



## VIDEO SURVEILLANCE

### ADMINISTRATIVE OPERATIONAL PROCEDURES

In keeping with the Mission, Vision and Values of the Niagara Catholic District School Board, the following are Administrative Operational Procedures for Video Surveillance.

#### PREAMBLE

The Board strives to maintain safe and secure learning environments for students, staff and community members involved in Board authorized programs.

The Niagara Catholic District School Board supports the use of video surveillance systems at any Niagara Catholic site or for Niagara Catholic transportation services, if deemed necessary to ensure the safety of students, staff, community members, and property. The implementation of video surveillance systems requires the approval of the Director of Education.

Surveillance equipment will be located in public access areas of schools/buildings and/or in areas where there is a demonstrated need to protect students, staff, community members and Board-owned equipment and property. Any exterior surveillance equipment will be located to monitor Board property only, and not neighbourhood areas. It is intended that the surveillance equipment will be operational at all times throughout the day and night. Video surveillance systems complement other means to promote and foster a safe and secure learning environment under the *Safe Schools Act*.

School principals, or designates, will be responsible for the use of the system equipment and for the privacy obligations under the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

Board employees and service providers will have access to the personal information collected under the video surveillance program only where necessary in the performance of their duties, and where the access is necessary and proper in the discharge of the Board's functions.

The Board recognizes its obligations under the *Municipal Freedom of Information and Protection of Privacy Act* regarding the collection, retention, use, disclosure and disposal of personal information relating to video surveillance. Any questions relating to the Board's privacy obligations under the Act must be referred to the Board's Privacy and Risk Advisor.

The Niagara Catholic District School Board will maintain control of and responsibility for the video surveillance system at all times.

#### DEFINITIONS

***Video Surveillance System*** refers to a 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 buildings and on school premises. A video surveillance system includes an audio device, thermal imaging technology, or any other component associated with recording the image of an individual.

***Reception Equipment*** refers to 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 other mechanical, electronic or digital device.

***Storage Device*** refers to a computer drive or other device used to store the recorded data or visual, audio or other images captured by a video surveillance system.

## RESPONSIBILITIES

### ***Director of Education***

The Director of Education is responsible for the overall Board video surveillance program.

### ***Controller of Facilities Services***

The Controller of Facilities Services is responsible for the development and review of the policy and administrative operational procedures, along with the technical aspects of the video surveillance systems and the coordination of related audits.

### ***Chief Information Officer***

The Board's *Chief Information Officer* is responsible for managing the Board's technology and information systems and ensuring that the Board's technology architecture is optimized for appropriate cyber security controls.

### ***Privacy and Risk Advisor***

The Board's *Privacy and Risk Advisor* is responsible for the Board's privacy obligations under the [\*Municipal Freedom of Information and Protection of Privacy Act\*](#) and privacy issues related to these *Administrative Operational Procedures*.

### ***Administrator of Facilities Services***

The Administrator of Facilities Services is responsible for the life-cycle management of authorized video surveillance systems specifications, equipment standards, installation, maintenance, replacement, disposal, and related requirements. The Administrator of Facilities Services/Delegate is responsible for related training at Board sites.

### ***Administrator of Facilities Services/Principal***

Administrator of Facilities Services/Principal of a school/site having a video surveillance system is responsible for the day-to-day operation of the system in accordance with the policy, procedures, and direction/guidance that may be issued from time-to-time.

## CONSIDERATIONS FOR VIDEO SURVEILLANCE SYSTEMS

Video surveillance systems are a resource used by the Niagara Catholic District School Board at selected schools and sites within the Board's jurisdiction to promote the safety of students, staff, and community members.

In the event of a reported or observed incident, the review of recorded information may be used to assist in the investigation of the incident.

These procedures are not intended to deal with instances where school staff record a specific school event or an isolated instance where a classroom is recorded for educational or research purposes.

The procedures do not apply to “covert surveillance”, such as, surveillance conducted by means of hidden devices, without notice to the individuals being monitored.

## **BREACH of POLICY/ CONTRACT**

Employees who knowingly or deliberately breach the policy or the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* or other relevant statutes may be subject to discipline.

Service providers who knowingly or deliberately breach the policy or the provisions of the Acts or other relevant statutes may be found to be in breach of the contract leading to penalties up to and including contract termination. Service contracts must be worded accordingly in order to permit such a process.

Any agreements between the Board and service providers, shall state that the records dealt with or created while delivering a video surveillance program are property of the Board and subject to the current Acts.

## **APPLICATION OF VIDEO SURVEILLANCE SYSTEM**

Before deciding if a school or facility warrants a video surveillance system, the following will be taken into consideration:

- Whether less intrusive means of deterrence, such as increased monitoring by staff and after-hours security guard patrols, have been shown or are believed to be ineffective or unworkable.
- The history of incidents occurring at the specific school.
- The physical layout of the school site
- The effectiveness of a video surveillance program in dealing with or preventing future incidents of the type that have already occurred or may occur.

Consultations should be conducted with relevant stakeholders as to the necessity of the proposed video surveillance program at the school/facility.

### ***Notice of Collection***

The Board will prominently display signs at the entrances, exterior walls, and/or the interior of buildings and on buses that have video surveillance systems. The signs will, indicate that video surveillance is in effect, and must include the legal authority for the collection of personal information; the purpose(s) for which the personal information is intended to be used and the Board contact who can answer questions about the collection.

### ***Use of Recorded Video***

The Board may only use personal information collected by recorded video surveillance for the purpose of this program. Circumstances, which would warrant review, will normally be limited to a security/safety incident that has been reported/observed or to investigate a potential crime. Only the Principal, Vice-Principal or designate authorized by Facilities Services may review the recorded video. Real-time viewing of monitors may be delegated by the Principal or authorized by Facilities Services to a very limited number of individuals (e.g. a secretary, a special event security guard).

### ***Disclosure***

Disclosure of personal information captured by this video surveillance program is prohibited, except in certain circumstances, as defined in the *Municipal Freedom of Information and Protection of Privacy Act*. When disclosing personal information obtained via this video surveillance program, ensure the following is documented:

- A log of each disclosure that includes the requestor’s name, organization, title, contact information, date requested, description of the incident, incident number and the reason for request/disclosure.

## ***Access***

Under the *Municipal Freedom of Information and Protection of Privacy Act* individuals who have had their personal information collected by the Board's video surveillance program have a right to access that information, subject to exemptions allowed under the *Act*. I.e.) Access may be refused if the disclosure constitutes an unjustified invasion of another individual's privacy. Where possible the Board's video surveillance program shall include the ability to redact information through methods including blurring faces and removing sounds.

## ***Retention of Recorded Information***

The retention period for information that has not been used or viewed for law enforcement, school or public safety purposes shall be thirty (30) calendar days for digital systems. Recorded information is to be routinely erased in a manner in which it cannot be reconstructed or retrieved.

When recorded information has been used or viewed for law enforcement, school, or public safety purposes the retention period shall be the current year plus one (1) year from the date of viewing. A defined process must be established and maintained that specifies what qualifies as viewed footage and what event triggers the beginning of the retention period.

## ***Security and Storage***

The Board has an obligation to protect all personal information under its custody and control from unauthorized access and inadvertent destruction or damage. Methods to secure personal information collected as a result of the video surveillance program should include:

- storing physical records of footage or servers that contain video recordings in a locked area;
- restricting access to the locked area to those who need it for their role;
- ensuring that any surveillance footage stored in the cloud or accessed remotely must only be stored in Canada with appropriate levels of encryption policies and Multi-Factor Authentication (MFA) enabled to protect from unauthorized access.
- ensuring that available encryption, access controls and audit logs are properly leveraged; and
- ensuring that the video surveillance system/application is secure and kept up to date to protect against security vulnerabilities.

## **EVALUATING THE USE OF A VIDEO SURVEILLANCE SYSTEM**

Senior Administrative Council will regularly review and evaluate its video surveillance practice at each site. Any new video surveillance application shall be subject to a Privacy Impact Assessment (PIA).

## ***References***

- [\*Education Statutes and Regulations of Ontario\*](#)
- [\*Municipal Freedom of Information and Protection of Privacy Act\*](#)
- [\*Niagara Catholic District School Board Policies/Procedures\*](#)
  - [\*Privacy Policy \(600.6\)\*](#)
  - [\*Records and Information Management Policy \(600.2\)\*](#)
  - [\*Freedom of Information Request Procedure\*](#)
  - [\*Records and Information Management Classification & Retention System\*](#)
  - [\*Notice of the Collection, Use and Disclosure of Student Personal Information\*](#)
  - [\*Privacy Breach Procedure\*](#)
  - [\*Safe and Accepting Schools Policy \(302.6\)\*](#)

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