



**An Roinn Comhshaoil,
Aeráide agus Cumarsáide**
Department of the Environment,
Climate and Communications

Closed Circuit Television

CCTV Systems Notice

2023

Prepared by the Data Protection Unit, Department of the Environment,
Climate and Communications
gov.ie/DECC

Table of Contents

1	Introduction	3
2	Purpose and legal basis for recording your CCTV images	4
2.1	Security.....	4
2.2	Personal Safety	4
3	Your rights	6
3.1	Access to your identifiable CCTV images and related information	6
3.2	Right to be told about a Personal Data Breach involving your identifiable CCTV images.....	7
3.3	Right to complain to the Data Protection Commissioner about GDPR infringements	7
4	Process for exercising your rights	8
5	Some Frequently Asked Questions (FAQs).....	9
5.1	Must you provide your CCTV images?.....	9
5.2	Will your CCTV images be used for a purpose other than that for which it was recorded?	9
5.3	Recipients (or categories of recipients) of your CCTV images, if any	9
5.4	Will your CCTV Images be transferred out of the European Economic Area (EEA)?	9
5.5	Period for which the identifiable CCTV Images will be kept.....	9
6	Department contact details	10
7	Version control.....	10

1 Introduction

The Department of the Environment, Climate and Communications (DECC) operates Closed Circuit Television (CCTV) systems on premises where it is the lead tenant, namely in its Dublin offices at Adelaide Road and Beggar's Bush.

There are Data Protection and Privacy implications in relation to the use of CCTV systems. The Department's CCTV Systems Policy sets out how we will manage our CCTV system and the standards that will apply in respect of the data we capture. It complies with the EU General Data Protection Regulation (GDPR and the Data Protection Acts 1988 to 2018).

Clearly visible signs have been erected at every entrance and at relevant locations in the Department's premises to inform you that CCTV is in operation and the purposes for which the CCTV images are recorded - **security** and **personal safety**.

This Privacy Notice sets out the responsibilities of the Department and your rights as an individual in relation to your identifiable CCTV images.

2 Purpose and legal basis for recording your CCTV images

We capture your identifiable CCTV images for two purposes:

2.1 Security

- to protect the Department and our property from criminal activity
- to protect our staff, contractors and any visitors from criminal activity

Legal Basis

The legal basis for this is the legitimate interests pursued by the Department which include:

- protecting the property of the Department from theft, criminal damage or any other criminal activity
- protecting our staff, contractors and any visitors from physical assault, threatening behaviour or robbery
- protecting the Department from fraudulent personal injury claims

2.2 Personal Safety

- to protect the health and safety of our staff, contractors and visitors from accidental harm or injury

Legal Basis

The legal basis for this is the Safety, Health and Welfare at Work Act 2005 and Section 3 of the Occupiers' Liability Act, 1995.

If more purposes for the use of CCTV images are proposed, these must be approved in advance by the Department's Data Protection Officer and, if necessary, by the Data Protection Commission. If we add any more purposes, we will list them in a revised version of this Privacy Notice.

CCTV signs relating to the operation of CCTV systems by the Department will state **all** purposes for recording your CCTV images, including any additional purposes. CCTV images will **not** be used for archiving in the public interest, for scientific or historical research or for statistics.

We do not record sound with our CCTV systems and we do not use them for facial recognition. We do not use our CCTV systems to monitor you without your knowledge (covert surveillance).

3 Your rights

You have the following rights under the General Data Protection Regulation (GDPR):

3.1 Access to your identifiable CCTV images and related information

If we have captured your identifiable CCTV image and you wish to obtain a copy, you can complete a Subject Access Request (SAR) Form and return it to the Department by email or post to the address shown in Section 6 below.

We will give you a copy of your identifiable CCTV images (obscuring those images which identify others) and the following information, where relevant:

- a) The purposes for which your CCTV images are captured
- b) The period for which the CCTV images will be stored
- c) Details of your rights under GDPR to:
 - request correction of inaccurate data
 - request erasure of your data
 - restrict our use of your data
 - object to the processing of your data

The rights outlined at (c) are not relevant in the case of CCTV images. This is because CCTV images, by their nature, are correct and we only store them for the reasons of security and personal safety for a period of 28 days, after which time they are deleted.

- d) Details of your right to complain to the Data Protection Commission
- e) Confirmation that we do not use your CCTV images for automated decision-making, including profiling
- f) Confirmation that we do not transfer your CCTV images out of the European Economic Area (EEA)

In addition, you have the following rights:

3.2 Right to be told about a Personal Data Breach involving your identifiable CCTV images

Where your identifiable CCTV images have been accessed by, or disclosed to unauthorised persons, lost, destroyed or unlawfully processed and this may result in a high risk to your rights and freedoms, we must inform you without delay.

3.3 Right to complain to the Data Protection Commissioner about GDPR infringements

You may complain to the Data Protection Commission, if you think that our processing of your identifiable CCTV images has infringed the GDPR.

4 Process for exercising your rights

If you make a request under any of your rights above, we will need you to confirm your identity first, as we cannot give your personal data to others. We will not retain any personal data you give us to confirm your identity.

We may ask you to clarify your request. You can help us to fulfil your request about CCTV footage by being as specific as possible about the location, dates and times.

Once we have verified your identity and clarified your request, if necessary, we will respond to you in clear and plain language by email or post, within **30 days**.

If we receive a complex request or a large number of requests from you, we can extend our time to respond to you by a further 60 days. We must tell you we are going to do this within the first 30 days, together with the reason for the delay.

If you make an electronic request, we must respond to you electronically, unless you prefer otherwise.

Anything we do in response to your request and any information we give you must be free. If, however, you make excessive requests (e.g. make the same one repeatedly) or your requests have no basis in fact, we may either charge you an administrative fee, or refuse to act on your requests.

5 Some Frequently Asked Questions (FAQs)

5.1 Must you provide your CCTV images?

It is not possible for you to enter a Department of the Environment, Climate and Communications premises where a CCTV system is in operation without your image being captured.

If you are unwilling to have your CCTV image captured, then it is open to you not to enter the Department's premises.

5.2 Will your CCTV images be used for a purpose other than that for which it was recorded?

We will not process your identifiable CCTV images for any purpose other than those stated at Section 2 above. If we later add additional purposes, we will state them in a revised version of this Privacy Notice and on new signs.

5.3 Recipients (or categories of recipients) of your CCTV images, if any

There are no external recipients of identifiable CCTV images.

5.4 Will your CCTV Images be transferred out of the European Economic Area (EEA)?

The EEA comprises European Union (EU) Member States and Iceland, Liechtenstein and Norway. Your CCTV images will not be transferred outside the EEA.

5.5 Period for which the identifiable CCTV Images will be kept

We will keep your identifiable CCTV images for no longer than **28 days**. However, if you have reported a personal injury (and associated property damage) on our premises, we will keep your CCTV images for **65 days**. If you make a legal claim against the Department, we will keep them for the duration of the case and any related appeals.

In the case of property damage **alone**, the Statute of Limitations Act 1957 provides a six-year period for making a claim. It would **not** be reasonable or proportionate to retain CCTV footage for such a long period, just in case a claim might be made, so the **28 day** retention period applies.

6 Department contact details

The Department of the Environment, Climate and Communications is responsible for the capture and processing of any CCTV images, in which you may be identifiable.

If you wish to find out more about our policies or to make a request for a copy of your CCTV image, you may contact us in any of the following ways:

What does your query relate to?	Division	Email	Phone	Post Department of the Environment, Climate and Communications
Subject Access Request	Corporate Support Unit	AIE.unit@decc.gov.ie	01 678 2023	Elm House, Earlsvale Road, Cavan, H12 A8H7
CCTV Policy	Corporate Services Unit	Corporateservices@decc.gov.ie	01 678 2666	29-31 Adelaide Road, Dublin, D02 X285
Data Protection Policies	Data Protection Officer	Dataprotection@decc.gov.ie	087 791 8329	29-31 Adelaide Road, Dublin, D02 X285

7 Version control

Version	Date	Changes made by	Change Description
1.0	08/02/2023	Data Protection Unit	Added Version Control on foot of audit recommendation
2.0	30/11/2023	Data Protection Unit	Updated contact details for Subject Access Requests and Data Protection Officer