



LINKS CHILDCARE POLICIES & PROCEDURES

Data Protection and CCTV Policy

Last Review Date: June 2023

Policy No. 33

Issued: 2014

Introduction

Links Childcare needs to collect and use data (information) for a variety of purposes about its staff, children in its care and other individuals who come in contact with the childcare facilities. The purposes of processing data include for the provision of childcare, the recruitment and payment of staff, compliance with statutory obligations, etc. Data Protection is the safeguarding of the privacy rights of individuals in relation to the processing of personal data. The Data Protection Act 1988 and the Data Protection (Amendment) Act 2003 confer rights on individuals as well as responsibilities on those persons processing personal data. Personal data, both automated and manual, are data relating to a living individual who is or can be identified, either from the data or from the data in conjunction with other information.

Purpose of this policy

This policy is a statement of Links Childcare's commitment to protect the rights and privacy of individuals in accordance with the Data Protection Act 1988, the Data Protection (Amendment) Act 2003 and the GDPR, 2018. It is available to all on www.linkschildcare.ie (<https://linkschildcare.ie/about-us/our-policies/>) or contact us at info@linkschildcare.ie.

Principles of the Acts

Links Childcare will administer its responsibilities under the legislation in accordance with the eight stated data protection principles outlined in the Act as follows:

Obtain and process information fairly

Links Childcare will obtain and process personal data fairly and in accordance with the fulfilment of its functions.

Keep it only for one or more specified, explicit and lawful purposes

Links Childcare will keep data for purposes that are specific, lawful and clearly stated and the data will only be processed in a manner compatible with these purposes.

Use and disclose it only in ways compatible with these purposes

Links Childcare will only disclose personal data that is necessary for the purpose/s or compatible with the purpose/s for which it collects and keeps the data.

Keep it safe and secure

Links Childcare will take appropriate security measures against unauthorised access to, or alteration, disclosure or destruction of, the data and against their accidental loss or destruction. Links Childcare is aware that high standards of security are essential for all personal information.

Keep it accurate, complete and up-to-date



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Links Childcare will have procedures that are adequate to ensure high levels of data accuracy. Links Childcare will examine the general requirement to keep personal data up-to-date. Links Childcare will put in place appropriate procedures to assist staff in keeping data up-to-date.

Ensure that it is adequate, relevant and not excessive

Personal data held by Links Childcare will be adequate, relevant and not excessive in relation to the purpose/s for which it is kept.

Retain it for no longer than is necessary for the purpose or purposes

Links Childcare will have a policy on retention periods for personal data.

Give a copy of his/her personal data to that individual, on request

Links Childcare will have procedures in place to ensure that data subjects can exercise their rights under the Data Protection legislation.

Responsibility

Links Childcare has overall responsibility for ensuring compliance with the Data Protection legislation. However, all employees of the company who collect and/or control the contents and use of personal data are also responsible for compliance with the Data Protection legislation. Links Childcare will provide support, assistance, advice and training to all staff to ensure it is in a position to comply with the legislation.

CCTV Usage

The Closed Circuit Television System (CCTV) is installed in Links Childcare on the authority of the Directors of the Company.

Purpose of the Policy

The purpose of this policy is to regulate the use of CCTV in each childcare facility in the monitoring of the external and internal areas of each premises owned by the Directors of the company.

Purpose of the CCTV System

A CCTV system is installed internally and externally in each childcare facility for the purpose of providing a tool for parents to retrospectively view incidents/accidents that may occur to their child whilst in the care of Links Childcare.

The CCTV system also enhances security of the building and its associated equipment as well as creating a mindfulness among the occupants, that a security system is in operation to deter bullying, crime, vandalism and



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theft, as an aid to Health and Safety and to the discharge Links Childcare's duty of care within and/or in the external parameters of each of the Company's premises.

Scope of this policy

This policy applies to all personnel in and visitors to a Links Childcare facility. It relates directly to the location and use of CCTV, the monitoring, recording and subsequent use of such recorded material.

General Principles

The Management of Links Childcare, is responsible for the protection of crèche property and equipment as well as providing a retrospective tool for parents to view incidents/accidents that occur while their child is in the care of Links Childcare.

Links owes a duty of care under the provision of Health, Safety and Welfare legislation and utilises CCTV systems and its associated monitoring and recording equipment as an added mode of security for the purpose of enhancing the quality of life in each of its childcare facilities.

The primary aim of the instillation of a CCTV system in each Links Childcare premises is to assist in the protection and safety of the children who attend the crèche, staff and its associated equipment and materials.

Monitoring for security purposes will be conducted in a professional, ethical and legal manner and any diversion of the use of CCTV security technologies and personnel for other purposes is prohibited by this policy. For example CCTV monitoring of political or religious activities, or employee evaluations is prohibited by this policy.

Information obtained through video monitoring may only be released when authorised by the Management.

The industry code of practice for video monitoring prohibits monitoring based on the classifications contained in Equality and other related legislation e.g. gender, marital status, family status, sexual orientation, religion, age, disability, race or membership of the Traveller community.

Video monitoring of public areas, for security purposes, within the said establishment, is limited to areas that do not violate the reasonable expectation to privacy as defined by law. Data from the CCTV system will be accessed and used in accordance with Data Protection Regulations.

Cameras will be located in the following areas:

- The front door
- The activity street
- Each room
- Garden area



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Data Protection

All personal data recorded and stored by the CCTV system is governed by the Data Protection Acts of 1998 and 2003 and GDPR, 2018. Under the Data Protection Acts a data controller is the individual who controls and is responsible for the keeping and use of personal information in manual files or in a computerised form. The data controller in respect of images recorded and stored by the CCTV system in the crèche is each Manager on behalf of the Directors of the company.

The personal data recorded and stored by the CCTV system will only be available to the data controller and will be used only for the purposes outlined above. The CCTV system shall not be used to monitor staff performance. Individuals whose images are recorded and stored by the CCTV system shall have the right to request and receive a copy of personal data processed by the system. The viewing of incidents/accidents will be strictly limited to the incident itself. No lead up to or follow on from the incident will be shown. This practice is in order to be fully compliant with the Data Protection Act. Personal data recorded by the CCTV system shall be retained for a maximum of 48 hours. Thereafter it will be deleted automatically.

The recorded footage and the monitoring equipment will be securely stored in the office area. Un-authorised access to that area is not permitted at any time.

The following procedures will be followed in the event that An Garda Síochána seeks to view or take a copy of CCTV footage from the crèche's CCTV systems:

The data controller shall satisfy himself/herself that there is an investigation underway.

A request from An Garda Síochána must be made in writing on Garda headed notepaper.

All CCTV systems and associated equipment will be required to be compliant with this policy.

Review

Management, in consultation with staff, monitors and reviews the effectiveness of this policy yearly or as required.

Review Dates:	2014	2015	2016	2017	2018	2019	January 2020	October 2020	May 2023
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