

Athens, 31.12.2021 Prot. No.: 3058 DECISION 60/2021 (Plenary) The Personal Data Protection Authority (hereinafter "the Authority") met, at the invitation of its President, in an extraordinary meeting via video conference, on Monday 26.07. 2021 and time 09.30 am, in order to examine the case mentioned in the history of the present. The President of the Authority, Konstantinos Menudakos, and regular members Spyridon Vlachopoulos, as rapporteur, Konstantinos Lambrinoudakis, also as rapporteur and Charalambos Anthopoulos, were present. The meeting was attended without the right to vote, by order of the President, Efrosyni Siougle, special scientist - examiner as assistant rapporteur, who left after the discussion of the case and before the conference and decision-making, and Irini Papageorgopoulou, employee of the department of administrative affairs of the Authority, as secretary. The Authority took into account the following: The following reports-complaints were submitted to the Authority regarding the installation and operation of a video surveillance system in the school units and playgrounds of the Municipality of Pallini: 1) the case number ... (case number Authority C/EIS/1109/15-02-2021) report of the Association of Parents and Guardians of the 2nd Primary School Gerakas "...", 2) the letter No. ... (Authority No. C/EIS/2249/ 01-04-2021) petition of the Association of Parents and Guardians of Public Schools of the Municipality of Pallini, 3) the petition No. C/EIS/2924/05-05-2021 petition-complaint of the primary trade union organization (association) with name "Teachers' Association 1-3 Kifisias Ave., 11523 Athens T: 210 6475 600 E: contact@dpa.gr www.dpa.gr 1 Primary Education...", which is based at X Primary School of Pallini Attica and A, B , C and D, 4) the petition No. C/EIS/3050/10-05-2021, which was submitted by the Municipal Councilor of the Municipality of Pallini E. With the above related petition under item 1, the Association of Parents and Guardians of P of Geraka Primary School brought before the Authority the following, briefly mentioned: - With the document no. - This decision was not preceded by an impact assessment regarding data protection in accordance with article 35 of the General Data Protection Regulation (EU) 2016/679 (hereinafter "GDPR"). - The Municipal Council's decision to install cameras in the A Primary School of Gerakas was taken in the absence of the Teachers' Association and the Parents' and Guardians' Association of the said school unit, contrary to the provisions of paragraph 5 of article 18 of Directive 1/2011 . - He does not know who the data controller is, what is the time period for keeping the data, whether parents and teachers must be informed in writing in case of outsourcing the processing to executors, what is the procedure by which the data controller will evaluate the system and will reassess the necessity of its operation in accordance with par. 6 of Directive 1/2011, if it is binding for the Municipality of Pallini not to proceed with the installation of the system in the event that one of the two or both, the Association of Parents and Guardians or the Teachers' Association, do not agree with

this position. With the above reference under point 2, the Association of Parents and Guardians of Public Schools of the Municipality of Pallini (hereinafter "Parents' Association"), asks in its letter what the legal procedure is and whether it was followed for the decision to install a video surveillance system in schools units from the Municipality of Pallini, in accordance with all that is provided for in the GDPR and Directive 1/2011 of the Authority, as well as any other relevant legislation, as well as in the playgrounds of the Municipality. The said request was submitted to the Authority on the occasion of: a) the start of electrical work on ... for the imminent installation of a video surveillance system at the X Primary School of Pallini, which came to the knowledge of the above-mentioned Parents' Association, without any prior notification of the Teachers' Association , b) the announcement of the decision by the Municipality of Pallini to the managements of the educational units, which was made after an out-of-court protest by the Association of Primary Education Teachers of Eastern Attica "... on ..., c) the lack of a relevant contract with a contractor company that describes in which schools, in what way, with what equipment will the installation be carried out, who is the data controller, who are the data subjects, what is the duration of data recording, what is the data retention time, etc. It is also stated that although it has been expressed strong desire for dialogue and information from several members of the Municipality's associations, but also negative decisions of the Administrative Board Council, during the discussion that took place following a request submitted by fifty-two (52) parents of the X Primary School of Pallini to the Municipal Council on ... (...), the Mayor of Pallini continued to argue that the procedure followed is legal, stating among other things characteristically, that "the conditions of Article 35 of the GDPR on impact assessment are not met" (...) and "the expression of opinion by another collective body is not foreseen" (...), while at the same time he ignored the letter from the Parents' Association to the Municipality of Pallini with the protocol number ... (...) saying that he has not received knowledge. The Parents' Association is interested in informing its members - parent associations how they can exercise their rights regarding the protection of their minor children, as the installation and operation of video surveillance systems in schools may pose a high risk to the rights and freedoms of children at all hours, since, apart from the others, all the children at the end of the lessons and organized activities, continue to enter the courtyards to use their mainly sports facilities. With the above related report-complaint under item 3, the primary trade union organization (association) of primary education teachers in Eastern Attica with the name "Association of Primary Education Teachers ...", and A, B, C and D, ..., report, in Briefly, that on ... the Municipality of Pallini installed eight cameras, six of which are placed in places visible from the courtyard areas and facing the courtyard and sports areas of the educational unit in question and only two of which are facing the entrances

school's. Therefore, according to what has been mentioned, the free development of their personality is disproportionately hindered for young students and teachers since 3 when they are outside the classroom but inside the school premises constantly in the field of cameras, they will develop the feeling that they are under constant surveillance , without there being a sufficient reason for this. Also, the complainants argue, citing the Authority's decision no. 77/2009, that this risk exists even if these devices are out of order, because it creates the feeling that the citizen is most likely under surveillance. Furthermore, the complainants state 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 parents of the students of the school in question, while it completely ignored their repeated calls to take a more lenient but convenient and effective measures to improve the security of the specific school facility, such as improving fences, improving electric lighting during night hours or even hiring a security guard. It is also alleged that the Municipality of Pallini failed to prove the legality of the installation of the system in question based on the principle of accountability and to prepare an impact assessment study regarding data protection even though it is required for the installation of a video surveillance system in a public place, such as a school. With the above related report under item 4, which was submitted to the Authority by Municipal Councilor E but, according to what is written in it, is filed by 14 Municipal Councilors, it is mentioned, in brief, non-compliance with the conditions for the installation of a video surveillance system in the schools units and in the playgrounds of the Municipality and an audit is requested of the contract No. 17462/26-6-2020 that the Municipality of Pallini has concluded with the company "STARGUARD PRIVATE SECURITY SERVICES PROVISION LIMITED LIABILITY COMPANY", with the distinctive title "STARGUARD EPE" and decisions no. 657/29-12-2020 and 124/06-04-2021 of the Financial Committee of the Municipality of Pallini regarding the installation of cameras in the school units and playgrounds of the Municipality. The Authority, with the no. prot. C/EX/785/08-03-2021 her document, forwarded to the Municipality of Pallini the above mentioned reference under item 1 and invited him to submit in writing his opinions on what is written in it as well as to answer a series of related questions in order to exercise its powers. The Municipality of Pallini, with document no. prot.G/EIS/2665/20-04-2021, informed the Authority as follows: "Through this email we inform you that today on 19/04/2021 we received your email on "Installation of a video surveillance system in schools 4 units of the Municipality of Pallini" due to damage - deregulation of the mail server and we will respond legally appropriately and in a timely manner". The Authority, with its letter No. C/EX/1173/29-04-2021, forwarded to the Municipality of Pallini the relevant reference above under item 2 and invited it to submit its views in writing on what is written in it as well in order to exercise its powers. The Municipality

of Pallini, with document No. G/EIS/2962/06-05-2021, informed the Authority as follows: "Through this email we inform you that we have become aware of the attached documents in your email of 29.04.2021 with subject "1173/ Installation of a video surveillance system in its school units" and we will respond to you legally, appropriately, in a timely manner and in a unified manner with the document numbered prot. C/EX/785/08-03-2021 of the Authority to the Municipality of Pallini, due to the absolute relevance of the legal and factual issues raised". Subsequently, the Municipality of Pallini, with document No. G/EIS/3303/20-05-2021, notified the Authority of its out-of-court response - protest to the Association of Primary Education Teachers "... regarding the installation of a video surveillance system at X Primary School of Pallini. The Authority, with its document No. C/EX/1372/04-06-2021, informed the Municipality of Pallini that the notification of its out-of-court response to the Association of Primary Education Teachers "..." does not constitute a response to the above No. G/EX/785/08-03-2021 and G/EX/1173/29-04-2021 her documents and invited him to respond to these documents. With the same document, he forwarded to the Municipality of Pallini the above-mentioned reference-complaint under item 3 and invited him to express his views in writing on all the issues mentioned in it in order to exercise its powers. The Municipality of Pallini, with document No. G/EIS/3782/09-06-2021 (first response), responded to the Authority with the following, briefly stated, for the above related reports under items 1, 2 and 3 : 1. Inadmissibility of the complaints and reports under consideration - violation of the essential type of the procedure (complaint) before the Authority - lack of legal interest in the person of the complainants There is a violation concerning the essential type of the procedure (complaint) before the Authority and in particular there has never been part of the complainants as required by law prior communication with the data controller, e.g. 5 exercising the rights provided for by articles 15 to 22 GDPR, where they apply. In cases where the data controller has appointed a Data Protection Officer (DPO) – such as the Municipality of Pallini – the alleged data subjects must, for the admissibility and observance of the required pre-procedure of the complaint to the Authority, first contact him as a point of contact point) with the Authority for any issue related to the processing of the data concerning them and for the exercise of their rights, a fact which, in violation of the aforementioned, never happened in the considered case in violation of an essential type of the procedure in accordance with the Code of Administrative Procedure and the Code of Administrative Procedure are directly applicable in this case and therefore all of the aforementioned complaints are inadmissibly filed and must be rejected in their entirety. Furthermore, they are not submitted as admissible because the complaining entities are not data subjects and do not have the required legal interest to submit a complaint-report before the Authority. 2. Competence of the Municipality of Pallini - installation decision

The Municipal Council of the Municipality of Pallini, as controller, made a decision to install a video surveillance system in six (6) school units, during their non-working night hours (22:30 p.m. . to 07.00 a.m.), and combined as the case may be with the operation of the alarm system, for the purpose of protecting the health and safety of students and educational institutions as well as the protection and safeguarding of its movable and immovable property, in the context of of his powers as provided for in article 5 par. 1 of Law 1894/1990, in article 75 of the Code of Municipalities and Communities (Law 3463/2006 Official Gazette A' 114), in article 14 par. 5 of Law 3917/2011 as well as the special provision of the law, namely article 204 par. 8 of Law 4610/2019.

3. Law and essence of the complaint unfounded – lack of personal data processing act Although a decision was taken, the video surveillance systems have not been fully installed and are not functioning to date, therefore the Municipality of Pallini has not carried out or is carrying out any personal data processing act what is falsely perceived in the complaints. The only video surveillance system that has been installed in a school of the Municipality concerns the X Primary School of Pallini, but it has not been put into operation. In every 6 case and although it is not required by law, the letter dated 21-01-2021 from the President of the Association of Parents and Guardians of the above primary school to the Municipality, declaring and notifying the Association's agreement on the placement of the above system under the condition of its operation outside school hours.

4. Regarding the documents of the Authority placed in the documents No. G/EIS/785/08-03-2021 and G/EIS/785/08-03-2021:

4.1 The six (6) primary schools for which installation decision was made are the following. Education level ... Anthousa Primary School T Geraka Primary School X Pallini Primary School ... Geraka Primary School F Pallini Primary School Y Pallini Primary School Area of the school unit in square meters 4,048 6,342 2,892 3,874 1,935 6,044 Number of cameras 12 12 12 12 16 16

4.2 The video surveillance systems will be installed will consist of fixed Internet (IP) cameras recording only images (not audio) without the ability to rotate and focus on faces (zoom) and will prohibit the visualization of areas that are not related to surveillance. The cameras will be placed on the perimeter exteriors of the schools and when they are operational, they will only capture images from the exteriors of the school and not the interior spaces. The number of cameras varies and is proportional to the area in square meters of each school. The exact locations of the cameras have not yet been decided, but they will be placed based on the principle of necessity, safety, and data minimization. At the same time, both the Municipality of Pallini and the processor have taken the necessary technical and organizational measures to protect the physical security and infrastructure of all the components of the system and its integrity in order to protect it from cases of intentional or unintentional preventing its normal operations as well as measures to control access to it. Both the

processor and the authorized personnel (operators) are bound by written clauses of confidentiality and secrecy, while at the same time 7 methods and means of user authentication and authorization are applied with the frequent change of passwords.

4.3 Regarding the proportionality, necessity, appropriateness and affordability of the installation of video surveillance systems in relation to the above purpose, the following are mentioned: - - The video surveillance systems will operate exclusively and only during the non-operational hours of the school units and outside of these hours, during which students, teachers and parents are not present. Therefore, the processing of personal data of students, teachers - teachers, parents, etc. is not expected, but of potential alleged third parties - offenders, who during the above hours are prohibited and not authorized to attend the school premises. The image data that will be collected when the video surveillance systems start working will be deleted automatically the next day. These data will not be transmitted to third parties other than the legally and properly performing the processing - a security company on behalf of the Municipality of Pallini, with the exception of the case where competent judicial, prosecutorial and police authorities legally request this data in the context of the exercise of their duties, while it is also allowed to transmit to the person depicted in the records kept as a victim or perpetrator of a criminal act. - The Municipality of Pallini in all its primary schools has already installed high fences with railings of the School Buildings Organization (OSK) type, safety bars and locks, has installed and operates alarm systems, while it has ensured the existence of adequate lighting on school premises during the night hours. Despite this, the above-mentioned primary schools remain targets of theft, sabotage, damage and vandalism by unknown perpetrators, as well as other criminal actions and illegal acts, as confirmed both by relevant letters from the competent School Committees and by testimonies of teachers, directors , parents and guardians. The Municipality of Pallini provides the following documents: a) email message sent to the Municipality by the Chairman of the School Committee of the X Primary School of Pallini, in which illegal actions have been recorded and observed and violations, b) a document from the Director of the F Primary School of Pallini that was filed with the Municipality, in which the recorded damages are described, c) the 8 numbered letter ... document from the Director of the Y Primary School of Pallini, in which it is stated that they came to the upper school police officers of the DIAS team following a notification to record an attempted robbery of the school on ... after the end of its operation, d) related published journalistic articles of years and, which record the above incidents and include images of the recorded vandalism in the interior and exterior of primary schools and high schools and e) a total of sixteen (16) photographs, which are available at the online address <http://www.pallini.gr/posts/1992> and in which all of the above-described vandalism, theft, destruction by unknown perpetrators

in primary schools are depicted. - From the above factual and objective data, it is proven on the one hand that there is a real risk both to the health and physical integrity of the students and educational institutions as well as to the protection of the municipal property, on the other hand that the already received and milder to date measures taken by the Municipality of Pallini appear insufficient and inappropriate to serve the above purposes and for this reason the installation of a video surveillance system during the non-working hours of the school units meets the principles of appropriateness, affordability and necessity, taking into account the frequency and the seriousness of the aforementioned violations, sabotage and other illegal actions in the school facilities and the weighing of the high cost of maintenance and restoration thereof. 4.4 According to the newest and more specific provision of article 204 par. 8 of Law 4610/2019, for the installation of the video surveillance system in the external perimeter of the school facilities, it is not necessary to take into account the prior consent of the representatives of the teaching staff, the parents' association and the student associations (cf. ad hoc par. 5 article 18 of Directive 1/2011 of the Authority), because the video surveillance system has not been installed in the internal spaces of the school's facilities and will not operate during the hours attended this the students, the educational institutions but also not in the context of any other educational and/or extracurricular activity. The above is supported by the Authority's decision no. 21/2019 according to which paragraph 5 of article 18 of Directive 1/2011 has become inactive and void of content, given that there is no longer scope for its application in practice. 9 4.5 Regarding the implementation of an impact assessment study regarding data protection, the Municipality of Pallini reports that, taking into account the criteria of the relevant list of the Authority as well as the operating hours of the video surveillance system exclusively during the night and evening hours (10.30 p.m. m. to 07.00 a.m.), so the school space does not have the characteristics of a freely accessible public space (decision 77/2009 of the Data Protection Authority), the purposes of protecting the health and physical integrity of students and educational institutions as well as of the protection of municipal property, the type of data, i.e. the image data of alleged and potential third-party offenders, as well as the technical characteristics of the system, it is estimated that there is no obligation to carry out an impact assessment study because the stated relevant criteria are not met nor is there a high danger to the rights and freedoms of n natural persons. 4.6 The Municipality of Pallini provides information on two levels - especially regarding the X Primary School of Pallini where the cameras have been installed but are not working. It has placed two (2) warning signs with icons in appropriate dimensions corresponding to the school area, providing at first level the required mandatory information, namely the full identity of the Data Controller (in this case the Municipality of Pallini), the purpose of the data processing and the legal basis (safeguarding,

protection and security of his property in accordance with the provisions of Law 3463/2006, as well as the protection of persons and goods), the details of the designated Data Protection Officer (in this case the electronic communication address dpo@pallini.gr) and the way in which the data subject can exercise his rights arising from the legislation on the protection of personal data, specifying which rights apply, as well as the period of time during which the video surveillance system operates while it is in place explicit mention of the second-level information by referencing the website <https://www.pallini.gr/pages/privacy>.

reference digital address to - The Authority, with its document No. C/EX/1380/07-06-2021, forwarded to the Municipality of Pallini the relevant reference above under item 4 and invited him to present his views on the accused concerning violations of the legislation on the protection of personal data and in addition to document that the processing company "STARGUARD EPE" meets the conditions of article 28 10 paragraph 1 GDPR and the relevant contract the conditions of paragraph 3 of the same article, to provide the full contract entrusting the processing of personal data to the above company, including any annexes, and to inform the Authority if it has also contracted with other processing companies.

The Municipality of Pallini, with its document No. G/EIS/3865/11-06-2021 (second response), responded to the Authority with the following in relation to the above reference under item 4, briefly mentioned: Irrelevance of the Authority regarding the complaints included The Authority is materially incompetent, based on Articles 51, 57 and 58 of the GDPR as well as Articles 13 and 15 of Law 4624/2019, to examine the majority of those mentioned in the above under item 4 relevant reference such as the termination of the Contract No. 17462/26.06.2020 of the Municipality of Pallini with the contractor company and to judge the following: a) the validity or not or the legality or not of the way of conclusion and/or the way amendment and/or extension of the contractual term of the contract in question based on Law 4412/2016, as applicable, b) whether or not legal violations have arisen in terms of the specifications and the procedure for conducting the relevant public tender, c) if they are violated or not the provisions of Law 4412/2016, as applicable, and in fact, in an affirmative case, to also bear the corresponding responsibilities, d) if there are or are not legal or factual offenses and/or defects during the execution of the already concluded contract or in the relations between the contracting parties, in terms of the delivery of the necessary materials, as to the supply and installation of the material and equipment of all or part of the contract, e) the legality or not of the decisions (657/29.12.2020 and 124/06.04.2021) of the financial committee of the Municipality of Pallini. The Municipality of Pallini makes essentially the same claims as the above points 1 and 3 of the history of this decision and on the additional requested information states the following: exclusively - The only company performing the processing in relation to the security services

offered and the above-mentioned contract, in the facilities of which monitoring/viewing screens, is the limited liability company with the name "STARGUARD PRIVATE SECURITY SERVICES PROVISION COMPANY LIMITED", with the distinctive title "STARGUARD LTD", based in Metamorfosi Attica, on 50 of Anagennisios Street, with VAT number 998095122, all 11 D.O.Y. N. Ionias, legally represented by S. This company, in accordance with its Security Policy which it applies and the Data Processing Agreement from 26/06/2020, has committed to the Municipality of Pallini for the fullest possible assurance of the security of the information systems and networks. - The Municipality of Pallini has fully complied with its obligations, as data controller, deriving from the GDPR and Law 4624/2019 and implements organizational and technical security measures such as a) training and awareness of the staff regarding the GDPR, b) personal data protection policy, video surveillance policy, cookies policy, terms of use of the website, which are posted on the official website of the Municipality and available in printed form at the Municipality, c) backup policy, d) clean office policy, e) signing confidentiality agreements with the suppliers, e) recording of IT assets in registers, f) assessment of weaknesses, risks and risk response plan, g) policy of design and use of encryption measures, h) centrally controlled system of protection against harmful software, i) event logs.- The aforementioned processing company fully complies with the GDPR and the more specific Law 4624/2019 and d puts in place organizational security measures (such as audit access, employee confidentiality commitment, automated network traffic recording systems, etc.) as well as technical electronic and physical security measures (such as malware protection, remote access via VPN protocol with AES-256 encryption, firewall, etc.). In addition, it has the following certifications: a) ISO/IEC 27001:2013 which concerns the Information Security Management System with the scope of providing security in the operation and management of a signal receiving center within an organization's facility, b) ISO 37001:2016 which concerns the anti-corruption management system with a scope in the provision of security services, c) ISO 22301:2012 which concerns the business continuity management system with a scope in security services and the operation and management of a signal receiving center within an organization's facility, d) ISO 18788:2015 which concerns the management system of private security services with a scope of application to security services, the operation and management of a signal receiving center within an organization's facility, e) ISO 39001:2012 which concerns the 12 road safety management system with the scope of providing security services with patrol cars (Patrol), in fleet management (Patrol) through a signal receiving center, f) ISO 26000:2010 which concerns the social responsibility management system with a scope of security services and the operation and management of a signal receiving center within an organization's facility, g) ISO 9001:2015 which concerns the quality

management system with the scope of security services in the operation and management of a signal receiving center within an organization's facility and h) ISO 14001:2015 which concerns the environmental management system with the scope of providing security services. C/EXE/1541/17-06-2021 C/EXE/1542/17-06-2021, Following the above-mentioned, the Authority with the letters No. C/EXE/1539/17-06-2021, C /EME/1538/17-06-2021, and C/EME/1540/17-06-2021 called respectively a) the Association of Parents and Guardians of the Σ Primary School of Gerakas "...", b) the Union of Associations of Parents and Guardians of Public Schools of the Municipality of Pallini, c) the Association of Primary Education Teachers "...", and A, B, C, and D, d) the Municipal Councilor of the Municipality of Pallini E and e) the Municipality of Pallini, as data controller, to attend the meeting of the Plenary Session of the Authority on Tuesday, June 29, 2021 at 9:30 a.m., via video conference, in order to discuss the case at hand. This meeting was attended by: - - - on behalf of the Association of Parents and Guardians of the 5th Primary School of Gerakas, Z, President of the Association, on behalf of the Association of Parents and Guardians of Public Schools of the Municipality of Pallini, H, ... of the Union, Th , ... of the Union, and I, ... of the Union, on behalf of the Association of Primary Education Teachers "...", ..., A, ... of the Association and a teacher of X Primary School of Pallini, the attorney of the Association Georgios Dalakos ... and his teachers X of the Municipality of Pallini and members of Association B, C and D, - the Municipal Councilors of the Municipality of Pallini E and K, - on behalf of the Municipality of Pallini, Athanasios Zoutsos, Mayor of Pallini, Georgios Tentis, General Secretary of the Municipality of Pallini, Maria N Pierrou, attorney-at-law of the Municipality of Pallini ..., Ioannis Athenaios - Pierros, attorney-at-law of the Municipality of Pallini ... and L, ... of the processing company "STARGUARD EPE". 13 During the above meeting, a deadline was set and the following memoranda were submitted on time: a) of E, with original number C/EIS/4594/12-07-2021, b) of the Association of Primary Education Teachers "...", and of of four teachers, with reference number C/EIS/4641/13-07-2021, c) of the Parents' Association, with reference number C/EIS/4651/13- 07-2021, C/EIS/4652/13 -07-2021, C/EIS/4654/13-07-2021, C/EIS/4656/13-07-2021 and d) of the Municipality of Pallini with reference number C/EIS/4711/15-07-2021 , C/EIS/4710/15-07-2021, C/EIS/4707/15-07-2021, C/EIS/4705/15-07-2021, C/EIS/4703/15-07-2021. The letter No. G/EIS/4926/23-07-2021 of the Association of Parents and Guardians of the 2nd Primary School of Gerakas "...", was submitted late and was not taken into account. In the memorandum of the Association of Primary Education Teachers "...", and the four teachers, the following are mentioned, briefly: The Municipality of Pallini, according to the photos provided of the entrances of the X Primary School of Pallini, has not exhausted the mildest and most appropriate measures for the preservation of the facilities of at least the said school unit. And this is

because he has placed a high protective plexiglass fence at only one of the school's three entrances and it is impossible for anyone to enter by jumping over it. In the other two entrances, the high protective plexiglass stops before them, followed by the metal entrance door with a low metal fence, with the result that anyone inside the school complex can enter through these doors by taking advantage of the "staircase" created by the low concrete walls and the pillars next to said gates. In the vicinity of the Municipality of Pallini every day, between 4 p.m. and 10 p.m., the schools host a multitude of sports and cultural activities organized under the responsibility of the municipal authority. During the hosting hours of the activities in question, the schools are open for the arrival and departure of the participating citizens without any control of the entrants and no guards to monitor the courtyards of the schools. The installation of cameras is, in this case, an unsuitable means of securing the school facilities since the school units remain open and unguarded to anyone during hours when the video surveillance system is inactive. The real expedient measure of safeguarding school facilities is the employment of school guards. In order to keep the salary expenditure within a particularly reasonable framework, it would be sufficient to place school guards only in the six (6) schools that were showing the 14 biggest problem and for which a decision has been taken to install a video surveillance system. The Municipality of Pallini cites on pages 13 and 14 of its 9/6/2021 memorandum before the Authority an email message (ref. 1a), according to which, among other things, "used discarded syringes, needles and other drug paraphernalia" and 'theft of central air conditioning units'. Nowhere in this document or in any of the other documents he submitted with his above memorandum is there any mention of the finding of drug paraphernalia or the theft of air conditioning units. No time determination is made of the incidents referred to in the cited documents. Indicatively, with regard to the reported damage to the air conditioning units at X Primary School of Pallini that may have occurred in the past, in recent years there has been no issue, since the Municipality, according to the provided photo, finally arranged and placed metal cages inside which installed the outdoor air conditioner units and no wear has been observed since then. No preliminary work was done for the necessity of installing the specific video surveillance system in the specific six (6) school units of the Municipality of Pallini. This is because there is no systematic recording of damages or other illegal actions in the premises of each school unit of the Municipality before and after the milder measures that the municipal authority claims to have taken, so that the necessity of installing a video surveillance system in the specific school units arises. From no official document (e.g. complaint report to the police authority, extract from the School Life Diary, recorded report of the Principal of a school unit) does it not appear that specific illegal actions were carried out within the school units of the Municipality, and much more within the specific six (6) of school

units that have either already been installed (X Primary School of Pallini) or the installation of a video surveillance system is planned (the rest). On the contrary, the presented data are photographs without labeling and the date of their location, unsigned documents or correspondence after the time of the municipal authority's decision to install the video surveillance system in the school units in question. In particular, no official document justifies the 15 necessity of installing the video surveillance system at X Primary School of Pallini. The municipal authority, when planning the installation of the system, completely ignored the principles of proportionality in the narrow sense. That is, it did not take into account the area of each school unit in determining the number of cameras it is going to install or has already installed. Indicatively, according to what emerges from pages 8 and 10 of the 9/6/2021 memorandum of the Municipality of Pallini at the T Primary School of Gerakas, with an area of 6,342 sq.m. 12 cameras will be installed, exactly the same as those installed in the X Primary School of Pallini, which has half the area (2,892 sq.m.) and fewer than the 16 that are to be installed in the F Primary School of Pallini, which has a sub-triple area. The memorandum of the Parents' Association of the Municipality of Pallini states, briefly, the following:

The Parents' Association of the Municipality of Pallini, as a representative body, legally represents all the Associations of Parents and Guardians of the Municipality of Pallini, while its direct legal interest in this case is self-evident, as the decision alone to place cameras in schools that are on the limits of its local authority, directly concerns the school community and particularly the minor students. The Parents' Association has been legally established in accordance with the provisions of the Civil Code for unions while all its members are parents of minor students exercising their parental care, therefore it correctly addressed the Authority since it is actively legalized and therefore has a legal interest. Among other things, parents' and teachers' organizations are intra-school bodies and according to D4/1171/19-12-1984 circular of the Ministry of Education and Culture "it is self-evident that the school premises must be available to these bodies so that they can comfortably carry out their work, i.e. it is possible to grant them for assemblies and meetings of associations of parents and guardians, ELME, ELGE to the local teachers' and kindergarten teachers' associations, to the school boards as well as to the student communities". The Parents' Association, from the first moment it was informed of the Municipal authority's decision (...), unanimously opposed it and immediately informed the parents' associations with a relevant announcement - Press Release. On ... she communicated her position to the Deputy Mayor of Education, the President of the Primary School Committee, the leaders of the factions as well as the local newspapers. 16 However, the Municipal Authority without prior consultation with the institutions of the educational community established by the State, i.e. the Municipal Committee of Education, the School Councils and the local

teachers' and parents' associations and without complying with the legal conditions, as defined by the GDPR, decided to finally proceed with the installation of a video surveillance system in six (6) school units of the Municipality. The decision to install cameras in the primary schools, from what the Parents' Association learned afterwards, did not arise from any recommendation of the Primary School Committee, nor from the Municipal Council, as the Municipality states in its memorandum, but was simply the subject of discussion in Financial Service of the Municipality much later, on The Municipality of Pallini did not take into account the opinion of the representatives of the teaching staff, the parents' associations and the students' associations as stipulated in article 18 par. 5 of Directive 1/2011. In the School Councils and in the associations of teachers and parents they were discussed after the reactions of the parents later and this as decisions made. The attitude of several clubs is also indicative: The Board of Directors of the club of S Municipal Pallini issued an announcement-complaint about the installation of the cameras. The Board of Directors of the association of the 2nd Primary School of Gerakas proceeded with a report to the Authority (no. Prot. Authority C/EIS/1109/15.02.2021). In the Association of the 5th Primary School of Pallini, in the midst of quarantine, an extraordinary General Assembly was held with the exclusive subject of the installation of cameras, in which the Mayor was called to answer the parents' questions. In the School Councils of F Primary School of Pallini, the issue of vandalism was never raised before the decision of the Municipality to install cameras in the school. Furthermore, 52 members of the parents' association of the X Primary School of Pallini submitted with signatures a request for a discussion of the matter in the Municipal Council, without adopting, as the Municipal Authority baselessly claimed during the discussion, the position of the President who, without the essential consent of the members of the association of her, but also of the Board of Directors, responded positively to the imposition of the video surveillance measure. Although this measure poses a high risk to the rights and freedoms of children and those who move and work in the school premises, there was no impact assessment study, because it was decided by the Municipality that the conditions for this were not met. This measure is not effective for the intended purpose. The Parents' Association believes that the cameras cannot solve the issue of 17 vandalism or the destruction of school property. Suspicious motion recording can prevent occasional incidents (the most minor), but not targeted actions (the most serious), with perpetrators taking appropriate precautions. Also, said vandalism can be done at any other time, between 7:00pm and 10:30pm, when schools are closed, especially during the winter months when it gets dark from 05:00pm. The Municipal Authority proceeded to take this measure without having previously exhausted other milder and more effective measures, such as for example to proceed with the hiring

of guards, night watchmen, with patrols, installation of alarms, etc. In particular, the Parents' Association considers that the hiring of school guards and night watchmen, as provided by law 1566/1985 article 19, would be more convenient and effective, as they could assess the incident and act immediately to prevent it, as there will be a constant physical presence. Children take refuge in the school yard in their free time on afternoons, weekends and holidays to play football or basketball, jumping over the bars at the risk of breaking their heads, legs or arms. In no way does the Parents' Association want them to be stigmatized as would-be criminals because they jumped on the benches or graffitied the wall, nor does it want them to be deprived of space, fearing stigma, because there are no free sports and entertainment spaces in its neighborhoods. A security guard who would keep the school open by all necessary measures, supervise the children, ensure their safety and contribute decisively to achieving a sense of security for all of us. In relation to the claims of the Municipal Authority that they would not be able to proceed with the recruitment of school guards and that even if this happened it would be very costly, the Parents' Association states that other Municipalities in our country have ensured - even if temporarily - guarding of school guards units, utilizing programs that do not burden their budget and that the Municipality of Pallini did not consider as an alternative (indicative reference is made to an excel file available on the OAED website <https://www.oaed.gr/programma-koinophelous-charaktera-gia-36-500-atomon-se-demous-periphereies-kentra-koinonikes-pronoias-periphereion-kkpp-synapheis-phoreis-yperesies-yp> with the title "29-06-2020 Annex I Number of places available per Supervised Body, Placement Service and specialty"). The Parents' Association states that, according to this file for 2020 18, 52 day guards were hired from the Municipality of Athens, 51 from the Municipality of Larissa, 41 from the Municipality of Peristeri, 28 from the Municipality of Kallithea, 27 from the Municipality of Piraeus, etc. , while for 2019, as can be seen from the relevant 17, 20 were hired from the Municipality of Keratsini - Drapetsonas, 17 from the Municipality of Agrini, 5 from the Municipality of Pyrgos, 8 from the Municipality of Kozani, 19 from the Municipality of Thessaloniki, etc. and that the above are also confirmed by corresponding reports. The financial impact as an argument by the Municipal Authority cannot be considered convincing in this case, as: a) the personal data of the young students and their safeguarding outweigh the financial costs, b) the Municipality of Pallini never made a serious record of the costs of the material damages from the vandalisms that he claims, either quarterly or annually, so that the damage to the Public Property is known and especially its size, he did not inform the Authority of the funds he spent for the restoration of the damages and he did not present or invoke serious study regarding the cost of guards per year even if this was not covered by NSRF funds, or alternative forms of protection, compared

to the imminent cost of installing, maintaining and maintaining the cameras, to which should be added the hiring and training of specialized personnel, for processing. On the contrary, from the data disclosed to the Parents' Association, there is no indication of the necessity of taking this measure. The records of the incidents by the school board are not done in a systematic way to document the need to take such drastic measures. There is no identification and common understanding between the Municipality, educational officers and parents on what is defined as damage from vandalism, misuse, wear and tear, etc., nor is there a classification and assessment of the seriousness of the incidents. The sporadic incidents that have been notified to the Parents' Association do not inform it of their frequency, nor of the financial impact they cause, and they have not been reported to the police except for one. It is characteristic that a) the incidents in the photographs presented in the memorandum are 5 years old, concern primary and secondary schools, and highlight damage and poor workmanship in the schools of the Municipality, b) the documents of the principals are all later than the decision of the Municipality and except for the Y Primary School of Pallini, they are all non-paper, they have not been officially sent, bearing the stamp and the operator's protocol number and are unsigned, and c) 19 include items in the memorandum (such as used discarded syringes, needles and other drug use items) that do not appear from a document, photograph or anything else. The study of the initial contract was done very casually, with the result that along the way it was found that the conditions did not exist in 32 of the 52 playgrounds to install the cameras, so instead of adjusting the price downward, it was decided to put the equipment in them in Primary Schools (amending contract). The criterion for selecting the six (6) schools appears to be purely random. If any incidents that occurred were indeed considered serious, one would expect that 4 of the 6 schools selected would have been included in the vehicle patrols provided for in the original contract, which did not include the installation of cameras in the schools, and would have provided for 3 of the 6 to be connected to the signal receiving center, which was not done, as is wrongly stated in the memorandum. On the contrary, the Parents' Association observes that for Primary School F and Primary School Y, which were not included by contract in either of the two above milder measures (vehicle patrols and connection to the signal receiving center), it was planned, as it appears and in the amendment of the contract, to install 16 cameras instead of 12 as provided for the other schools. If, on the other hand, the number of cameras was proportional to the area in square meters of each school, as stated, it would not have been foreseen to install 16 cameras in F Primary which has the least square meters (1,935), nor would there have been only 2 scales, that is with 12 or with 16 cameras, given the large variations between the square footage of the schools, based on which 6 cameras would correspond to 5th Primary. It is also curious why

the carrying out of vehicle patrols only concerned schools of the municipal community of Gerakas, while almost all of the incidents included in the memorandum concern schools of Pallini. The same frivolous and superficial management was demonstrated during the implementation of the contract. While the Mayor of Pallini assured the Municipal Councils, the General Assemblies and in the context of the Parliamentary control the MPs that the cameras will be installed around the perimeter of the paddocks only, they were placed inside the courtyard and on the main building of X Municipal Pallini, controlling the entire courtyard. 20 Serious questions also arise regarding the maintenance and processing of data by the company with the name "STARGARD" which has undertaken the execution of the above project. That is, it is not clear who, where and for how long will store children's data. There is only one confirmation from the company according to which the recorder in which the image data is stored will be located in a secured (locked) metal cabinet in the office of the Director of the school unit, while only authorized personnel of the Municipality have physical access to it, but without to specify who will actually have access to it (which service, with what powers and training). It is clear that the Municipality of Pallini did not take care to inform neither the Parents' Association nor the Authority, as to whether the Principals of the schools, who are the only ones who have decisive authority during the operation of the schools, are aware and accept to be placed in their cupboards and office the recorders of the cameras, as the controller should have the possibility of constant access there. At the same time, in Secondary Education schools, the video surveillance systems that have been operating in recent years have not been evaluated, in order to re-evaluate the necessity of their operation, by the data controller, as foreseen. And there, the installation of the video surveillance systems took place during the Easter holidays, without prior notification to the Parents' Association, the student community or the Teachers' Association, according to a related complaint by the parents' association of ... Gerakas School on ... and named complaints by teachers . There is strong concern and protests from parents about the installation of cameras in playgrounds, which were placed in obvious places. In fact, many of them were placed in groups of 3 on bare metal poles in the middle of the playground and focus low, covering 360 degrees of the area, strongly creating the feeling that the big brother's eye falls on you and you cannot escape no matter where you stand, which repels parents and toddlers. The Parents' Association in no way ignores the problems that can be created by the destruction of public property in schools, nor does it state that it is against "technological progress" by definition. However, he believes that this kind of "technological progress" is not appropriate in areas whose goal, according to 21 of the Constitution, is to create free and responsible citizens. It proposes, among other things, the placement of guards and night guards, regular patrols and alarms in the school buildings that have the

highest frequency and severity of such incidents and examination of similar alternatives by local community bodies and for the playgrounds of the Municipality of Pallini. In E's memorandum, the following are briefly mentioned: On ... fifteen (15) Municipal Councilors of the Municipality of Pallini filed a complaint with the Single Independent Public Procurement Authority, the National Transparency Authority, the Decentralized Administration of Attica, the Ministry of the Interior and the Authority complaining as illegal the number 17462/26-6-2020 contract that the Municipality of Pallini has concluded with the company under the name "STARGARD PRIVATE SECURITY SERVICES PROVISION COMPANY LTD" and they requested the cancellation of the number 124/6-4- 2021 of the amendment issued by the Financial Committee of the Municipality and the performance of the relevant legal sanctions and responsibilities. The Authority then requested electronically from E, who submitted the complaint in question, that it be drawn up individually with the specific required type (form). For this reason, only E is mentioned in the complaint, while its content is supported and accepted by 14 additional Municipal Councilors of the Municipality's Opposition. With this complaint, each control authority was separately requested to control the contract within the framework of its competences. In this particular case, the Authority legally proceeds within the framework of its competences to investigate the legality of the installation of the complained video surveillance systems in the schools of the Municipality, in order to judge whether the part of the disputed contract concerning this chapter and its implementation are consistent with the specifications required by law and impose penalties. Regardless of the Authority's examination of the Municipality's claims regarding the lack of legal interest in filing the complaint as a Municipal Councillor, the Authority, pursuant to Article 13 of Law 4624/2019, on the basis of which it is competent to carry out ex officio investigations or following a complaint or checks, legally intervenes if it has determined that the complaint is well-founded. It has been jurisprudentially accepted that "a municipal councilor has a legal interest in the exercise of a special administrative appeal under articles 227 of Law 3852/2010 and 151 KDK against a decision of the Municipal Council in the issuance of which he did not cooperate. This is because the 22 Municipal Councilors are representatives of the local community and ensure, in the context of the exercise of their duties, to observe the law or serve the interests of the citizens of the entire territorial region of the Municipality, etc. /2017 AD: PSP78465XTH7-I9E). The Municipality inaccurately states that the Municipal Council decided on the installation and operation of video surveillance systems in school units. The decision was taken by the Finance Committee, in which the Mayor has an absolute majority. The opposition reacted together with the other complaining bodies. Before installing the video surveillance systems, the Municipality of Pallini should have taken alternative damage prevention measures and then evaluated their

effectiveness. In this case, the Municipality with the contract complained of guarded the schools with regular patrol vehicles of the company "STARGUARD PRIVATE SECURITY SERVICES PROVISION COMPANY", before its decision to install the video surveillance systems. This alternative protection measure was not first assessed by the controller whether it is a deterrent against robbery, theft and vandalism and whether it can be a reasonable solution. The Municipality took two measures almost at the same time, namely the regular patrolling of the schools and the installation of video surveillance systems without waiting for the efficiency results of the guarding as a milder measure. The Municipality of Pallini did not take into account the opinion of the representatives of the teaching staff, the parents' association and the student associations where they exist and proceeded with the installation. The report submitted to the Authority denounces the illegal installation of video surveillance systems without specifications in the playgrounds as well. installation of the video surveillance systems in the schools was done not because of the urgent need for security of the school premises but because of the effort to consume the entire amount of the contract in order not to reduce the original contract to install video surveillance systems in the playgrounds. This is inferred from the fact that they were not included in the original contract. In the memorandum of the Municipality of Pallini, the following are mentioned, briefly: the impossibility price, due to 23 The school buildings as well as the movable and immovable property of all public schools of primary and secondary education with their land belong by ownership to the OTAs, which have the competence, obligation and responsibility for the construction, management and improvement of the logistical infrastructure of the national system of primary and secondary education and especially the maintenance, cleanliness and security of school buildings (Article 5 of Law 1984/1990, article 75 para. f. no. 1 n. 3463/2006 Municipal and Community Code). According to article 18, paragraph B, of the P.D. 76/2017 (Government Gazette 109/A/1-8-2017), as applicable, students [of elementary schools] are specially monitored both at the time of their arrival and departure from the school unit [according to the specified Weekly Time Schedule - EOP], the responsible teachers on duty welcome the students at the entrance of the school, while the parent-guardians leave, and no one except the students and teachers is present in the school premises without permission, while in order to ensure the safety of the students and to prevent their unnecessary entry and exit from it, as well as the entry of persons who have nothing to do with its operation, the entrance-exit doors to the school site remain closed during its operation under the responsibility of the Principals or heads of primary schools. No person other than teachers may remain inside the school premises during the operation of the school unit, including the members of the Board of Directors of parents and guardians, regardless of whether or not they have been allocated a special place for their

meetings. In accordance with the provisions of articles 5 of Law 1894/1990 and 41 of Law 1566/1985 as they apply and have been interpreted by relevant circulars, it is possible to grant school premises for use by local community bodies for the realization of various events, since the body interested in the concession of school premises submits a relevant application to the school committee with the program of the event, in order to obtain, according to the prescribed procedure, the final approval of the concession. Regarding the X Primary School of Pallini:

- o The decision to install a video surveillance system in this school, which will operate exclusively and only during the night hours from 22.30pm to 07.00am, during which access to anyone is completely prohibited, so that with certainty not to expect the processing of 24 personal data of any person, including students, teachers, educational institutions, etc. specific persons who have the right of legal access, relied both on the special legal basis of the provision of article 204 paragraph 8 of Law 4610/2019, in article 18 par. 2 and 7 of Directive 1/2011 of the Authority, in paragraph 26 sec. b' of the guidelines 3/2019 as well as in the evaluation as completely ineffective of the earlier and milder measures taken to protect the school unit in combination with the frequency and seriousness of the committed criminal and generally delinquent actions and their effects mainly and primarily on health, hygiene and physical integrity, possibly the lives of young students, teachers and educational institutions, but also in the protection of municipal movable and immovable property in combination with the lack of municipal police and the abolition of school guards. Before taking the decision, the Municipality of Pallini had taken the following protective measures and had placed in the school unit of X Primary School of Pallini 2.00 m high fences with OSK type railings, bars, security locks at the entrances, alarm systems , as he had also ensured the existence of sufficient lighting in the areas of the forecourt and the school grounds during the night hours.
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- o Despite the existence of the milder protection measures taken above, the school unit of the X Primary School of Pallini, its entrances, the courtyard and sports areas, its canteen and in general its external facilities, remained and remains the target of thefts, vandalism, damage and vandalism by unknown perpetrators, as well as most other criminal acts and illegal acts [indicatively, drug use, disposal of used syringes and used condoms, broken glass bottles, etc.] as confirmed and recorded by
- a) the President of the Parents' Association X of Pallini Primary School, which in its public presentation at the ... Regular Meeting of ... of the Municipal Council of the Municipality of Pallini consents to the installation of a video surveillance system,
- b) the relevant letter from ... of the above President of the Association of Parents and 25 Guardians of X Primary School Pallini to the Municipality of Pallini, with which it provides ai the consent of the Association of Parents and Guardians of the X Primary

School for the installation of cameras for the surveillance and guarding of the external school area, c) the e-mail from ... of the President of the School Committee of the X Primary School of Pallini to the Municipality of Pallini, at which illegal actions and violations have been recorded and observed. o Up until the day of submission of the Municipality's memorandum, eight (8) cameras had been placed without working in the school fence and around the perimeter of the school building's facilities, from the boundary of its fence and towards its interior, which receive an image of the entrances of the school and the fence of the building [from where the offenders illegally enter and gain access] part of the courtyard area and the fields, which, during the night hours are targets of destruction, damage and vandalism, theft and very often are illegally turned into places for the use of narcotic substances and other illegal activities as evidenced by the complaints about used syringes, needles, used condoms, etc. In relation to the applied "Methodology - Impact Assessment" of the Municipality of Pallini as well as on the matters stated in the letter No. C/ EX/1540/17-06-2021 call the following are mentioned: The Municipality of Pallini, already in 2018, in the context of compliance with the requirements of the GDPR developed and maintains "Impact Assessment Methodology [Deliverable of Phase 3 of the contract no. 21563/09-07-2018 "Definition of strategy and technical-organizational measures regarding the protection of personal data, compliance with the obligations deriving from the GDPR"]". According to what is described in this stage, the scale of criteria regarding the level of impact and the probability of the occurrence of risk in combination with the grading table included in it (pages 16th and 17th of this), in direct relation and function on the one hand with the hours of operation of a video surveillance system, i.e. exclusively during the evenings and nights when access to municipal school buildings is prohibited to anyone, on the one hand with the potential processing of a very small amount of image data of potential offenders, who will enter 26 illegally, without right and despite the prohibition to this effect and which in this case will also commit an offense against the property and property of the Municipality of Pallini, the intended purposes, i.e. protection of health and physical integrity but also the life of mainly young students but also of teachers and protection of the municipal property, judged and evaluated by the Municipality of Pallini that there is no high risk for the rights and freedoms of natural persons, but on the contrary there is no risk or in any case there is a very low risk, and for this reason no impact assessment study was prepared. In relation to the issue that arose regarding what is written on the link <https://www.pallini.gr/pages/privacy>, it is noted that by mistake it was posted and written that the Municipality of Pallini has installed fixed cameras in thirty-eight (38) schools . The exact fact is that a decision has been taken to install a video surveillance system in a total of six (6) school units, noting that only in X Primary School of Pallini, preparatory work has been

done for the installation of a video surveillance system, which is not working, while in none of the other of the upper elementary schools, no preparatory work has been done. Already and while the case is pending before the Authority, additional incidents of damage, vandalism and outbreaks of contamination have been recorded in the above schools and specifically:

- o At T Gerakas Primary School, according to no. pr. ... Principal's document, damage by extracurricular minors is listed (they had a party with portable devices and were removed by police intervention, spray painted obscene pictures and phrases, jumped on the roofs of the container rooms, broke the backboard of a basketball court) .
- o The Director of the R Primary School of Gerakas sent to the Municipality of Pallini the document numbered ... with an attachment of the school life diary, in which it is stated that in the early hours of the evening, around 21:00, the entry of unrelated persons is observed with the school and attempt dangerous movements which pose risks and in addition proceed to small-scale destruction of the school premises. In the Diary it is recorded that extracurriculars entered the school in the afternoon and wrote 27 graffiti on the walls (...) and profanity on the walls of the back antechambers (...), objects inappropriate for minors were found in the school's uncovered area (...), extracurriculars entered the school in the afternoon school, they stepped on the canopy of the entrance which broke at some point (...), extracurriculars entered the school yard and filled it with broken beer bottles (...), extracurriculars climbed onto the canopy and balconies and tried to enter classrooms (...).
- o At the F Primary School of Pallini and as can be seen from the Principal's document no. ..., on ... it was found that the external walls of the school unit had been spray-painted/vandalized with phrases/drawings that are not appropriate for a school environment. In the above document, the Director also attaches the relevant photos of the vandalism. Also with the document numbered ... of the above Director, the content of the damage and damage records that have been caused to the school unit is confirmed and the School Council's act of ... is also sent, in which the actions and costs of restoration and repair of damages are recorded on the basketball court, on the paving of the courtyard garden, etc., while also recording the Council's information regarding the decision to install a video surveillance system in order to prevent damage to public property and re-recording the significant dangerous damage that has been observed.
- o The Principal of the 5th Primary School of Gerakas sent the document with the number ... which records vandalism and damage that has occurred in the courtyard and the school building (...: it was found that part of the pipes of the natural gas installation had been detached , an external plastic classroom ventilation cover had been damaged and wire mesh separating the forecourt from the green corridor had been cut. The damage was recorded by the police and the ventilation and wire mesh were repaired.: it was found that pieces of concrete had been detached from a fixed brick bench

and the wood of the seat had been scattered all over the courtyard. The bench was deemed unsuitable and removed.

Unknown persons had also climbed onto the 1st floor terrace and had detached two tiles from the floor, which they scattered around the area. It had been re-cut 28 barbed wire of the outer corridor...: inside a waste bin The light (beacon) that flashes when the school alarm goes off was found thrown away.: the forecourt was full of broken glass bottles.) o At the Y Primary School of Pallini and as it appears from the relevant excerpts from the Incident Books of the Police Authority on ... an "attempted break-in at the door of the ground floor computer room as well as a break-in at another iron door with the lock breached which led to the basement, without removing anything" and the ... was recorded "damage to the door of the building", while also in the first, ... document of the Director on the subject of "Incident Report" it is recorded that " on the days when the school is not in session, during the evening hours extracurriculars (junior high school students and adults) systematically enter the outside courtyard area, as a result of which we mainly find waste (condoms, empty alcohol bottles, cigarette butts, packaging from a shooting range), impurities (feces) and indecent paintings on the court floor (genitals)). In addition, these people cause damage to the area in question (to the PPC pillar, to the barbed wire fence, to the wooden benches). All of this makes it difficult for the Physical Education lesson, for which the field is used, to be conducted smoothly, as the teacher in charge is forced to collect and remove the aforementioned every time". In response to the questions raised with numbers 3 to 9 of call No. Γ/Εξ/1540/17-06-2021, the following is stated: When the video surveillance system is completed and put into operation, there will be only one (1) monitoring/projection screen, which will be located in the "Signal Reception Center" (SCC) at the headquarters of the processing company "STARGARD EPE", to which access will be classified and controlled (access control), depending on the respective authorization of each employee-operator and with simultaneous recording, while the recorder in which the image data will be stored will be located in a secured and locked metal cabinet in the office of the Director of the school unit, while only authorized personnel will have physical access to it of the Municipality of Pallini. The recording of the image data will be done with encryption so that it is not possible to reproduce it. In the areas of each school unit that will be monitored and for the purpose of observing the principle of minimizing the visualization of video-surveillance areas and prohibiting the visualization of areas that are not related to it, the processing company will properly configure the equipment of the video surveillance system so that the operation of being done in the evening and night hours while the deletion of the possible collected image data will take place automatically during the next business day. And the video surveillance system will prohibit the visualization of spaces not related to it by the use of masking technology (electronic

overlay of specific areas on the plan). All of the above is confirmed by the certifications of the company performing the processing with original numbers 235/19-01-2021 and 375/28-01-2021. For people who do not have direct electronic access to the link <https://www.pallini.gr/pages/privacy>, the Municipality of Pallini provides the second-level information required under the Authority's recommendations no. 2/2020 - Video Surveillance Policy, in printed form at the premises of the City Hall on Ithakis Street no. 12 in Gerakas, Attica. The Decision No. 124/2021 - Correct Repetition - of the Municipal Council on the issue of Taking a decision to amend the contract entitled: "Cost of Maintenance of Municipal Facilities and Municipal Buildings of the Municipality of Pallini" as well as a copy of the contract from 06-26-2020 was submitted data processing of the Municipality of Pallini with the processing company. In relation to the installation of a video surveillance system in the playgrounds of the Municipality of Pallini during their non-operational hours, the following is stated: The Municipality of Pallini is granted the express authority to take care of and protect its facilities, specifically the playgrounds, and to take all appropriate measures for their safekeeping and safe operation. In accordance with the provisions of Ministerial Decision No. 27934/25-07-2014 of the Minister of the Interior (Government Gazette B' 2029/25-07-2014), "Amend. YA 28492/2009 on the organization and operation of OTA playgrounds", is defined in article 1 "A playground is the demarcated outdoor area of the OTA intended for the entertainment of minors, without the supervision of staff", in article 4 par. 1 "Safety requirements - Standard 1. Children's health and safety must not be endangered in the playground", in article 6 par. 1 and 3 "Operation of the Playground: 1. The playground operates under the responsibility of the relevant OTA, which receives all the necessary measures for its safe operation and in general for the implementation of the provisions of this {...} 3. The relevant OTA takes all appropriate measures to safeguard the playground and determines its operating hours". Furthermore, according to article 75 of the Code of Municipalities and Communities (L.3463/2006, Official Gazette A' 114), the responsibility for maintenance, cleaning and guarding of municipal buildings, as well as any other responsibility concerning municipal buildings, also belongs to the Municipalities. Furthermore, in accordance with the provisions of article 18 par. 2 of Directive 1/2011, the conditions that apply to schools apply accordingly to any other place where minors are active. of the playgrounds, locking Within the framework of its competence and for the purpose of protecting its municipal property, the Municipality of Pallini, as early as 2014, when incidents and phenomena of damage and destruction of the instruments and other elements and movable things that exist inside the Municipal Playgrounds, received decision No. 288/2017 on the determination of their opening hours. Despite the establishment of this schedule (1/10 – 31/03 from 9:00-15:30 and 17:30-21:00 and 01/04 – 30/9 from 9:00-15:30 and 17:30

-22:00) and the existence of fences around the perimeter of their facilities during their non-operational hours, ensuring the existence of sufficient lighting during the night hours, the above milder and already taken measures were not sufficient and appropriate to prevent phenomena of damage, sabotage and vandalism, which in recent years has seen a rapid increase also due to the lack of municipal police. For these reasons and for the purpose of safeguarding the Municipal Playgrounds and the municipal property, it was decided by the Municipality of Pallini to install and operate a video surveillance system, which operates after the end of their designated operating hours, i.e. during the hours of 10:30 p.m. to 07:00 a.m., when the premises are locked and access and use by anyone is not allowed, on the contrary, it is prohibited in any way. A decision has been taken by the Municipality of Pallini to install a video surveillance system in twenty-five (25) playgrounds during their non-operational hours. In seventeen (17) playgrounds the system is in operation, in five (5) the cameras are to be installed, in two (2) the cameras are installed and pending operation, and in one (1) the cameras have been installed and after an incident of vandalism they have been removed and are not working. In fifteen 31 (15) playgrounds four (4) cameras have been installed, in three (3) playgrounds two (2) cameras and in one (1) playground three (3) cameras. The Municipality of Pallini has placed two (2) warning information signs with icons in appropriate dimensions depending on the area of each playground, providing at first level the required mandatory information (the full identity of the controller, the purpose of the processing and the legal basis, the details of the designated Data Protection Officer, how the data subject can exercise their rights specifying which rights apply, the length of time the video surveillance system operates and mention of the second level information – video surveillance policy by reference at a digital website address, which is also available in printed form at the premises of the City Hall). The Municipality of Pallini provided twenty-one (21) photos of the two (2) warning information signs placed in the playgrounds. The Authority, from the hearing procedure and from the evidence of the case file and after hearing the rapporteurs and the assistant rapporteur, who left after the discussion of the case and before the conference and decision-making, after a thorough discussion THINKS AGREE WITH THE LAW 1. It follows from the provisions of Articles 51 and 55 of the GDPR and Article 9 of Law 4624/2019 (Government Gazette A' 137) that the Authority has the authority to supervise the implementation of the provisions of the GDPR, this law and others regulations concerning the protection of the individual from the processing of personal data. In particular, the Authority has duty and authority in accordance with the provisions of articles 57 par. 1 sec. h) and 58 par. 1 sec. b) GDPR to carry out investigations regarding the implementation of the GDPR and in the form of controls for data protection, and according to the provisions of articles 13 par. 1 sec. h) and 15

par. 1 of Law 4624/2019, to conduct ex officio investigations or audits for the implementation of this law and other regulations concerning the protection of the individual against the processing of personal data. 32 2. The installation and operation of video surveillance systems with the capture or recording of images and/or sound through the collection, preservation, storage, access and transmission of personal data constitute, as individual acts of processing, interference with the individual rights to respect for private life according to Art. 9 S., 7 XTHDEE1 and 8 ECHR as well as the protection of personal data according to art. 9A S., 8 ESDA and 8 XTHDEE2, as decided by the Authority with its Opinion No. 3/2020. 3. In article 35 paragraph 1 of the GDPR it is provided that the controller has an obligation to carry out, before the processing, an assessment of the effects of the planned processing operations on the protection of personal data when a type of processing, in particular with the use of new technologies and taking into account the nature, scope, context and purposes of the processing may result in a high risk to the rights and freedoms of natural persons. According to the guidelines WP 248 rev. 01 of the European Data Protection Board (hereinafter "EDPS")³, the reference of Article 35 GDPR to the rights and freedoms of natural persons primarily concerns the rights to data protection and privacy, but may also include other fundamental rights, such as freedom of speech, freedom of thought, freedom of movement, prohibition of discrimination, the right to liberty, freedom of conscience and religion. Consequently, the data controller is obliged to carry out a data protection impact assessment (hereinafter "DPA") when any of the fundamental rights and freedoms of natural persons are put at high risk by the planned processing operations. Furthermore, the GDPR "(...) respects all fundamental rights and respects the freedoms and principles recognized in the Charter as enshrined in the Treaties (...)" (ref. 4 GDPR). The GDPR is an important tool for fulfilling the obligation of accountability (according to article 5 par. 2 in combination with articles 24 par. 1 and 32 GDPR) which burdens the data controller on the one hand to take the necessary measures in order to comply with the requirements of the GDPR, on the other hand , to 1 CJEU Digital Rights Ireland para 29. 2 CJEU Digital Rights Ireland para 38. 3 Guidelines for Data Protection Impact Assessment (DPIA) and determining whether processing is "likely to entail a high risk" for the purposes of Regulation 2016/679, available at the link https://edpb.europa.eu/our-work-tools/our-documents/guidelines/data-protection-impact-assessments-high-risk-processing_en 33 proves per at all times his above compliance, as it helps him in managing the risks to the rights and freedoms of natural persons and in making decisions about the processing. 4. The Authority issued a list (Government Gazette B'1622/10.05.20194) with the processing operations for which an EAPD is required, which complements and specifies the above WP 248 rev. 01 ESPD guidelines.

According to these guidelines, in most cases, the controller may consider that an EIA study would be required when two of the criteria set out in them are met, or in some cases when only one of them is met. In particular, a DPA is required when the processing operation concerns vulnerable subjects such as minors and employees or when the processing is carried out on a large scale. In any case, the above list of the Authority, the criteria of the above guidelines as well as the indicative cases of article 35 par. 3 of the GDPR are not exhaustive, and the data controller has the obligation to carry out a DPA in every case where the conditions are met of article 35 par. 1 of the GDPR.

5. According to article 204 paragraph 8 of Law 4610/2019 "The recording of audio or video with video surveillance systems installed in the premises of public primary and secondary education units, during the operation of these units, is prohibited. The recording of audio or video through such systems, installed in the premises of the above public school units by the Municipalities, is permitted in the context of exercising their authority to guard the school buildings, in accordance with sub-case 1 of case F of Chapter I of the article 75 of the Code of Municipalities and Communities (n. 3463/2006, A'114), only when the school units are not in operation. The controller of the recorded data informs in a convenient, visible and understandable way anyone who is going to enter the premises where a video surveillance system is operating, that such a system is operating in the premises and provides, if requested, information on the purpose of the processing, the type, the scope and installation locations of the system used, as well as the time period for keeping the data." 4 Available at the link <https://www.dpa.gr/el/enimerwtiko/nomothesia/proswpika/kanonistikespraxeis> 34

6. According to the Guidelines 3/2019 of the ESPD5, in order to judge the legality of the installation and operation of the video surveillance system must that the conditions of articles 5 and 6 par. 1 GDPR and the legality of the processing should be internally documented prior to the installation and operation of the system, and in fact, when determining the purpose of the processing, a relevant evaluation may be needed for each camera separately, depending on where it is placed. In particular, these Guidelines define the following:

a. "(...) 5. Video surveillance is not by definition necessary as long as there are other means to achieve the underlying purpose. Otherwise, there is a risk that the cultural norms will be changed and therefore the lack of privacy will be established as a general principle (...)"

b. "(...) 15. Before using the material, the purposes of the processing must be specified in detail (Article 5(1)(b)). Video surveillance can serve many purposes. Among other things, it can contribute to the protection of property and other assets, to the protection of life and physical integrity of individuals, to the collection of evidence for civil actions. These monitoring purposes should be documented in writing (Article 5(2)) and must be specified for each surveillance camera used.

c. "(...) 20. The legal interest must actually exist and concern a present matter (ie

the interest must not be fictitious or hypothetical). There must be an actual risk situation – such as damage or serious past events – before surveillance begins. Based on the principle of accountability, it is useful for controllers to record relevant events (date, manner, financial loss) and relevant criminal prosecutions. These recorded events can be a strong presumption of the existence of a legitimate interest. The existence of a legitimate interest, as well as the necessity of monitoring should be re-evaluated at regular intervals (eg once a year, depending on the circumstances) (...)'.

5 Guidelines 3/2019 on the processing of personal data through video devices, available at the link

https://edpb.europa.eu/our-work-tools/our-documents/guidelines/guidelines-32019-processing-personal-data-through-video_en

35 d. "(...) 24. Personal data should be appropriate, relevant and limited to what is necessary for the purposes for which they are processed ("data minimization"), see Article 5(1)(c). Before installing a video surveillance system, the controller should always thoroughly consider whether this measure is, firstly, appropriate to achieve the desired objective and, secondly, sufficient and necessary to achieve its purposes. Video surveillance measures should only be chosen if the purpose of the processing could not reasonably be fulfilled by other means, which affect to a lesser extent the fundamental rights and freedoms of the data subject. e. "(...) 25. If it is assumed that the controller wishes to prevent crimes against his property, instead of installing a video surveillance system, he can take alternative security measures, such as e.g. fence off his property, have security personnel regularly patrol the premises, hire security guards, improve lighting, install security locks, tamper-proof windows and doors, or cover surfaces with anti-graffiti coatings or films. These measures can be just as effective as video surveillance systems in preventing incidents of robbery, theft and vandalism. The controller must assess on a case-by-case basis whether these measures can be a reasonable solution (...)'.

f. "(...) 26. Prior to the operation of the video surveillance system, the controller is obliged to assess when and where video surveillance measures are absolutely necessary. Usually, a video surveillance system that works at night, as well as outside the usual working hours, meets the need of the controller to prevent any risk that threatens his property (...)".

7. The Authority has issued Directive No. 1/2011 on the issue of the use of video surveillance systems for the purpose of protecting persons and goods, the provisions of which must be applied in conjunction with the new provisions of the GDPR and the law. 4624/2019, which defines GDPR implementation measures. This applies in particular to the obligations of the controller included in chapter C' thereof (articles 10 to 13 of Directive 1/2011). For example, data controllers 36 no longer have an obligation to notify the Authority⁶ of the processing, but must take the necessary measures to comply with the requirements of the GDPR and ensure the satisfaction

of the enhanced rights provided for by the GDPR. 8. In article 18 of Directive 1/2011 for schools and other places where minors are active, the following are provided for: a. "(...) 1. The mere existence of cameras in schools and other places where (such as kindergartens, boarding schools, tutoring centers for minors, etc.) are active requires special attention, since it is not easy to evaluate the consequences that such processing can have for the free development of the personality of minors. In particular, there is a risk of limiting the development of their sense of freedom if they believe from an early age that it is normal to be monitored by cameras (see also Opinion 2/2009 of the Article 29 Working Group, as well as Decision 77/2009 of the Authority. (...)" "(...) 2. The video surveillance system is allowed to operate only during the hours when the school is not in operation. The operating hours of the system must be clearly indicated on the relevant information signs, so that they are fully aware all students and institutions of the educational community that throughout their presence at the school/school they are not monitored. (...)" b.

c. "(...) 5. The decision on the installation and operation of the system must be taken by the competent body for the administration of the school, after taking into account the opinion of the representatives of the teaching staff, the parents' association and the student associations where they exist (...)". d. (...) 7. The above conditions apply accordingly to any other place where minors are active (...)" the Authority ex officio, within the framework of its powers based on Articles 57 and 58 of the GDPR and Articles 13 and 15 of Law 4624/2019, following all four reports-complaints submitted to the Authority. Therefore 6 See and the Authority's announcement regarding the abolition of record keeping/editing notices and the granting of licenses (decision 46/2018). 37, the claims of the Municipality of Pallini, with which it is argued that the complaints are inadmissibly filed before the Authority, are invalid. And the claims that the rights of the data subjects were not exercised before the data controller before the complaints were submitted nor did they contact the Data Protection Officer of the Municipality, are unfounded because in order to submit an admissible complaint for illegal processing before the Authority, prior exercise is not required of the rights of the data subjects nor their prior communication with the Data Protection Officer of the controller. 10. Furthermore, the Municipality of Pallini claims that it took a decision to install a video surveillance system in six (6) school units but proceeded to install cameras in only one (1) of them (at X Primary School of Pallini) without putting this installed system in operation and, therefore, has not carried out or is carrying out any data processing operation. The existence of installed cameras in the X Primary School of Pallini creates in the public the reasonable belief that they are working, with all the consequences this sensation causes (among which the "chilling effect"⁷ - see paragraph 14 of the present), which is

aggravated from the posting of warning signs informing about their operation during the evening and night hours. The same information is provided for the video surveillance systems in seventeen (17) (out of the 25 for which a decision has been taken to install cameras) playgrounds of the Municipality of Pallini, which have already been put into operation during the same hours. In any case, the legality of the installation of the video surveillance system precedes, and is a condition for, the legality of the processing of personal data. The Municipality of Pallini, with the no. prot. 124/2021 Decision – Correct repetition, it had already taken a decision on the installation and operation of a video surveillance system in the six (6) school units, and in the same decision it is stated that the installations of security systems will concern fifteen (15) kindergartens and ten (10) bands of music schools. Furthermore, the Municipality of Pallini clarified during the hearing process and with its third memorandum, that by mistake it has been posted and written on the link <https://www.pallini.gr/pages/privacy> that it has installed fixed cameras in thirty 7 The voluntary (even automatic) adjustment of the person's behavior due to the feeling of being watched. 38 eight (38) schools while the exact fact is that a decision has been taken to install and operate a video surveillance system in a total of six (6) school units. From an overview of the above link up to the date of issuance of this decision, it was found that it is still written that "The Municipality of Pallini has installed: (...) fixed cameras in thirty-eight schools (nursery schools, primary schools, high schools, high schools) (...) ». Furthermore, this link states that the Municipality of Pallini has installed fixed cameras in fifty-one (51) municipal playgrounds, while in its third memorandum to the Authority reference is made to twenty-five (25) playgrounds.

11. The Municipality of Pallini did not request, prior to taking the above decision, the prior consent of the representatives of the teaching staff, the parents and guardians association and the student associations where they exist, as provided for in paragraph 5 of article 18 of the Directive 1/2011. According to his claims, this is not required in accordance with the newer and more specific provision of article 204 par. 8 of Law 4610/2019 because the video surveillance system has not been installed in the internal spaces of the school premises, it will not operate during the hours students and teachers attend nor in the context of any other educational and/or extracurricular activity. Furthermore, according to his claims, the above is also supported by the Authority's Decision No. 21/2019 according to which paragraph 5 of article 18 of Directive 1/2011 has become inactive and void of content, given that no there is now room for its application in practice. According to par. 5 of article 18 of Directive 1/2011, the decision on the installation and operation of a video surveillance system is taken by the competent body for the administration of the school after taking into account the opinion of the representatives of the teaching staff, the parents' association and the student associations, where they exist. According to the newest provision of article 204 paragraph 8 of

Law 4610/2019, the recording of image or sound with a video surveillance system is only allowed during the non-operational time of the school units by the Municipalities for the security of the school buildings. Based on this newest provision, the Authority, with its Decision No. 21/2019, ruled that a public school is not allowed to use a video surveillance system during its operating hours, while during its non-operating hours the respective Municipality has responsibility for the protection of the area and 39 therefore only he is authorized to act as a data controller for a video surveillance system. Therefore, with the newest provision of article 204 paragraph 8 of Law 4610/2019, paragraph 5 of article 18 of Directive 1/2011 is changed only in the part that concerns the data controller, i.e. the body that is competent to receive the decision and is responsible for the installation and operation of the video surveillance system. The provision of the same paragraph of article 18 of Directive 1/2011 regarding the requirement to take into account the above prior consent is not affected by the newer provision of article 204 paragraph 8 of Law 4610/2019, it is still valid after the definition of Municipalities as data controllers and is applicable regardless of the specific operating hours and the specific places/points of installation of the cameras of each video surveillance system. Regarding the X Primary School of Pallini, the Municipality of Pallini states in its first and third memorandum, that with the relevant letter from the President of the Parents' and Guardians' Association of the school in question, the consent of the Parents' and Guardians' Association for the placement is provided cameras for the surveillance and guarding of the external school area. However, the Parents' Association states in the memorandum No. prot. C/EIS/4651/13-07-2021 that it submitted after the hearing, that fifty-two (52) members of the parents' association of the X Primary School of Pallini submitted with signatures a request for discussion of the matter in the Municipal Council, and that, contrary to what the Municipality claims, they do not adopt the opinion of the President who, without having the essential consent of the members of her association, but also of the Board, responded positively to the imposition of the video surveillance measure . 12. From the provisions of article 5 par. 1 of Law 1894/1990, article 75 par. f subpar. 1 of Chapter I of the Code of Municipalities and Communities (law 3463/2006), of article 204 paragraph 8 of law 4610/2019 and of article 14 paragraph 5 of law 3917/2011 it follows that the Municipality of Pallini has jurisdiction to take care of the security of the municipal school buildings, and this responsibility includes the installation of a video surveillance system, under the condition of ensuring compliance with the legislation on the processing of personal data, in particular the provisions of the GDPR, of Law 4624/2019 and those defined in article 18 of Directive 1/2011 (see Decision 21/2019). Besides, from the provisions of articles 1, 4 par. 1 and 6 par. 1 and 3 of Decision no. No. 27934/2507-2014 Decision of the same Minister (Government Gazette B'

2029/25-07-2014) and of Article 75 of Chapter I of the Code of Municipalities and Communities (n. 3463/2006), it follows that the Municipality of Pallini has the authority to take care of the guarding of the playgrounds and taking all the necessary measures for their safe operation, also subject to the above condition. 13. The Municipality of Pallini did not prepare an EAPD study in relation to the installation of a video surveillance system in the municipal school units and the municipal playgrounds under its jurisdiction. According to his memoranda, he assessed that there is no high risk to the rights and freedoms of natural persons, or in any case a low risk. And this is because the video surveillance system operates in the evening and night hours (22:30 pm to 07:00 am) during which access to municipal school buildings is prohibited to anyone, the potential processing of a very small amount of image data concerns the possible offenders, who will enter illegally and in this case will also commit a crime against the property and property of the Municipality of Pallini and the intended purposes primarily concern the protection of the health, hygiene, physical integrity as well as the lives of students and teachers as well as municipal property.

14. The installation and operation of a video surveillance system in a school or playground area where minors are active constitutes in principle an infringement of the right to respect for private life while endangering their right to the free development of personality (see article 18 of Directive 1/2011, Opinion 2/2009 of the Article 29 Working Group, Decision 77/2009 of the Authority). This risk exists even if the cameras are off, because it creates the feeling that the citizen is most likely under surveillance (see Decision 77/2009). This risk may be high as the personal and social effects of the presence of cameras and the feeling of constant surveillance on the fundamental rights of the free development of the personality and respect for the private life of natural persons moving in the school premises are unknown. The natural persons who are primarily significantly affected by this high risk and can reasonably consider that their above rights are directly infringed are students, teachers and other school workers as well as minors and their parents-accompanying children in playgrounds . And this is because students and teachers are at school for a long period of the day, both compulsorily based on the relevant educational program and optionally for participation in other educational or extracurricular, social and cultural activities and events that take place in the afternoon or evening hours or weekends based on the prescribed procedure. Furthermore, the use of the playground, although optional, becomes necessary as it contributes significantly to the quality of life of children since play is one of the main means of developing their personality (see Decision 77/2009). In addition, the decision of the Municipality of Pallini to install cameras in twenty-five (25) playgrounds and thirty-one (31) school units in total (see paragraph 10 of this) demonstrates that it is a large-scale processing, a criterion, which, according to the guidelines WP 248, supports the

requirement for an EAPD study as it poses a high risk to the rights and freedoms of natural persons. Consequently, the installation and operation of a video surveillance system in the schools and playgrounds of the Municipality of Pallini, which operates during non-working hours, poses a high risk to the rights and freedoms of natural persons. Therefore, Article 35 applies par. 1 of the GDPR and the Municipality of Pallini, as a data controller, has an obligation to carry out a GDPR. 15. The Municipality of Pallini informed the Authority, with its first response, that the cameras will be placed in the external perimeter areas of the schools and when they start operating, they will receive images only from the external facilities of the school and not from the internal areas. In his third memorandum, he states that at the X Primary School of Pallini, cameras have been placed around the school building's facilities, which receive an image from part of the courtyard area and the fields. The Association of Primary Education Teachers "... and the four teachers reported that six (6) of the eight (8) installed cameras at X Primary School of Pallini are facing the school yard and only two of them are facing the school entrances. Regarding the playgrounds, the Parents' Association stated, in its memorandum No. G/EIS/4651/13-07-2021 and provided relevant photos, that many of the cameras were placed in groups of 3 on bare metal poles in the middle of the playground and focus low, covering the 42 area in 360 degrees, strongly creating the feeling of being watched from wherever one stands. Furthermore, the Municipality of Pallini stated in its third memorandum that in the premises of each school unit that will be monitored and for the purpose of observing the principle of minimizing the visualization of the video-surveillance areas and the prohibition of the visualization of areas that are not related to it, the video surveillance system will prohibit the visualization of spaces not related to it with the use of masking technology (electronic overlay of specific areas on the plan). According to article 5 of Directive 1/2011, the installation points of the cameras and the method of receiving the data must be determined in such a way that the data collected is not more than is absolutely necessary to fulfill the purpose of the processing and not to affect the fundamental rights of the persons who are in the monitored area. The principle of data minimization is achieved in principle by determining the appropriate placement points of the cameras so that only the areas absolutely necessary to achieve the intended purpose are monitored. In this way, it can be reduced, as far as possible, the feeling of constant monitoring of natural persons which is aggravated by the constant viewing of cameras, especially in indoor play areas, courtyards, sports and fields. In fact, according to ESPD Guidelines 3/2019, before the installation and operation of the system, the legality of the processing should be documented internally and in fact, when determining the purpose of the processing, a relevant assessment may be needed for each camera separately, depending on its location, which is subject to regular re-evaluation. Secondly, and since they have

chosen the absolutely necessary camera placement points, the principle of data minimization can be enhanced by the use of overlay technology of specific areas on the plan. Otherwise, it would become a paradox to place cameras in any space, indiscriminately and without any criteria, and to achieve the principle of data minimization by using data overlay technologies after collecting them on the projection screen. 16. In the context of the particularities presented by the case under consideration based on the above-mentioned elements and the accountability obligation that rests on the Municipality of Pallini, as a data controller, issues that must be examined and analyzed 43 - thoroughly in the EAPD study, both for the school units as well as for playgrounds, in addition to those provided for in article 35 of the GDPR and article 18 of Directive 1/2011, are at least the following: Thorough examination and documentation firstly of the appropriateness of the video surveillance measure and secondly of the adequacy and the necessity of this to achieve the intended purpose as well as the impossibility of fulfilling the purpose with alternative milder measures which affect to a lesser extent the rights and freedoms of natural persons. - Description and documentation of the implementation of all categories of milder alternative measures in each school unit or playground, including regular vehicle patrols, connection to the signal receiving center in combination with the alarm and sound signal, as well as an assessment of adequacy, their suitability and effectiveness to achieve the intended purpose. - Description and evaluation of additional alternative categories of measures, such as the hiring of school guards for school units that are proven to be facing a serious problem and an estimate of the cost of their implementation. Assessment of the actual current risk situation for each school unit or playground prior to the installation of the system, inter alia, by systematically recording data demonstrating the frequency and severity of specific damage, damage or serious incidents (date, manner, financial loss) , before and after the adoption of the milder measures, as well as their effects and the costs of their restoration. - Determining and documenting the criteria for re-evaluating the actual risk situation and the necessity and effectiveness of the video surveillance measure at regular intervals. - Determination and justification of the selection criteria: o each school unit or playground for the installation and operation of a video surveillance system, o the number of cameras for each school unit or playground, including the area and any spatial peculiarities as well as evaluation and documentation of of necessity for each camera separately, 44 - - o the placement points of the cameras based on the principle of data minimization in accordance with what is mentioned in paragraph 15 hereof. Documentation of the process and the way the decision was taken by the Municipality, as controller, for the installation and operation of a video surveillance system in each school unit or playground. Documentation of the relevant opinion of the Data Protection Officer and the decisions of the Municipality, as controller, in the

relevant EAPD study including the decision to continue the installation and operation of the video surveillance system in the case of the contrary opinion of the representatives of the teaching staff, the parents and guardians association and of the student associations where they exist, or the decision to publish or not at least excerpts of the EAPD study, such as a summary of its main findings or conclusions. 17. The Municipality of Pallini submitted to the Authority the Decision No. 124/2021 - Correct Repetition - of the Municipal Council on the issue of Adopting a decision to amend the contract entitled: "Cost of Maintenance of Municipal Facilities and Municipal Buildings of the Municipality of Pallini" as well as a copy of from 26-06-2020 data processing agreement between him and the company performing the processing. Based on the principle of accountability, the Municipality of Pallini bears the burden of proving that the above contract meets the provisions of Article 28 GDPR. 18. Based on the previous considerations, the Authority finds that, on the one hand, it does not appear that before issuing the decision to install a video surveillance system in the school units, the opinion of the representatives of the teaching staff, the parents' association and the student associations, where there are and on the other hand, that the Municipality of Pallini failed to prepare, as it should, the EAPD study provided for in article 35 par. 1 GDPR, before installing and putting into operation a video surveillance system in the playgrounds under its jurisdiction. In view of this, the Authority considers that an appropriate corrective measure, at this stage, is by virtue of article 58, par. 2 item. d of the GDPR order the data controller to make the processing operations compliant with the provisions of the GDPR based on what is set out in the previous considerations within three months from the notification of this decision to the Municipality of Pallini, and reserves the right to review the case in its entirety after the expiry of the quarter. 45 19. Regarding the cameras in the school units of the Municipality of Pallini, for which a decision has been taken to install and operate a video surveillance system but the system has not yet been installed or, as in the case of X Primary School of Pallini, has not yet been put into operation, the Authority considers that he must send a warning to the Municipality of Pallini pursuant to article 58, par. 2 item. a' of the GDPR that the intended act of processing without conducting an EAPD study violates the provisions of the GDPR. FOR THESE REASONS THE AUTHORITY a. Calls on the Municipality of Pallini, as data controller, as within three (3) months from the receipt of this decision, to take the necessary actions, in accordance with the rationale, in order to legalize the processing operations related to the installation and operation of a video surveillance system in school units and playgrounds of the Municipality. b. Addresses a warning to the Municipality of Pallini that the intended installation and operation of a video surveillance system in school units of the Municipality without the

carrying out a Data Protection Impact Assessment violates the provisions of the GDPR.

The president

Konstantinos Menudakos

The Secretary

Irini Papageorgopoulou