



CCTV Policy



Kerry County Council
Comhairle Contae Chiarraí



- REVISION CONTROL -

Version	Date	Audience	Notes
0.1	27-Jun-2018	GDPR Compliance Team	Steering Committee draft for approval
0.2	25-July-2018	General Release	Typographical Check
0.3	05-June-2019	General Release	Standard Amendments





- TABLE OF CONTENTS -

1. Introduction	1
2. Policy Statement.....	1
3. Policy Purpose	1
4. Policy Scope.....	1
5. Legislation	1
6. Purpose of CCTV	2
7. Purpose Limitation.....	3
8. Roles and Responsibilities	3
9. Summary of Technical Specifications for CCTV systems.....	3
10. Location and Siting of Cameras.....	4
11. Signage and Notification	4
12. Quality of CCTV images.....	4
13. Retaining Information and Processing Images	4
14. Access to Images.....	5
15. Access by Data Subjects (Subject Access Request)	5
16. Access Requests from An Garda Síochána.....	5
17. New Systems	5
18. Data Protection Contact Details	6



1. Introduction

Closed Circuit Television (CCTV) is used by Kerry County Council (the Council) in areas such as;

- Council offices, including Libraries and Fire Stations.
- Civic Amenity Sites/Bottle Banks.
- Social Housing Units.
- Council Housing Estates.
- Public Areas, including art works.

CCTV systems are installed to enhance security, public safety, crime prevention, detection and prosecution of offenders.

Any terms used in this document are defined in our Data Protection Policy available on the Council's website <http://www.kerrycoco.ie/home3/data-protection-gdpr/> under Kerry County Council – Main Policies.

2. Policy Statement

Data Protection Legislation applies as CCTV recordings can include personal data. CCTV is regulated in accordance with

- the Data Protection Act 2018,
- the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) and
- guidance issued by the Office of the Data Protection Commission.

3. Policy Purpose

The purpose of this policy is to regulate and outline the safeguards in place in Kerry County Council regarding the operation, monitoring and access to CCTV systems and resulting images.

4. Policy Scope

This policy applies to all Council employees and all individuals or organisations acting on behalf of the Council.

5. Legislation

Kerry County Council collects, processes and protects personal data in accordance with;



- Data Protection Act 1988.
- Data Protection (Amendment) Act 2003.
- Data Protection Act 2018.
- General Data Protection Regulation, EU 2016/679 (GDPR).

The guiding principles of the GDPR (Article 5) include;

1. Lawfulness, Fairness and Transparency

The Council collect and process your personal data lawfully, fairly and in a transparent manner in accordance with statutory and other legal obligations.

2. Purpose Limitation

The Council process your personal data only for the specific, explicit and legitimate purposes for which the data was collected.

3. Data Minimisation

The Council only collect personal data that is adequate, relevant and limited to what is necessary in relation to the collection and processing purposes.

4. Accuracy

The Council ensure that personal data is accurate, and every reasonable step is taken to ensure that the data is kept up to date.

5. Storage Limitation

The Council retain personal data in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed. Personal data may be stored for longer periods in accordance with statutory and other legal obligations.

6. Integrity and Confidentiality

The Council keep personal data safe and secure by using appropriate technical or organisational measures that ensure appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage.

7. Accountability

The Council are responsible for, and able to demonstrate compliance with, lawfulness, fairness and transparency.

6. Purpose of CCTV

CCTV systems are operated by the Council for security and law enforcement purposes, including:



- To ensure security of property and other assets.
- Deter and detect crime.
- Help to identify and prosecute offenders.
- Provide evidence in prosecutions.
- In support of An Garda Síochána under the Garda Síochána Act 2005 to deter and detect crime.

7. Purpose Limitation

CCTV systems will not be used for any other purposes than outlined above in point 6, for example, CCTV will not be used to monitor the work of employees or monitor attendance.

8. Roles and Responsibilities

The Council's CCTV systems are operated and maintained by

- the Council.
- third-party service providers licenced by the Private Security Authority (PSA).

Each camera will be assigned to the responsibility of a designated and documented member of Council staff. This individual will have responsibility for ensuring the proper, efficient and orderly day to day operation of the CCTV system. All data will be stored securely. Access to live feed and/or recorded images will be restricted to designated Council staff as part of their duties and as outlined in number 14 below.

The Council's DPO has overall responsibility for overseeing the management of contractual services provided.

9. Summary of Technical Specifications for CCTV systems

All cameras will operate on a 24-hour day, 7-day a week basis. Exceptions may apply in areas where this would be considered excessive i.e. Tralee allotments. The image quality in most cases allows identification of those individuals in the camera coverage area applied. The cameras are all fixed and do not allow zoom-in functionality by operators.

The Council does not use high-tech or intelligent video surveillance technology, does not inter-connect with other systems, and does not use sound recording or "talking CCTV". The CCTV system records digital images and is equipped with motion detection. It records any movement detected by the cameras in the area under surveillance, together with time, date and location.



10. Location and Siting of Cameras

The Council will, in so far as possible, position cameras in such a way that they only monitor those spaces which are intended to be covered by the system. If it is not possible to restrict coverage, cameras should be positioned to minimise recording of passers-by or private property by the inclusion of masking.

11. Signage and Notification

Signs should be placed so that the public are aware that they are entering an area which is covered by a CCTV system. These signs should be clearly visible and legible to members of the public. Such signs should contain the following information:

- the identity of the person or organisation responsible for the CCTV scheme.
- the purposes of the scheme.
- details of who to contact regarding the scheme.

12. Quality of CCTV images

The Council will ensure, where possible, that images produced by CCTV equipment are effective for the purpose intended. The equipment and recording technology will be maintained on a regular basis to ensure the quality of the images and ensure that no malfunction has occurred.

13. Retaining Information and Processing Images

Data protection legislation requires that images are not retained for longer than is considered necessary. In Kerry County Council, unless images are required for evidential purposes or legal proceedings, they will not be retained beyond a maximum of 28 days. To protect the security of the CCTV system, a number of technical and organisational measures have been implemented;

- third-party contractors must enter into a Data Processing Agreement including non-disclosure and confidentiality clauses.
- third-party contractors and staff must be licenced by the PSA and Garda vetted.
- access rights to users of CCTV footage are granted only where it is strictly necessary.
- the DPO is responsible for granting, ordering or revoking access rights.



14. Access to Images

The Council as data controller, will monitor all access rights and download/viewing capabilities for all cameras.

Access to images will be available to

- Council Staff : when carrying out their functions in accordance with legislation.
- An Garda Síochána : to deter and detect offence in accordance with the Garda Síochána Act 2005.
- Service Providers : to carry out maintenance and repairs. Access is restricted to view only.

15. Access by Data Subjects (Subject Access Request)

Under Data Protection legislation an individual has a right to access information held by the Council, including CCTV footage and images. All requests should be made, in writing, to the Council's Data Protection Officer in accordance with the Council's Subject Access Request policy for CCTV images. This policy is available on the Council's website [www.kerrycoco.ie/ under GDPR Kerry County Council – Main Policies](http://www.kerrycoco.ie/under-GDPR-Kerry-County-Council-Main-Policies).

16. Access Requests from An Garda Síochána

In line with Data Protection legislation, An Garda Síochána are entitled to view personal data on individuals, if it is for the following purposes;

- for the prevention and detection of crime.
- for the prosecution of offenders.
- when required urgently to prevent injury or other damage to welfare of the person or serious loss or damage to property.
- when required under an order of the Court or any other enactment.

17. New Systems

Before the Council installs or upgrades any new or existing CCTV systems, a documented data protection impact assessment is required and must be signed off on by the DPO. This will include;



- intended purposes of the CCTV system.
- Justification.
- Benefits.
- proportionality of installation.

18. Data Protection Contact Details

For all enquiries relating to Data Protection you can contact the Council at:

Phone: 066 718 3500
E-mail: dpo@kerrycoco.ie
Postal Address: Kerry County Council
County Buildings
Rathass
Tralee V92 H7VT
Co. Kerry.

If you are not satisfied with the outcome of the response you receive from the Council in relation to your request, then you are entitled to make a complaint to the Data Protection Commissioner who may investigate the matter for you.

The Data Protection Commission website is www.dataprotection.ie or you can contact their Office at:

Lo Call Number: 1890 252 231
E-mail: info@dataprotection.ie
Postal Address: Data Protection Commissioner
Canal House
Station Road
Portarlinton
R32 AP23
Co. Laois.