

REGULATIONS

SUBJECT: VIDEO SURVEILLANCE

The Policy, Regulations and Administrative Procedures on Video Surveillance are not intended to deal with activities where specific events are recorded, such as a school fun fair, athletic event, play or graduation ceremony. Refer to the Administrative Procedure on “Photographing, Audiotaping, Videotaping and Filming of Students and Employees” for further information.

DEFINITIONS: (from the Information & Privacy Commission – Guidelines for Using Video Surveillance Cameras in Public Places – October 2001, and in Schools – December 2003)

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 open, public spaces; and, in school buildings and on school premises. The term video surveillance system includes an audio device, thermal imaging technology or any other component associated with recording the image of an individual, e.g. cell phone camera.

Personal Information is defined as 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 and age. An image on a video surveillance system that is clear enough to identify a person, or the activities in which he/she is engaged, is considered “personal information” under the Municipal Freedom of Information and Protection of Privacy Act.

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 videotape, computer disk or drive, CD-ROM, computer chip, or other device used to store the recorded data or visual, audio or other images captured by a video surveillance system.

1. Reception equipment such as video cameras, or audio or other devices, will only be installed in identified public areas where video security surveillance is necessary for viable detection, monitoring or deterrence of activities. The installation of reception equipment in public areas will include school buses operated by the Board. The equipment will operate up to 24 hours/seven days a week, within the limitations of system capabilities (e.g. digital, tape), power disruptions and serviceability/maintenance.
2. Appropriate video surveillance notification signs will be prominently displayed in buildings or buses where there is video surveillance.
3. Video surveillance equipment will not be installed in washrooms or change rooms, for privacy purposes. Individual use of video or still photo devices, including video/digital cell phone, is also prohibited in these areas.
4. Recorded data and images captured by a video security surveillance system will be retained for 30 days. If the recorded data has been viewed for law enforcement or safety issues, the retention period shall be one year from the date of resolution of the incident.
5. Any student, staff member or member of the public that has been recorded by a video security surveillance camera has a general right of access to his or her personal information under section 36 of the Municipal Freedom of Information and Protection of Privacy Act, unless an exemption applies under section 38 of said Act.
6. The Board will maintain control of and responsibility for the video security surveillance system at all times. Employees and service providers are expected to review and comply with the policy, the Acts and other relevant statutes in performing any duties and functions that are related to the operation of the video security surveillance program. Employees that knowingly or deliberately breach the policy or the provisions of the Acts or other relevant statutes may be subject to discipline. Service providers that 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 security surveillance program are under the Board's control and subject to the Acts.
7. Employees, as identified by the Board, and service providers, where applicable, will have access to personal information collected through video security surveillance when necessary in the performance of their duties and where the access is necessary and proper in the discharge of the Board's administrative functions.

8. Employees of service providers, as required, will sign written agreements regarding their duties with the Board under these provisions, and in accordance with the Municipal Freedom of Information and Protection of Privacy Act, including an oath of confidentiality.
9. Logs will be kept of all instances of access to, and use of, recorded data, to provide a proper audit trail. Logs will be retained for one year.
10. Regular audits will be conducted to ensure that the equipment is in working order and that the use of video security surveillance equipment is in compliance with the Board's policies, regulations and administrative procedures, including governing legislation
11. Access to and knowledge of information contained on video security surveillance systems will be carried out in conjunction with the Board's Policy and Regulations on "Confidentiality".
12. Staff, students, School Council members and parents/guardians will be notified accordingly that a video security surveillance program has been implemented, in accordance with Municipal Freedom of Information and Protection of Privacy legislation.
13. Video surveillance equipment will not be used for monitoring staff performance.
14. The video security surveillance program will be evaluated annually.

Implementation Date: March 29, 2005
Reviewed: May 27, 2008, January 14, 2014

Reference: Board Policy
Education Act
Municipal Freedom of Information and Protection of Privacy Act