stored and retained until requested by law enforcement authorities. Notes will be kept and completed before any storage device is disclosed to the appropriate authorities. Notes will indicate who took the storage device, under what authority, when this occurred, and if it will be returned or destroyed after use. This will be monitored regularly and strictly enforced.

- 4.12 Old storage devices will be disposed of securely and in such a manner that the personal information cannot be reconstructed or retrieved (shredded, burned, magnetically erased or copied over).

## **5. Access to Personal Information**

- 5.1 Any individual whose personal information has been recorded by video surveillance has a right of access to his/her personal information. Access may be granted in whole or in part to the individual unless an exception is applied under the legislation. The Director of Education or authorized designate may refuse access where disclosure would constitute an unjustified invasion of another individual's privacy. Access to an individual's own personal information may also depend on whether any exempt information can be severed from the record.
- 5.2 The Director of Education or authorized designate will rule on possible frivolous or vexatious requests under the provisions of the legislation.
- 5.3 Any inadvertent disclosures of personal information and breach of the legislation will be reported by Principals/site managers to the Board's Freedom of Information Officer.
- 5.4 Training will be provided to address staff and service provider obligations under this policy and legislation, as required.

## **6. Audits and Evaluation**

- 6.1 The Board will ensure that the use and security of video surveillance equipment, and compliance with the policy, procedures and legislation is subject to regular audits. Any deficiencies or concerns will be addressed as soon as possible.
- 6.2 Staff and service providers will be notified that their activities are subject to these audits and they may be called upon to justify their surveillance interest in any given individual.
- 6.3 The Board will review and evaluate its video surveillance program policies and procedures as required, or every five years, to ensure ongoing justification for the program.

## 7. Covert Surveillance

- 7.1 Covert surveillance (hidden cameras or cameras installed without notification) is highly privacy invasive and is not a standard practice of the Board.
- 7.2 Covert surveillance will be used only as a last resort in limited case-specific circumstances.
- 7.3 Any use of covert surveillance will be time limited.
- 7.4 Before using covert surveillance, a thorough assessment of the privacy impacts will be conducted. The assessment must include a rationale that ensures that covert surveillance is the only available option, and the benefits outweigh the violation of the privacy of individuals observed.
- 7.5 All requests for the use of covert surveillance will be made through the appropriate Superintendent or senior administrator and will be approved by the Director of Education.