



## **CLOSED CIRCUIT TELEVISION (CCTV) PRIVACY NOTICE**

### **1. Introduction.**

Kirinyaga University is registered as a Data Controller with the Office of Data Protection Commissioner (ODPC) and is determined to ensure data processed is handled in accordance with data protection law.

The University has a system of closed-circuit television (CCTV) cameras located in various areas of university. These cameras record and collect images of students, staff, and visitors to University and surrounding areas.

CCTV recordings are used for public safety interests and 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 upon investigations. The images may also be used by the University as evidence for 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 basis under which 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:

- i. Public Safety
- ii. Prevention and detection of crime
- iii. Apprehension and prosecution of offenders
- iv. Exercise of criminal proceedings
- v. Implementation of University regulations, policies, and procedures.

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

- i. Article 31 (c) and (d) of the Constitution
- ii. Section 106 (a) to (g) of the Evidence Act

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

The CCTV system captures images of people and their activity, which may include special categories of personal data as defined by Data Protection Act 2019.

Due to nature of these categories of personal data, a further legal basis is required for processing them, these are:

Processing is necessary for establishment, exercise, or defense of legal claims or whenever courts are acting in their judicial capacity; and

Processing is necessary for substantial public interest, specifically for purposes of 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 University Campus both inside and outside buildings.

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

CCTV recordings are processed in interests of public safety and for 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.

The University Security Team may record other information that can supplement that captured on CCTV as further evidence if required.

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

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

- iv. CCTV may be shared with University 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 stored for 3 months.

The saved footage off the system for evidentiary purposes, at request of police for example, will be stored for 6 years.

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:

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

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

For more information, please contact University's Data Protection Officer, [dpo@kyu.ac.ke](mailto:dpo@kyu.ac.ke), Kirinyaga University.

## **11. Complaints**

If you wish to raise a complaint about how we have handled your personal data, you can contact the University Data Protection Officer who will investigate the matter. Our Data Protection Officer can be contacted at [dpo@kyu.ac.ke](mailto:dpo@kyu.ac.ke), by calling +254 709742000. or by writing to Data Protection Office, P.O. Box 143 – 10300 Kerugoya.

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 respond appropriately to inform you, consistent with the significance of the changes we make.

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