

Clare County Council – Privacy notice – CCTV

DOCUMENT NO.	REVISION NO.	DETAILS	EFFECTIVE DATE
DP-PN-01	1	Clare County Council CCTV	July 2021

The purpose of this privacy notice is to describe, in clear and concise terms, the personal data that the County Council's CCTV systems may collect about individuals, why it is needed, how it is used and how individuals may interact with the Council in relation to the use of their personal data by its CCTV systems. It also outlines the rights of individuals under data protection legislation in relation to the processing of their personal data.

The council also has a Privacy statement which is a general document about how we approach data protection as an Organisation and is available on the council's website <https://www.clarecoco.ie/info/privacy-statement/> or on request from this council.

Contact details for the data controller:

The identity and the contact details of the controller:

- Clare County Council, New road, Ennis, Co Clare [Tel: 0656821616](tel:0656821616)
Email: customerservices@clarecoco.ie : website: www.clarecoco.ie

The contact details of the data protection officer

- Data Protection Office: Telephone: 0656846237 email: DPA@clarecoco.ie

Purpose of Clare County Council's CCTV systems

Closed Circuit Television (CCTV) is used by Clare County Council for a number of purposes. This use may involve the recording of personal data of individuals. The Council is obliged to protect such personal data in accordance with the Data Protection Act 2018 and the provisions contained in the General Data Protection Regulation (GDPR) which came into effect in May 2018. The Council's cctv systems process data in order to:

- Safeguard persons and property located on Clare County Council premises and its environs.
- Secure public order and safety in public places by facilitating the deterrence, prevention, detection and prosecution of offences and in assisting in identifying, apprehending and prosecuting offenders;
- Support An Garda Síochána to deter, prevent, detect and prosecute crime.
- Act as a deterrent against anti-social behaviour.

Legal bases for Clare County Council's use of CCTV

The legal basis for Clare County Council's use of CCTV systems to process personal data consists of any one or more of the following:

- Article 6(1) (c) GDPR. The processing is necessary for compliance with a legal obligation to which Clare County Council is subject; e.g. Health, Safety & Welfare at Work Acts.
- Article 6(1) (e) GDPR and Part 5 of Data Protection Act 2018 (Law Enforcement Directive (LED)).

The processing is necessary for the performance of a task carried out in the public interest or in the exercise of an official authority vested in Clare County Council; e.g.

- In relation to Community CCTV schemes the processing is necessary in the exercise of official authority vested in the council as the controller under Section 38 of An Garda Síochána Act 2005, Data Protection Acts 1988-2018 (as amended).
- Article 6(1) (f) GDPR. The processing is necessary for the purposes of the legitimate interests pursued by Clare County Council e.g. in protecting its property and goods and maintaining the safety of persons using its buildings and environs.

The categories of personal data concerned:

Personal data processed by Clare County Council’s CCTV systems consists of the following recordings:

- Images of individuals and images of activities carried out by individuals;
- Images of number plates of vehicles.

Processing and recipients of the data

Personal data recorded by the Council’s CCTV systems may be supplied to An Garda Síochána for the purpose of securing public order and safety in public places by facilitating the deterrence, prevention, detection and prosecution of offences. In order to fulfill our statutory functions, personal data such as name and address is obtained in a lawful manner from the motor tax department of the council.

The Council may, to fulfil statutory or regulatory obligations or in the public interest, from time to time, have to share personal data with other organisations or entities (in Ireland or abroad).

In this activity, the data may be shared with the following recipients:

- An Garda Síochána, IPB Insurances (Clare County Council's insurance provider) and legal representatives that may be engaged by the Council.
- In addition, in some instances, the Council uses the services of a third party (data processor), to install, maintain, repair, service, monitor the cctv system. Where this is the case, a data processing agreement has been put in place with the data processor.

Access to CCTV recordings by third parties, such as public bodies, private organisations and individuals other than the data subject, will only be provided in limited circumstances that are permitted by law. Requests for access to CCTV footage shall be processed in accordance with the Data Protection Act 2018 and the council’s CCTV and data access request policies and procedures.

There are no plans to transfer the personal data to a third country or international organisation.

The retention period for CCTV data:

Data recorded on CCTV systems shall be kept for no longer than is considered necessary. It will not be retained by Clare County Council beyond a maximum of 28 days, except in circumstances where the data is required for evidential purposes and/or legal proceedings, in which case it will be retained longer than 28 days.

Data subjects have a range of rights under GDPR:

- Right of access by the data subject
- Right to rectification
- Right to erasure (‘right to be forgotten’)

- Right to restriction of processing
- Right to data portability
- Right to object and automated individual decision-making

The right to lodge a complaint with the supervisory authority

If you are not satisfied with a decision on your request for access to data or to exercise your data protection rights, it is open to you to make a complaint to the Data Protection Commission, Canal House, Station Road, Portarlinton, Co. Laois, Ireland. Before doing so it is recommended that you contact Clare County Council (DPA@clarecoco.ie) to establish the circumstances and to indicate your intention to complain to the Data Protection Commission's Office. We may be in a position to resolve the problem in a timely manner. If you are not satisfied with our response, or if you do not receive a response, at that point you could make a formal complaint to the Data Protection Commission's Office.

The Data Protection Commission website www.dataprotection.ie has further details and the forms that are required to be completed if you wish to raise a concern or make a complaint.