

Parish of Dublin
CCTV Policy & Procedures

1. Introduction

Closed Circuit Television Systems (CCTV) are installed on the premises under the control of Newtownpark Pastoral Centre to provide for the protection, safety & security of all employees and contractors of the Parish and of all visitors to the Parish's property. The images may then be recorded on video tape or DVD or other digital recording mechanism. The Parish is a data controller with reference to the personal data which it manages, processes and stores. The purpose of this document is to provide a concise policy regarding the CCTV Policy of the Parish. Employees/clients of the Parish should refer to the guidance provided by the Data Protection Commissioner (www.dpc.ie) as well as seeking professional advice regarding best practice in this area.

Personal Data is defined under Article 4 of the EU General Protection Regulation ('GDPR') as

“any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.

Data is information in any format that can be processed. It includes automated or electronic data (any information on computer or information recorded with the intention of putting it on computer) and manual data (information that is recorded as part of a relevant filing system or with the intention that it should form part of a relevant filing system). For these purposes, the Parish may be considered as a Data Controller i.e. an organisation which (either alone or with others) controls the content and use of Personal Data. The Parish's CCTV system is password protected and can only be accessed by the authorised staff.

2. Purpose of Policy

This policy relates directly to the location and use of CCTV and the monitoring, recording and subsequent use of such recorded material. The policy applies equally to personal data obtained by the Parish via CCTV which is subsequently held in manual and automated form.

CCTV systems are installed (both internally and externally) on the Parish's premises ('the Premises') for the purpose of enhancing the security of the Premises and its associated equipment, as well as creating a mindfulness among the occupants of the Premises that a surveillance security system is in operation within and/or in the external environs of the Premises both during and after normal business hours each day.

CCTV surveillance at the Parish's Premises is intended for the purposes of:

- Protecting the Parish buildings and assets, both during and after normal business hours, the Premises' perimeter, entrances and exits, lobbies and corridors, special storage areas;
- Promoting and protecting the health and safety of staff and visitors at the Premises;
- Reducing the incidence of crime and anti-social behaviour (including theft and vandalism);
- Supporting An Garda Siochana in a bid to deter and detect crime.
- Providing assistance in criminal investigations (carried out by An Garda Siochana), including robbery, burglary, and theft surveillance;
- Monitoring of access control systems: Monitor and record restricted access areas at entrances to the Premises and other areas;
- Verification of security alarms: Intrusion alarms, exit door controls, external alarms;
- Managing any health and safety risks and/or accidents in accordance with the Parish's health and safety obligations and relevant insurance policies.

(Together 'the Purpose')

3. Scope

This policy relates directly to the location, use and purpose of CCTV at the Premises and the monitoring, recording and subsequent use of Recorded Data recorded by the CCTV. Where work activities are carried out in premises other than the Premises and which are rented by the Parish for that purpose ('Rented Premises'), the Parish will, insofar as is within the Parish's power to do so, ensure that CCTV systems, where installed at such Rented Premises, are operated only in a way that is compatible with the provisions of this policy.

4. General Principles

The Parish has a statutory responsibility to protect its property, equipment, and other plant as well as to provide a sense of security to its employees, contractors, and visitors to its Premises. The Parish has a duty of care to such employees, contractors, and visitors to its Premises under the provisions of the Safety, Health and Welfare at Work Act 2005 and associated legislation and utilises the CCTV systems and their associated monitoring and recording equipment as an added mode of security and surveillance to assist the Parish to meet such duties. The Parish's use of the CCTV system is conducted by the Parish in a professional, ethical, and legal manner and utilised for the Purpose only. Any deviation from this policy and the use of CCTV for other purposes is prohibited by this policy e.g. CCTV will not be used by the Parish for monitoring employee performance. However, it will be used in areas where money is counted.

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(Together 'the Purpose')

Recorded Data obtained by the Parish through the CCTV system may only be released by the Parish to any third party when such release is authorised by [the Parish Priest/Administrator/Moderator]. Any requests received by the Parish from third parties including from An Garda Siochana for Recorded Data recorded using the Parish's CCTV system will be appropriately logged by the Parish and legal advice as to the Parish's obligations to comply with such request and related matters may, at the discretion of the Data Protection Officer, be sought if any such request is made. (See "Access" below). CCTV

monitoring by the Parish of public areas within or adjacent to the Premises for security purposes will be conducted by the Parish in a manner consistent with all relevant policies adopted by the Parish and in force at that time.

5. Justification for the use of CCTV

Article 5 (b) of the GDPR states that Personal Data shall be “*collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes*”.

This means that the Parish needs to be able to justify the obtaining and use of Personal Data by means of CCTV. The use by the Parish of CCTV to monitor the Premises for the Purpose has been deemed to be justified by the Parish. The CCTV system is intended to capture images of intruders or of individuals damaging property or removing goods without authorisation and for security and health and safety purposes.

6. Location of Cameras

Article 5 (a) of the GDPR states that Personal Data shall be “*processed lawfully, fairly and in a transparent manner in relation to the data subject*”.

The location of the CCTV cameras at the Premises is a key consideration for the Parish when operating CCTV. The Parish does not seek to locate CCTV cameras to monitor areas of the Premises where individuals would have a reasonable expectation of privacy. The Parish has endeavoured to select locations, both inside the Church and externally, for the installation of CCTV cameras which minimise such intrusion so as to protect the privacy of individuals at the Premises so far as is reasonable. Cameras placed by the Parish so as to record external areas of the Premises are, so far as is reasonably possible, positioned to prevent or minimise recording of passers-by or of another person's private property.

7. Covert Surveillance

The Parish does not engage in covert surveillance. Where An Garda Síochána requests the Parish to carry out covert surveillance on any the Parish Premises, such covert surveillance must be requested by An Garda Síochána in writing and approved in advance by the Archbishop. The Parish may seek legal advice in relation to any such request(s) and act accordingly.

8. Signage

A copy of this CCTV Policy will be made available on request to the Parish staff, contractors, and visitors to the Premises in accordance with their rights as data subjects under the legislation. This policy describes the purpose and location of CCTV monitoring and provides a contact number for those wishing to discuss the Parish's use of CCTV monitoring and guidelines for its use with the Parish.

Adequate signage will be placed at each location at the Premises in which a CCTV camera(s) is sited to indicate that CCTV is in operation. Adequate signage will also be prominently displayed at the entrance to the Premises. Signage shall include the name and contact details of the Data Controller of all Recorded Data and state the specific purpose(s) for which the CCTV camera is in place in each location at the Premises.

Appropriate locations for signage will include:

- At entrances to the Premises i.e. external doors;
- Sacristy area in the Premises;
- At or close to each internal cameras

9. Storage and Retention

Article 5 (e) of the GDPR states that 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”*.

All Recorded Data captured by the Parish CCTV system will be retained by the Parish for a maximum of one calendar month, except where the Parish reasonably believes that an image (or images) of such Recorded Data identifies an issue or potential issue and is retained by the Parish specifically in the context of an investigation/prosecution of that issue or potential issue.

Article 5 (f) of the GDPR states that Personal Data shall be *“processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures”*.

All Recorded Data will be stored by the Parish in a secure environment and the Parish will maintain an access log recording all individuals accessing such Recorded Data. Access to Recorded Data will be restricted by the Parish to personnel authorised by the Parish to access such Recorded Data ('Authorised

Personnel'). Supervising the access and maintenance by the Parish of CCTV is the responsibility of the Parish Priest or his equivalent. The Parish Priest or his equivalent may delegate the administration of CCTV to an authorised staff member/volunteer. In certain circumstances, the Recorded Data may also be viewed by other individuals other than the Authorised Personnel for the Purpose such as Additional Authorised Individuals. When Recorded Data is being viewed, the Parish will use its reasonable endeavours to limit access to such Additional Authorised Individuals which the Parish reasonably believes need access to such Recorded Data in accordance with the Purpose.

10. Access

The Parish shall ensure that USB keys/DVDs/hard drives storing the Recorded Data and the monitoring equipment comprising the CCTV system and the system for storing such Recorded Data will be securely stored in a restricted area (the 'Secure Area'). The Parish shall endeavour to prevent unauthorised access to the secure area at any time. The Secure Area will be locked when not occupied by the Authorised Personnel. The Parish will maintain an access log recording appropriate details in relation to each access to the Secure Area and viewing of the Recorded Data whether by the Authorised Personnel or any Additional Authorised Individuals.

The Parish shall restrict access to the CCTV system and Recorded Data to Authorised Personnel. Where the Parish deems it necessary, CCTV footage and Recorded Data may be accessed by Additional Authorised Individuals as follows:

- By An Garda Siochana where the Parish are required by law to make a report regarding the commission of a suspected crime; or
- Following a request by An Garda Siochana when a crime or suspected crime has taken place and/or when it is suspected that illegal/anti-social behaviour is taking place on or around the Premises or other the Parish property; or
- By individuals (or their legal representatives) subject to a court order being made obliging the Parish to allow access; or
- By the Parish's insurers where the insurers require same in order to pursue a claim for damage done to the Premises or in respect of any health and safety issue occurring or alleged to have occurred at the Premises.

10.1 Request by An Garda Siochana

Information to include Recorded Data obtained by the Parish through CCTV will only be released by the Parish to An Garda Siochana when authorised by

the Parish Priest or his equivalent in consultation with the DPO. If a law enforcement authority, such as An Garda Síochána, is seeking Recorded Data for a specific investigation, the Parish will seek that any such request is made in writing stating that An Garda Síochána is investigating a criminal matter. The Parish may again, at its discretion, seek legal advice on any such requests made by An Garda Síochána. The DPC guidance on the use of CCTV makes a distinction between a request by An Garda Síochána to view Recorded Data on the Premises and a request to take away or download a copy of the Recorded Data. The Parish will always seek confirmation in writing from An Garda Síochána in respect of a request to take away or download Recorded Data and seek that the written request is on An Garda Síochána headed paper and sets out the details of the Recorded Data required and the legal basis for such a request. In urgent matters, verbal requests from An Garda Síochána to view or access Recorded Data can be dealt with by the Parish and can then be followed up by a written request from An Garda Síochána.

10.2 Subject Access Requests

On written request, any individual who is the subject of Personal Data (Data Subject) and whose image has been recorded in the Recorded Data has a right to be given a copy of the Recorded Data retained at that time by the Parish which relates to him/her, provided always that such Recorded Data exists at the time of the relevant request i.e. has not been deleted and provided also that an exemption/prohibition does not apply to the release of such Recorded Data. Where the relevant Recorded Data identifies another individual, that Recorded Data may only be released by the Parish to the Data Subject where the relevant image(s) in the relevant Recorded Data can reasonably be redacted/anonymised/pixelated so that any other person(s) are not identified or identifiable or where the other person(s) have provided his/her explicit consent to the release of the Recorded Data to the Data Subject. To exercise their right of access to Recorded Data relating to a Data Subject, that Data Subject must make an application in writing to the Parish Priest or his equivalent (a 'Request'). The Parish must respond within one month of receipt of each such Request.

Requests should be made to the following persons:

Sharon Burrell, Centre Manager

Email: ntppastoralcentre@gmail.com Telephone: 01 210 3887

Newtownpark Pastoral Centre, Newtownpark Avenue, Blackrock, Co. Dublin

A Data Subject delivering a Request to the Parish should provide all information with that Request which the Parish deems necessary in order to

assist the Parish in locating the requested Recorded Data, such as the date, time and location of the relevant Recorded Data. If the relevant image(s) comprising the Recorded Data is of such poor quality as not to clearly identify an individual, that image may be deemed by the Parish to not be Personal Data and the Parish may inform the relevant Data Subject who has made the relevant Request of that finding and may decline to hand over the relevant Recorded Data on that basis.

In circumstances where Recorded Data that is the subject of a Request cannot be copied to another device, or in other exceptional circumstances, the Parish will endeavour to provide stills of the relevant Recorded Data as alternative to video footage to the Data Subject.

11. Responsibilities

The Parish Priest or an authorised staff member/volunteer will:

- Ensure that the Parish's use of its CCTV systems is implemented in accordance with the policy set down by the Parish (as in force from time to time);
- Oversee and co-ordinate the use by the Parish of CCTV monitoring for the Purpose at and within the Premises;
- Ensure that all the Parish's existing CCTV monitoring systems will be evaluated for compliance with this policy;
- Ensure that the Parish's use of CCTV monitoring at the Premises is consistent with guidance from the DPC and complies with the Parish's legal obligations;
- Review camera locations at the Premises and be responsible for the release of any Recorded Data created and stored in compliance with this policy;
- Maintain an access log recording access to the Secure Area and to the Recorded Data and of the release of Recorded Data and the medium upon which Recorded Data is stored;
- Ensure that tapes containing Recorded Data are not duplicated for release otherwise than in compliance with this policy;
- Ensure that the perimeter of view from fixed location CCTV cameras installed and operated by the Parish conforms to this policy both internally and externally;
- Approve the location of temporary cameras to be used by the Parish during special events that have particular security requirements and ensure their withdrawal following such events. NOTE: Temporary cameras do not include mobile video equipment or hidden surveillance cameras used for authorised criminal investigations by An Garda Siochana;

- Give consideration to staff, contractor, and visitor feedback/complaints regarding possible invasion of privacy or confidentiality due to the location of a particular CCTV camera or associated equipment at the Premises;
- Co-operate with the Health & Safety Officer of the Parish in reporting to any relevant persons on the CCTV system in operation in the Parish;
- Ensure that adequate signage is maintained at appropriate and prominent locations in compliance with this policy;
- Ensure that external cameras forming part of the CCTV system are non-intrusive in terms of their positions and views of neighbouring residential housing and comply with an individual's reasonable expectation of privacy;
- Ensure that Recorded Data stored on USB keys/ DVDs/ digital recordings are stored for a period not longer than one calendar month and are then erased unless required as part of a criminal investigation or court proceedings (criminal or civil) or other bona fide use as approved by the Parish Priest or his equivalent;
- Ensure that camera control by the Parish is solely to monitor suspicious behaviour, criminal damage etc. in accordance with the Purpose and not to monitor individual characteristics;
- Ensure that camera control by the Parish is not infringing an individual's reasonable expectation of privacy in public areas; and
- Ensure that where An Garda Siochana request to set up mobile video equipment for criminal investigations, appropriate legal advice is, where deemed necessary by the DPO, obtained and such activities have the approval of the Archbishop prior to set-up.

12. Implementation and Review

The policy will be reviewed and evaluated at least annually by the Parish Priest or an authorised staff member/volunteer. Ongoing review and evaluation will take cognisance of changing legislation, information, or guidelines (e.g. from the DPC or An Garda Siochana).