

Athens, 11-06-2021

Prot. No.: 1464

Decision of the President of the Authority no. 3/2021

(article 15 par. 8 of Law 4624/19 in conjunction with article 58 par. 2 f GDPR)

1. Because with the no. prot. G/EIS/2924/05-05-2021 their report-complaint

to the Authority against the Municipality of Pallini the primary trade union

organization

(association) of primary education teachers in

Eastern Attica with the name "Association of Primary Teachers

of Education ALEXANDROS DELMOUZOS", based at the 1st Primary School

Pallinis Attica and A, B, C and D, serving Teachers at the same school

and members of the aforementioned association, complain that the Municipality of Pallini, in

whose responsibility the 1st Primary School of Pallini falls under, he placed

video surveillance system (cameras) in this school unit in such a way that

violates the provisions of the personal data protection legislation and

the Guidelines of the Authority and request that a definitive restriction be imposed and

prohibition of the processing of personal data by him

installed video surveillance system. With the report-complaint

they also request the issuance of a temporary injunction for immediate total restriction

processing and operation of said video surveillance system

until the issuance of a final decision, pursuant to article 15

paragraph 8 of Law 4624/2019 for the reasons set out below.

In particular, the complainants report that on April 16, 2021 the Municipality

Pallinis installed eight cameras, six of which are mounted

in points visible from the courtyard areas and facing the areas

1-3 Kifisias Ave., 11523 Athens

courtyard and sports of the educational unit in question and just the two of them of these are facing the school entrances. Hence, is disproportionately hindered by young students and teachers n free development of their personality since when they will be outside class but inside the school premises constantly in the field of cameras, will develop the feeling that they are under constant surveillance, without there is sufficient reason for this. The complainants also allege, citing the under no. 77/2009 decision of the Authority, that this risk exists even if these devices are out of order, because the feeling is created that the citizen is most likely under monitoring.

Furthermore, the complainants claim that the decision of the Municipality of Pallini to install cameras was taken in the absence of the Teachers' Association and the overwhelming majority of the disputing parents of students of the said school unit while he was completely indifferent to their repeated appeals to receive milder but expedient and effective measures to improve the safety of the specific school installation, of electric lighting during the night hours or even hiring a security guard.

Furthermore, it is argued that the Municipality of Pallini failed to prove the legality of the installation of said system based on its principle accountability and to prepare an impact assessment study on the data protection although required for system installation

video surveillance in a public place, such as a school.

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of

2. Because a necessary condition for the issuance of a temporary injunction is the

strong likelihood that the intended processing may cause

risk to the fundamental rights and freedoms of their subjects

data, for the prevention of which the prohibition is necessary or o

limitation, which is not the case in this case.

And this is because, according to the number of prot. C/EIS/3782/09-06-2021

answer of the Municipality of Pallini, the video surveillance system it has

installed at the 1st Primary School of Pallini and for which it has been received from

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the Municipal Council decision to operate during the night hours (10:30 p.m

p.m. to 07.00 a.m.), is not yet operational. Besides, legality

the installation and operation of a video surveillance system in schools

units of the Municipality of Pallini will be examined ex officio by the Authority, at

within the framework of its powers under Articles 57 and 58 of the GDPR and

articles 13 and 15 of Law 4624/2019, following other reports that have

submitted.

3. Because, in view of the above, there is no reason to issue a temporary one

order.

FOR THOSE REASONS

THE BEGINNING

Denies the request for a temporary injunction.

The president

Konstantinos Menudakos