

Topic:	Video Surveillance
Effective:	September 2016
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Cross Reference:	Education Act; Freedom of Information and Privacy Act; Municipal Freedom of Information and Protection of Personal Privacy Act (MFIPPA); Electronic Monitoring Admin Procedure; Privacy Breach Protocol Admin Procedure; Guidelines for Using Video Surveillance Cameras in Schools, (IPC Ontario); Statement of Personal Information
Responsibility:	Superintendent of Education, Superintendent of Facility Services; Superintendent of Education, Information Services; Superintendent of Business Service

INTENDED PURPOSE:

The Halton District School Board's video surveillance programs have been adopted where circumstances have shown it is necessary for the purposes of providing for the safety of students and staff, or for the deterrence of destructive acts such as vandalism, where less intrusive means of deterrence (ie: increased monitoring) have proven to be ineffective or unworkable.

The Halton District School Board will ensure the proposed design and operation of its video surveillance system collects only data necessary to achieve these goals through lawful activities.

PROCEDURES**Definitions**

Personal Information is defined by MFIPPA as recorded information about an identifiable individual, which includes, but is not limited to, information relating to an individual's race, colour, nationality or ethnic origin, sex, and age. 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 the Acts.

Record is defined by MFIPPA as any record of information, however recorded, whether in printed form, on film, by electronic means or otherwise, and includes but is not limited to a photograph, film, microfilm, videotape, digital recording, machine-readable record, and any record that is capable of being produced from a machine-readable record.

Video Surveillance System is defined as a video, physical or other mechanical, electronic or digital surveillance system or device that enables continuous or periodic video recording, observing or monitoring of personal information about individuals in open, public spaces on Board property. The Information and Privacy Commissioner/Ontario includes in the term video surveillance system an audio device, thermal imaging technology, or any other component associated with capturing the image of an individual. This also includes **Reception Equipment** defined as equipment or device(s) 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 is defined as a videotape, computer disk or drive, CD ROM, computer chip or other device such as a memory stick used to store the recorded data or visual, audio or other images captured by a video surveillance system.

1. Halton District School Board Facilities

Installation and Maintenance

Facility Services personnel, under the supervision of the Superintendent of Facility Services, are responsible for the life-cycle management of authorized facility video security surveillance systems (specifications, equipment standards, installation, maintenance, replacement, disposal), and will consult regarding other related requirements (signage). Facility Services personnel will also conduct training on the operation of video security surveillance systems for principals/designated administrators at Board sites.

Video surveillance equipment such as video cameras, audio or other devices will only be installed in identified public areas. Equipment will be installed so it only monitors those spaces identified as requiring video surveillance. Cameras are not to be directed to have views into or through the windows of adjacent buildings, or onto adjacent properties, nor will they monitor inside areas where the students, staff and the public have a well-understood expectation of privacy (e.g., washrooms, change rooms).

Video monitors will not be located in areas that allow for public viewing.

Facility Services staff in conjunction with Information Services will adhere to Board guidelines for the equipment design standards, placement and installation, as well as ongoing maintenance of the video surveillance system, and provide input to recommendations for the betterment of the safe school program measures and equipment design practice or enhancement, as required.

The specification, installation, maintenance and operation of video surveillance equipment on student transportation vehicles is addressed separately in this procedure.

Operation

At all times, the Halton District School Board maintains control of, and responsibility for the video surveillance system and data produced.

The principal of a school and/or administrator of a Board site with a video surveillance system is responsible for the day-to-day operation of the system in accordance with this procedure, and related relevant policies and legislation.

The video surveillance systems will operate up to 24 hours per day, seven days a week within the limitations of system capabilities, and will record on motion. In the event of an activation of secondary school Lockdown, the system will record until the end of the event.

Signage and Notification

Clearly posted notification provided by the Board and in compliance with all relevant legislation will be prominently displayed at all entrances to Board property where video surveillance is in use. Approved signage will also be prominently displayed in student transportation vehicles where video surveillance is in use.

Notice of collection (Statement of Personal Information) will be provided to parents/guardians indicating there are cameras on the premises and it may be recording video and audio content. This notice of collection will be issued at least once per school calendar year and must include the legal authority (the Education Act) to collect the personal information.

Control and Access to Information

Only the appropriate Superintendent, Administrators, Facilities Supervisor or delegated alternate (identified by name and position, e.g. Vice Principal, another Principal, or designated Board personnel) may review information collected by the Board's video surveillance system.

Access must be limited to the investigation of incidents as necessary and appropriate in the performance of their duties and in accordance with this procedure, related policies and legislation, and where the access is necessary and proper in the discharge of the Board's functions.

Principals, Family of Schools Superintendents, and/or the Manager Access, Privacy and Records will be the point of contact for requests for access to data collected on Board properties through the video surveillance system. Law enforcement agencies must complete the Video Request Form, available through the Principal, Safe Schools.

Use, Disclosure, Retention, Security and Disposal of Surveillance Records in Schools and Board Facilities

With the exception of law enforcement investigations, only the appropriate Superintendent, Administrators, Facilities Supervisor or a delegated alternate (designated by name and position, e.g. Vice Principal, another Principal or designated Board personnel) may review information collected by the Board's video surveillance system.

Reviews are limited to circumstances where a serious incident has been reported/observed or to investigate a potential crime.

Any information obtained through video surveillance systems may only be used for the express purposes set out in the administrative procedure and/or legislation, including but not limited to the protection of students, staff and the public, the discipline and consequences that arise from these situations, or assisting in the detection or deterrence of criminal activity and vandalism.

Video surveillance (including real-time) is not to be used to monitor student behaviour or staff performance.

Halton District School Board video surveillance systems will be configured to overwrite video recordings that are not used after a period of approximately 30 days, rendering the previous recording(s) unable to be reconstructed or retrieved.

A copy of any footage used in the investigation of an incident must be produced and retained in a secure location for a period. The retention period of this copy of footage shall be a minimum of one (1) year from the time the copy was produced.

In the case of a police investigation where a copy of footage is requested, an approved HDSB Video Request Form noting the person/organization requesting access, the occurrence number, the date, and the scope of the requested footage will be completed

before any storage device or video surveillance footage is provided to the appropriate authorities.

A copy of any footage handed over to a third party (e.g., police) must be produced and retained in a secure location. The retention period of this copy of footage shall be a minimum of one (1) year from the time the copy was produced.

All storage devices not in use should be stored securely in a locked receptacle located in a controlled-access area. Each storage device that has been used should be dated and labelled with a unique, sequential number or other verifiable symbol. Access to the storage devices should only be by authorized personnel, with a document to log all instances of access to, and use of recorded material. This document is the responsibility of the Principal (schools), or designated site administrator (Board workplaces).

Storage devices containing recorded data required/identified for evidentiary purposes shall be stored and retained until law enforcement authorities request them. School principals, designated site administrators, and/or service providers will be responsible for storage and retention of these devices.

Disposal of old storage devices must comply with the Halton District School Board's process for disposal of electronic waste.

2. Covert Surveillance

The Halton District School Board recognizes there are situations where covert surveillance may be requested/required, and these situations are independent from the video surveillance procedures noted above.

Covert surveillance may be used in situations where it is a specific investigative tool for law enforcement purposes, where there is statutory authority and/or authority of a search warrant to conduct the surveillance. Covert surveillance takes place without notice to the public, individuals will not generally be aware that they are being monitored.

The practice of covert surveillance is one that has the potential of being highly privacy-invasive and will only be used as a last resort in limited case-specific circumstances.

All covert surveillance applications must be directed to the Superintendent of Human Resources for approval and must clearly describe the rationale and the timelines for such an action to be taken.

A comprehensive assessment shall be conducted to evaluate the privacy impacts associated with the implementation of such a program. The purpose of the assessment is to ensure covert surveillance is the only available option under the circumstances and that the benefits derived from the personal information obtained far outweigh the violation of privacy of the individuals observed.

All covert surveillance will be time-limited. The surveillance equipment used in any covert surveillance will be removed as soon as the cause has been resolved or converted to a full notification system as per the steps outlined above in this document.

3. Student Transportation

The General Manager of Halton Student Transportation Services (HSTS) is the point of contact for requests concerning student transportation vehicles.

Installation and Maintenance

School buses may be equipped with a video surveillance recording box and surveillance cameras, updated on a periodic basis or upon a new or renewal of a contract. The General Manager of Halton Student Transportation Services (HSTS) (and/or designate) and the Principal of the school may determine to use a camera on a specified route. The General Manager of HSTS oversees the process to request and obtain access to video surveillance, while the bus operator's Manager is responsible for the day to day operation of the surveillance system. Law enforcement agencies must complete the Video Request Form, available through the Principal, Safe Schools.

Signage and Notification

All school buses equipped with surveillance equipment will have a sign, which notifies riders that this equipment is on-board and that video will be recorded. The surveillance system will not replace the current practice of drivers reporting concerns with student behaviour to the school principal.

Notice of collection (Statement of Personal Information) will be provided to parents/guardians indicating there may be a camera on the school bus their child/children are riding and it may be recording video and audio content. This notice of collection will be issued at least once per school calendar year and must include the legal authority (the Education Act) to collect the personal information. This is cited in the statement of personal information practices and on the stickers placed on the window of all buses.

Use, Disclosure, Retention, Security and Disposal of Surveillance Records

All video footage that is uploaded from the video surveillance software will be placed on an encrypted storage device in the manner of storing the personal information captured by video surveillance.

Video surveillance systems will be configured to overwrite video recordings that are not used after approximately 30 days. Video footage used in disciplinary investigation will be retained for one year by the HDSB from the date of incident. Video surveillance footage will be securely disposed of in such a way that the personal information cannot be reconstructed.

Agreements between HSTS and contracted school bus operators must state that the records created while delivering a video surveillance program are under the Board's control and are subject to MFIPPA.

The school bus operators are responsible for the proper maintenance and legal operation of the video equipment. When in use, bus interior camera recordings are stored on a hard drive, with access controlled by the bus operator's Manager. All storage devices not in use will be securely stored in a controlled access area under the responsibility of the school bus operator, with a document to log all instances of access to and use of recorded material.

Access to video surveillance hard drives from school bus video cameras is to be controlled by the General Manager of HSTS. Law enforcement agencies must complete the Video Request Form, available through the Principal, Safe Schools. Each bus operator will

designate one person who will have the necessary means to extract the recording equipment from its hardware. The encrypted data shall be uploaded to a secure site. The General Manager of HSTS (or designate) will be the only individual with access to reading the software.

With the exception of law enforcement investigations, viewing of the recorded video is restricted to the General Manager of HSTS (and/or designate), the Principal of the school (and/or designate), and Board Supervisory Officers (and/or designates) for the purpose of determining whether disciplinary action is required.

Contracted transportation services providers must also have a process in place to ensure access to video footage recorded on each bus is secured and that access is limited to only the authorized employees.

When video footage is requested by a school Principal, the request will be done through the General Manager of HSTS (or designate), and the Family of Schools Superintendent will be informed.

The General Manager of HSTS is responsible for ensuring transportation providers are meeting their contractual obligation with respect to providing video surveillance systems on designated vehicles. Contractual obligations include the installation and maintenance of authorized transportation video surveillance systems; entering and adhering to a data sharing agreement with the Board; the storage of data and video footage; the training of employees to meet these obligations; and adhering to Board Policies. All staff who have access to video surveillance will receive training in accordance with their roles and responsibilities under this procedure. The General Manager of HSTS may request an internal investigation through the Superintendent of Education of Safe Schools or designate in accordance with Board Policies and Procedures, where an incident has been observed or reported.

In the case of a police investigation where a copy is requested, an approved HDSB Video Request Form noting the person/organization requesting access, the occurrence number, the date, and the scope of the requested footage will be completed before any storage device or video surveillance footage is provided to the appropriate authorities.

A copy of any footage handed over to a third party (e.g., police) must be produced and retained in a secure location. The retention period of this copy of footage shall be a minimum of one (1) year from the time the copy was produced.

4. Audits

The Superintendent of Education, Information Services or designate, Manager, Privacy and Records, and General Manager of HSTS (if applicable) reserve the right to perform spot audits of access compliance of Video Surveillance systems.