



# OSHWAL EDUCATION & RELIEF BOARD

P. O. BOX 49633, 00100, NAIROBI, KENYA

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## CCTV PRIVACY POLICY

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### 1. Introduction

Oshwal Academy Nairobi & Mombasa are registered as a Data Controller with the Office of the Data Protection Commissioner ODPC **Identification: 556-2113-A243**, and are committed to ensuring that the data we process is handled in accordance with data protection law.

Oshwal Academy Nairobi & Mombasa have a system of closed-circuit television (CCTV) cameras located in various areas of Oshwal Academy Nairobi & Mombasa blocks. These cameras record and collect images of clients, staff, and visitors from Oshwal Academy Nairobi & Mombasa and its surrounding areas.

CCTV recordings are used for public safety interests and the prevention and detection of crime. Recordings also provide enforcement agencies with evidence of criminal activity, for further actions including prosecutions in court and identification of offenders in investigations. The images may also be used by Oshwal Academy Nairobi & Mombasa as evidence for the enforcement of its own policies and procedures.

### 2. Legal basis for Data Processing

The Data Protection Act No. 24 of 2019 provides for a number of different legal bases under which the processing of personal data may take place. In this case, the following basis applies:

#### (a) Public interest

The tasks carried out in the public interest in this case are those of:

- Public Safety
- Prevention and detection of crime
- Apprehension and prosecution of offenders
- Exercise of criminal proceedings
- Implementation of school regulations, policies, and procedures.

Other related laws that apply to the use of CCTV include:

- Article 31 (c) and (d) of the Constitution
- Section 106A and 106B of the Evidence Act, Cap. 80 of 1963

### **3. What information do we collect from you?**

The CCTV system captures images of people and their activity, which may include personal data as defined by the Data Protection Act 2019. Due to the nature of these categories of personal data, a further legal basis is required for the processing of them, these are:

- i. Processing is necessary for the establishment, exercise, or defense of legal claims or whenever courts are acting in their judicial capacity; and
- ii. Processing is necessary for the substantial public interest, specifically for the purposes of the prevention or detection of an unlawful act.

### **4. How do we obtain your personal data?**

Personal data is obtained from individuals who are filmed by CCTV cameras which are located across Oshwal Academy Nairobi & Mombasa blocks both inside and outside buildings.

### **5. What do we use your information for?**

CCTV recordings are processed in the interests of public safety and for the prevention and detection of crime.

Recordings also provide enforcement agencies with evidence of criminal activity, for formal actions including prosecutions in court and identification of offenders in investigations.

Oshwal Academy Nairobi & Mombasa ICT Team may record other information that may be used to supplement that captured on CCTV as further evidence if required.

### **6. Who else do we pass this information on to?**

- State law enforcement agencies
- Other state agencies, commissions, or emergency services
- Requester who make requests under Data Protection or Freedom of Information Legislation.

CCTV may also be shared with school partners where appropriate and where there is a lawful basis to do so.

## **7. Do we transfer the information overseas?**

We do not transfer information overseas unless there is adequate protection in place although we do not anticipate the transfer of such data overseas in any case.

## **8. How long do we keep this information for?**

- CCTV footage is retained for **30 days**.
- Footage that has been saved off the system for evidence purposes, at the request of the police for example, will be retained for till the case is over.
- Other associated information will be retained for the same period.

## **9. What are your rights as a data subject?**

In respect of that personal data; you have the right:

- To access your personal data that, we process;
- To rectify inaccuracies in personal data that we hold about you if it is inaccurate or incomplete;
- To request the deletion or removal of your personal data where there is no compelling reason for its continued processing;
- To restrict the processing of your personal data in certain ways;
- To obtain your personal data for reuse;
- To object certain processing of your personal data;

## **10. Where can I get more information?**

For more information, please contact Oshwal Academy Nairobi & Mombasa's Data Protection Officer at [dpo@oerb.org](mailto:dpo@oerb.org) or call +254 (0) 735 888 845.

## **11. Complaints**

If you wish to raise a complaint about how we have handled your personal data, you can contact Oshwal Academy Nairobi & Mombasa Data Protection Officer who will investigate the matter.

Our Data Protection Officer can be contacted by calling +254 (0) 735 888 845 or Email: [dpo@oerb.org](mailto:dpo@oerb.org), [enquiries@oerb.org](mailto:enquiries@oerb.org)

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can complain to the Data Commissioners Office (ODPC) <https://www.odpc.go.ke>

## **12. Updates to this privacy notice**

*We may update this privacy notice from time to time in response to changing legal, technical, or business developments. When we update our privacy notice, we will take appropriate measures to inform you, consistent with the significance of the changes we make.*

