

Garda Síochána Inspectorate CCTV Policy

Background

This policy relates to the use of Closed Circuit Television (CCTV) at the premises of the Garda Síochána Inspectorate (GSI), 87 St. Stephen's Green, Dublin 2. It sets out how GSI will manage its CCTV and the standards that will apply in respect of the data captured.

It has been developed in accordance with the General Data Protection Regulation (GDPR) 2016 which came into effect on the 25th May 2018 and the Data Protection Acts, 1988 to 2018. Recognisable images captured by CCTV systems are personal data. They are therefore subject to the provisions of this legislation.

The identity of the data controller is the Garda Síochána Inspectorate.

Purposes for which data is collected

Article 5.1(b) of the GDPR states that personal data shall be collected for specified, explicit and legitimate purposes and not further processed in any way incompatible with those purposes. Article 5.1(c) of the GDPR states [the processing of personal data] shall be limited to what is necessary in relation to the purposes for which they are processed.

The CCTV in operation at the office is intended for the purposes of:

- protecting the building and assets, both during and after office hours;
- promoting the health and safety of staff and visitors.

Cameras are placed so as to record external areas and are positioned in such a way as to prevent or minimise recording of passersby or of another person's private property.

Two signs are placed at the entrance to the building in prominent positions notifying of CCTV usage. Signage include the contact details of the data controller.

Storage and retention

Article 5.1(e) of the GDPR states personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.

CCTV images will be retained by the GSI for a maximum of 4 months or for the duration of any legal claims made against GSI.

CCTV equipment will be kept in a secure environment.

Access is restricted to authorised personnel.

A log of all requests and access to the CCTV system is maintained on file. A copy of each formal request will also be maintained on the same file.

Request for Access to CCTV footage

Information obtained through the CCTV system may only be released when authorised by a member of staff at Higher Executive Officer level or higher.

Access Requests by the Garda Síochána

When investigating a crime, which may or may not have occurred on GSI premises, the Garda Síochána may wish to view CCTV footage to see if it is of assistance. Where the Garda Síochána views the footage on GSI premises, no data protection concerns arise provided it is accordance with GDPR.

If the Garda Síochána wish to take away a copy of CCTV footage, they **must** provide a formal written request, which:

- States that the Garda Síochána is investigating a criminal matter
- Is written on Garda Síochána headed stationery
- Is signed by a supervising officer of the requesting Garda
- Sets out the details (dates, times and durations) of the CCTV footage required
- Cites the legal basis for the request.

For practical purposes, and to expedite a request speedily in urgent situations, a verbal request may be sufficient to allow for the release of the footage sought. However, any such verbal request must be followed up with a formal written request.

Requests for personal CCTV coverage

Any person whose image is recorded on a CCTV system has a right to seek and be supplied with a copy of their own personal data from the footage as part of a Data Subject Request (DSARs).

To exercise the right to view personal data, an application must be made in writing. The Inspectorate will respond within one month.

When making an access request for CCTV footage, an individual should provide the Inspectorate with

- A reasonable indication of the timeframe of the recording being sought - i.e. details of the approximate time and the specific date(s) on which their image was recorded.

While an individual is entitled to a copy of footage in which they appear, they are not entitled to any footage which identifies any other Data Subjects, including identifiable vehicles or clothing. If any other individuals are visible in the footage, a footage redaction service will be provided to pixilate the faces of other individuals.

Data Subject Access Requests (DSARs) can be made to info@gsinsp.ie.

Complaints

If an individual is not satisfied with the outcome of the response from the Inspectorate in relation to a request, they are entitled to make a complaint to the Data Protection Commissioner who may investigate the matter.

The Data Protection Commissioner's 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

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