



**MOOSONEE DISTRICT
SCHOOL AREA BOARD**

ADMINISTRATIVE PROCEDURE BUSINESS ADMINISTRATION: NO. 541	
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SAFETY AND SECURITY: VIDEO SURVEILLANCE

PURPOSE

The Moosonee District School Area Board is committed to maintaining the safety and security of buildings and property in order to deliver effective and appropriate education programs to its students. The Board will provide for the safety and well-being of all those who learn and work in the Moosonee District School Area Board.

This administrative procedure sets out Board expectations for maintaining the safety and security of buildings and property through the use of video surveillance.

DEFINITIONS

Personal Information: Personal information is defined in Section 2(1) of the *Freedom of Information and Protection of Privacy Act (FIPPA)* and the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* as “recorded information about an identifiable individual,” which includes, but is not limited to, “information relating to the race, national or ethnic origin, colour, religion, age or sex” of the individual. If a video surveillance system displays these characteristics of an identifiable individual or the activities in which he or she is engaged, its contents will be considered “personal information” under *FIPPA* and *MFIPPA*.

Video Surveillance System: A video surveillance system is 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 open, public spaces.

Storage Device: A storage device is a drive, computer chip, or other device used to store the recorded data or visual, audio, or other images captured by a video surveillance system.

APPLICATION

The school principal is responsible to maintain control and be responsible for the video surveillance system in the school. The facilities manager, under the direction of the finance and human resource administrator, takes responsibility for the installation and servicing of the surveillance system.

This administrative procedure applies to Board facilities where video surveillance cameras are in place. It does not apply to the videotaping of a specific event (e.g. school concert or graduation) or to covert surveillance.

PROCEDURES

- Guiding Principles**

The Guidelines for the Use of Video Surveillance (October, 2015) published by the Information and Privacy Commissioner of Ontario state the following guiding principles:

- Institutions are responsible for ensuring the safety of individuals and the security of equipment and property within the scope of the services they provide. One tool used by institutions to help them fulfill this obligation is video surveillance.
- Video surveillance captures sensory information about activities and events in a given area over time. Although primarily used as a means of detecting and assisting in the investigation of criminal activity, video surveillance may also act as a deterrent when used in an appropriate manner.
- While video surveillance may help to increase the safety of individuals and the security of assets, it also introduces risks to the privacy of individuals whose personal information may be collected, used, and disclosed as a result of the technology. The risk to privacy is particularly acute because video surveillance may, and often does, capture the personal information of law-abiding individuals going about their everyday activities. In view of the broad scope of personal information collected, special care must be taken when considering whether and how to use this technology. [p. 2]

2. **Board Use of Video Surveillance**

2.1 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 and security of students and property. [Guidelines for the Use of Video Surveillance, p. 7]

2.2 The Moosonee District School Area Board's video surveillance procedure has been modelled on the *Guidelines for the Use of Video Surveillance* (October 2015) with reference to Ontario's *Freedom of Information and Protection of Privacy Act* and the *Ontario Municipal Freedom of Information and Protection of Privacy Act*. The Board will comply with the rules for the collection, use, and disclosure of personal information by institutions as set out in FIPPA and MFIPPA.

2.3 With the goal of ensuring the security of individuals and the protection of their well-being and as a deterrent against vandalism to buildings and property, the Board will use video surveillance cameras according to the following criteria:

- a) to protect public security or reduce criminal and other illegal activity;
- b) to maintain a balance between the advantages of video surveillance for the public and the specific right to protect the privacy of individuals; and
- c) to provide general surveillance without limiting general public activities.

2.4 The Board retains the right to install video surveillance without notice as part of a specific investigation where criminal activity is suspected.

Board Expectations for the Use of Video Surveillance

3. **Necessary Conditions for Surveillance**

3.1 Use of video surveillance equipment is only one resource that is used by the Moosonee District School Area Board to promote the safety of students, staff, and community members.

4. **Limits to Collection and Disclosure**

4.1 When using video surveillance, the Moosonee District School Area Board limits the collection and retention of personal information to that which is necessary to fulfill the purposes of the Board's lawfully authorized activity. The Board will use video surveillance to:

- a) ensure the on-going safety of students;
- b) promote a safe environment;
- c) maintain the security of the school; and
- d) control vandalism and theft of school property.

4.2 Recording equipment is installed only in public areas such as entrances, exits, hallways, and general assembly areas. Cameras will not be installed in washrooms or change rooms.

4.3 The Board will use the information collected only for the consistent purpose of protection of safety and security, and only to assist in the investigation of a reported incident. Use of the information for other, unrelated purposes is not permitted.

4.4 Video surveillance may be disclosed to a law enforcement agency to aid in the investigation of illegal activity. If data is shared with an outside agency, the Board will maintain an auditable log of each disclosure, including the date, time, and location of the footage, and, where applicable, the case file number of the law enforcement agency's investigation. [Guidelines for the Use of Video Surveillance, p. 14]

5. **Public Notification**

5.1 The Board will comply with legislation that requires that individuals be notified of the collection of their personal information, subject to specific and narrow exceptions. Specifically, section 39(2) of the *Freedom of Information and Protection of Privacy Act* and section 29(2) of the *Municipal Freedom of Information and Protection of Privacy Act* provide that an individual must be informed of:

- a) the legal authority for the collection of the information;
- b) the principal purpose or purposes for which the personal information is intended to be used; and
- c) the title, business address, and business telephone number of a public official who can answer the individual's questions about the collection.

5.2 Signs will be prominently displayed at the entrances, exterior walls, and/or the interior of the building having a video surveillance system. This signage will provide students, staff, and the public reasonable and adequate warning that video surveillance is in effect.

5.3 The signs will include basic information to clarify that video surveillance is being used in the area and will provide a contact name and telephone number.

6. **Protection of Personal Information**

6.1 The Board will protect personal information in its custody or under its control from unauthorized access and inadvertent destruction or damage.

6.2 The Board will:

- a) store physical records of footage, in a locked facility;
- b) limit the access to video surveillance data to individuals who have been trained to understand their role regarding the collection of personal information; namely the facilities manager, school principal, and administrative assistants, using the appropriate username and password; and

- c) ensure that review of surveillance data will normally be limited to an incident that has been reported or observed or to investigate a potential crime.

7. Retention of Records

7.1 It is important to note that the retention requirement for video surveillance data applies only to personal information that has been “used” by the Board. It does not apply to personal information that has been collected but not used, which will have much shorter retention requirements. In the context of video surveillance, personal information is “used” whenever footage that contains images of individuals or other identifiable information is accessed or disclosed. Simply viewing a live feed does not represent a “use” of personal information. [Guidelines for the Use of Video Surveillance, p. 16]

7.2 The Board will routinely erase recorded information that has not been used according to a standard schedule. Under the standard schedule, the retention period for unused information is limited to the amount of time reasonably necessary to discover or report an incident that occurred in the space under surveillance.

7.3 The retention period for information that has not been viewed for law enforcement, school, or public safety purposes shall be fourteen (14) calendar days. Recorded information that has not been used in this fashion is to be routinely erased every fourteen (14) days in a manner in which it cannot be reconstructed or retrieved.

7.4 When recorded information has been viewed for law enforcement or school/public safety purposes, the retention period shall be one (1) year from the date of viewing, or for one (1) year from the date of resolution of the incident. [This is in compliance with Section 5(1) of Regulation 460 of *FIPPA* and section 5 of Regulation 823 of *MFIPPA* requiring institutions in general to retain personal information for at least one year after use.]

7.5 When erasing or deleting recorded information, whether used or unused, the Board will ensure that the information and old storage devices are disposed of in such a way that the personal information cannot be reconstructed or retrieved.

8. Requests for Access to Information

8.1 An individual may have a right to access footage that is in the care of the Board. The Board will respond to a request to access information.

8.2 It is important to note, however, that all or portions of the video surveillance footage requested may be exempt from disclosure for a number of reasons under the legislation, including the fact that disclosure may result in an unjustified invasion of someone else’s privacy.

9. Roles and Responsibilities

9.1 The principal of Moosonee Public School is responsible for the video surveillance system in the school. The principal will:

- a) check the surveillance system periodically, consider the location of the system in the building, and determine if there is a continuing reason to have the system in that area;
- b) be responsible for the surveillance system at all times;
- c) ensure that the confidential nature of information collected is preserved; and
- e) be familiar with the terms of the legislation and this administrative procedure.

REFERENCE DOCUMENTS

Legal:

Education Act, section 169.1 Duties and Powers of Boards: Effective Stewardship of Resources

Education Act, Section 265 Duties of Principal: Care of Pupils; Care of Property

Education Act: Section 286 Duties of Supervisory Officers: Supervise Property

Ontario Regulation 298 Operation of Schools, Section 11: Duties of Principals: Inspect School

Premises

Occupational Health and Safety Act Trespass to Property Act

Ontario Regulation 474/00 Access to School Premises

Freedom of Information and Protection of Privacy Act

Municipal Freedom of Information and Protection of Privacy Act

Guidelines for the Use of Video Surveillance. (October, 2015) The Information and Privacy

Commissioner of Ontario

Board:

Board Policy GOV-03 Role of the Corporate Board

Board Policy GOV-04 Role of the Supervisory Officer

Board Policy GOV-08 Safe Schools

Board Policy GOV-18 Health and Safety: Working Environment

Board Policy GOV-19 Record Retention

Board Policy GOV-21 Access to School Premises

Board Policy GOV-22 Vandalism

Board Policy GOV-26 Emergency Response Plans

Administrative Procedure 120 Hours of Operation

Administrative Procedure 180 Protection of Personal Information

Administrative Procedure 376 Progressive Discipline

Administrative Procedure 378 Suspension--Vandalism

Administrative Procedure 540 Safety and Security of Buildings and Property-- Subsections 4.4 and 4.5