



## **Video Surveillance**

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### **Administrative Procedures**

A school board is lawfully authorized to operate a school under the Education Act and in doing so it must take reasonable steps to ensure the safety of students and property while respecting legislated rights to privacy of personal information.

#### **1. Responsibilities**

- 1.1 The Treasurer of the Board will be responsible for the implementation of this policy and procedure.
- 1.2 Where applicable and appropriate the Privacy Officer will ensure that these procedures will be incorporated into training and orientation programs for staff and service providers.
- 1.3 The Principal or a building supervisor, as applicable, will be responsible for understanding and abiding by these procedures.

#### **2. Expectations**

##### **2.1 Installation and Maintenance of Video Surveillance**

- 2.1.1 The installation of video surveillance must be approved by the Treasurer of the Board and will be considered where circumstances have shown it is necessary for the purposes of providing for the safety of students, staff and community members, or for the deterrence of destructive acts. Before deciding if a property warrants video surveillance, the following may be taken into consideration:
  - a) Whether less intrusive means of deterrence, such as increased monitoring by staff, have been shown or are believed to be ineffective or unworkable;
  - b) The history of incidents occurring in the specific building and whether video surveillance would be effective in dealing with or preventing future incidents of the type that have already occurred or may occur;
  - c) Whether video surveillance as an additional resource is required given the physical layout of the building and/or property; and



- d) Whether consultation with relevant stakeholders provides information of the necessity of video surveillance.
- 2.1.2 Every five years, the Treasurer of the Board shall review these procedures with respect to the use of video surveillance, and whether deployment continues to be justified.
- 2.1.3 Video surveillance will be installed only in public areas and will not be installed in areas where individuals have a reasonable expectation of privacy, such as washrooms or change rooms.
- 2.1.4 The equipment will operate up to 24 hours a day/seven days a week, within the limitations of system capabilities, power disruptions and serviceability.
- 2.1.5 Video surveillance will be installed so that the field of view avoids adjacent buildings or property.
- 2.1.6 The Manager of Facility Services will ensure that notice signs are installed at all properties with video surveillance, in accordance with the notification requirements of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). Signs will be prominently displayed at the perimeter of the video surveillance areas so that the public has reasonable and adequate warning that video surveillance is or may be in operation before entering any area under video surveillance. The sign will provide a telephone number for inquiries.
- 2.1.7 Reception equipment and video monitors will be situated in a controlled access location outside of public view. Only designated personnel will have access to these locations.
- 2.1.8 Regular maintenance of video surveillance equipment will be completed according to a schedule prepared by the Privacy Officer.
- 2.1.9 The installation of fake or dummy video surveillance is prohibited.
- 2.2 Collection, Retention, Use and Disclosure of Records
  - 2.2.1 Records will be stored in a controlled access location and access to this material is limited to designated authorized personnel as approved by the Privacy Officer.
  - 2.2.2 Review of records is limited to circumstances where it is required to investigate a serious incident that has been reported or observed or to investigate a potential crime or a significant safety concern.
  - 2.2.3 Video surveillance is not to be used to monitor student behaviour or staff performance. The problem to be addressed by video surveillance must be real, substantial and pressing.



- 2.2.4 Any agreements between the Board and service providers should state that records dealt with while delivering a video surveillance are under the Board's control and are subject to MFIPPA, and that a failure to comply with this requirement may be considered to be a breach of contract.
- 2.2.5 Records that have not been requested or viewed will be maintained only for the minimum amount of time necessary for the stated purposes and will be automatically overwritten after a designated period. If a record has been viewed as part of an investigation or disclosed, it will be retained for at least one year.
- 2.2.6 Records which may contain elements of proof will be stored in a locked, secure location to ensure integrity of information, should police authorities request them.
- 2.2.7 Recorded material on storage devices must be securely disposed of in such a way that the personal information cannot be reconstructed or retrieved, in accordance with Records Information Management protocols.
- 2.2.8 The Principal (or designate) or a building supervisor, in consultation with the Privacy Officer, may approve the release of records in accordance with the MFIPPA when police services request to view, or to take a copy. Reference to the Protocol between the Police Services, School Boards and Children's Services will be used as a guideline. In all cases when records are released, a log must be completed, and the Board shall maintain a copy of the log for a period of one year.
- 2.2.9 Whenever a record is used as part of an investigation or disciplinary action involving a student, the student and his/her parent/guardian may be permitted to view the record in question with the Principal (or designate) in accordance with MFIPPA. However, the confidentiality of others must be protected by blurring images. The cost will be incurred by the requester.
- 2.2.10 Any student, staff member or member of the public who has been recorded by video surveillance has a general right of access to his or her personal information under section 36 of MFIPPA. This right is recognized. One exemption that may apply is contained in subsection 38(b) of MFIPPA, which grants the heads of institutions the discretionary power to refuse access where disclosure would constitute an unjustified invasion of another individual's privacy.
- 2.2.11 Access to an individual's own personal information may depend upon whether affected third parties consent to the disclosure, or whether any exempt information can be severed from the record. The Board's Privacy Officer will be contacted when third party consent is required.
- 2.2.12 For any inadvertent disclosures of personal information, the Board's Privacy Policy and Procedures must be followed.

## 2.3 Covert Surveillance

2.3.1 Time limited and case specific covert surveillance may be used in any location (with the exception of change rooms and washrooms), without notice, as part of a specific investigation where criminal activity is suspected.

2.3.2 Prior to the use of covert surveillance, a case must be presented to the Privacy Officer on the grounds that covert surveillance is essential to the success of a possible criminal investigation and the benefits outweigh the privacy of the persons likely to be observed. Approval to proceed is required by the Director of Education and the Treasurer of the Board.

### 3. Additional Information

The St. Clair Catholic District School Board is committed to the principals of equity and inclusive education, consistent with our Catholic teachings, which value and promote human rights and social justice in all Board policies, programs, guidelines, operations and practices.

### Definitions

**Property** – Includes school buildings, grounds and facilities under the jurisdiction of the Board.

**Video Surveillance** – For these procedures, video surveillance 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 Board buildings and premises. It includes audio devices, thermal imaging technology or any other component associated with recording the image of an individual.

**Personal Information** – For these 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 video surveillance that is clear enough to identify a person or the activities in which he or she is engaged in, is "personal information".

**Record** – For these procedures, record means any information, however recorded, whether in printed form, on film, by electronic means or otherwise, and includes but is not limited to: 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.

**Reception Equipment** – For these procedures, reception equipment means the equipment or device used to receive or record the personal information collected through video surveillance, including a camera or video monitor or any other video, audio, physical or mechanical, electronic or digital device.

**Storage Device** – For these procedures, storage device refers to a 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 video surveillance.

**Covert Surveillance** – The secret, continuous, or periodic observations of persons, vehicles, places or objects to obtain information concerning the activities of individuals, which is then recorded in material form, including notes and photographs.

## **References**

Policy – Video Surveillance

Education Act

The Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

Guidelines for the Use of Video Surveillance, Information and Privacy Commissioner of Ontario