

Policy Title & Ref Number	Longford Town’s Community CCTV Policy Ref: DP-004 Version F8.0
Policy Prepared By	Data Protection & Information Compliance Officer
Policy Owner	DoS Longford MD
Consultation Process	Policy discussed and provisions agreed at meeting attended by MT members on 6th September 2022. Policy formally approved at MT Meeting on Tuesday 15th November 2022.
Policy Approved by & Date of Approval	Policy formally approved at MT Meeting on Tuesday 15th November 2022
Review Date	October 2023

Policy Revision History		
Date	Revision Details	Implementation Date
03/09/2018	Committee Membership amended – final version 0.1	Sept 2018
12/12/2018	Committee Membership amended – final version 0.2	Dec 2018
29/07/2019	Amendments as per DPO - final v 0.5	Aug 2019
20/11/2019	Version 6.0 Update of process to follow for new or upgrade of cameras, includes requirement for alternative solution process and approval. SEO responsible for Longford JPC and Longford Town Regeneration Officer added to steering group membership.	November 2019

	Format amended to reflect agreed organizational format for policies.	
09/03/2020	Version 7.0 Amended to include Executive Engineer Mid Longford and senior administrative staff responsible for Longford Municipal District.	9 th March 2020
06/09/2022 15/11/2022 (Formal MT Approval at MT Meeting)	Version 8.0 Amended to reflect change of business ownership to CCTV system following decision of Management Team members.	6 th September 2022

Purpose

This document describes Longford County Council's (LCC) policy for the use of Community CCTV in Longford Town and applies to all authorised employees of Longford County Council.

Longford Town Community CCTV is for the sole and primary purpose of securing public order and safety in public places by facilitating the deterrence, prevention, detection and prosecution of offences.

Scope

This policy applies to all matters relating to Longford Town Community CCTV Scheme.

Commencement

September 6th, 2022

Policy Applicability

1. Installation of a New or Upgrade of a Community CCTV Camera

- a) Longford Town's Community CCTV shall not be deployed in a way that would invade a person's reasonable expectation to privacy. Every effort shall be made to ensure CCTV equipment is sited in a way that it only monitors public areas.
- b) For the council to consider a request to install a new or upgrade an existing CCTV camera location, approval shall be sought from Longford Municipal District. The approval shall be considered based on a clear objective and valid reason for the requirement of CCTV at the location(s) concerned.
An Garda Síochana shall at this stage if requested by Longford Municipal District, provide any information that could assist in the justification of CCTV at the proposed location(s).
This information can be requested from An Garda Síochana at any stage in this process by Longford Municipal District, the Community Safety Partnership Committee or the Councils Data Protection & Information Compliance Officer.
- c) The CCTV Steering Group shall then consider alternative solutions to CCTV at the locations concerned. Once the alternative solutions have been implemented a 4-month period shall be observed to allow the alternative solutions take effect.
- d) Once the 4-month period has past, the Council's *Data Protection and Information Compliance Officer* shall prepare a report in conjunction with the AGS for consideration by the Steering Group. The report shall detail the alternative solutions implemented (to include dates) and their perceived effectiveness.
- e) The CCTV Steering Group, having considered the above report, shall then either reject, amend or approve the application for CCTV at the location concerned. Should approval be provided, a Data Protection Impact Assessment (DPIA) shall be completed for CCTV at the location(s) concerned by the Data Protection and Information Compliance Officer.
- f) The DPIA shall then be considered by the CCTV Steering Group. Their approval for CCTV at the locations concerned may then remain, be amended or be revoked.

- g) If CCTV is approved for the proposed location(s), estimate costs for the implementation shall be provided by the CCTV Steering Group and funding shall then be identified from Longford Municipal District.
- h) Longford Municipal District and Longford Community Safety Partnership Committee shall then consider all documentation collected above and consider approval or amendment of the application for CCTV at the location(s) concerned.
- i) A Public Consultation shall then take place for 6 weeks, 4 weeks on view and 2 weeks for submissions, the consultation shall be advertised in the local print media and the Councils website with a report on the submissions to be prepared by the Council's *Data Protection and Information Compliance Officer*, for consideration by Longford Town Community CCTV Steering Group, Longford Municipal District and Longford Community Safety Partnership Committee.
- j) Having considered the Public Consultation report, Longford Town Community CCTV Steering Group, Longford Municipal District and Longford Community Safety Partnership Committee shall then keep, amend or revoke their approval for CCTV at the location(s) concerned.
- k) If approved by all three groups, the Chair of the Steering Group shall write to the Garda Commissioner seeking their approval to install a Community CCTV camera(s) at the location(s) concerned.

2. Maintenance of Community CCTV Cameras

Longford County Council shall ensure a 3rd party maintenance provider is in place who shall be licensed with the Private Security Authority (PSA is a statutory body with responsibility for licensing and regulating the private security industry in Ireland).

CCTV Maintenance providers (Data Processor) shall be required to enter into a formal Data Processing Agreement with Longford County Council to ensure that they, in addition to Longford County Council, discharge their obligations under data protection legislation.

The council shall endeavour to ensure that images produced by CCTV equipment are effective for the purpose intended.

Longford County Councils shall maintain a CCTV maintenance log containing details of all checks and maintenance works carried out.

Longford County Council shall be responsible for the CCTV Signage. Signage shall be located on main routes entering Longford Town and at or close to the CCTV Camera location(s).

3. Security & Controls

All CCTV data shall be stored securely and access to live feeds or recorded images shall be restricted to designated employees of Longford County Council and members of An Garda Síochana.

Longford County Council shall retain a record of all Community CCTV cameras, their locations and purpose on the Council's Community CCTV Register.

When accessing the CCTV system to view or download footage, each designated employee of Longford County Council shall complete the Community CCTV Access Log detailing the time, date and reason for accessing the system. This log shall be monitored by the Data Protection and Information Compliance Officer.

Access rights to CCTV images is granted by the Steering Group to Longford County Council employees where it is necessary for them to carry out their work. Garda vetting shall be completed by the Council's HR section for employees requiring access to the CCTV systems.

The storage medium used to download footage from the CCTV system shall be kept in a secure location. All hardware when at end of life, shall be erased prior to secure disposal.

The CCTV system shall be password protected, while its equipment shall be tested and monitored in a planned and co-ordinated manner by authorised Longford County Council employees.

Disclosure of recorded material shall only be limited to the following authorities:

- a. Law enforcement agencies where images recorded would assist in a criminal enquiry and/or the prevention of terrorism and disorder
- b. Prosecution agencies
- c. People whose images have been recorded and retained unless disclosure to the individual would prejudice criminal enquiries or criminal proceedings.

4. Data Subject Access Requests for CCTV footage

Data Protection legislation provides data subjects with a right to access their personal data. This includes their recognisable images and other personal data captured by Longford Town's Community CCTV recordings. Access requests are required to be submitted in writing or electronic format to Longford County Council and shall be processed in accordance with provisions contained in Longford County Council's Data Subjects Rights Policy

Under Section 94 of the Data Protection Act 2018, the Data Subjects rights are restricted, and the council may refuse to comply with a request to the extent that is necessary and proportionate to;

- avoid obstructing an official or legal inquiry, investigation or procedure;
- avoid prejudicing the prevention, detection, investigation or prosecution of criminal offences or the execution of criminal penalties;
- protect public security;
- protect national security; or
- protect the rights and freedoms of others.

All Data Subject requests for CCTV footage shall be forwarded to the Council's Data Protection & Information Compliance Officer for consideration.

5. An Garda Síochana Access Requests for CCTV footage

An Garda Síochana requests for CCTV recordings are required to be submitted in writing to Longford County Council's Data Protection & Information Compliance Officer on the 'An Garda Síochana CCTV Access Request' Form and signed by at least a rank of inspector. Provision is made in this policy that those requests may be submitted electronically if required.

To expedite a request in urgent situations, a verbal request from An Garda Siochana for copies of Community recordings shall suffice. However, such a verbal request shall be followed up with a formal written request from An Garda Siochana.

6. Community CCTV Complaints

Complaints relating to the Longford Town Community CCTV system shall be made to the Council's Data Protection and Information Compliance Officer and shall be brought to the attention of the Longford Town Community CCTV Steering Group for consideration.

The Data Protection & Information Compliance Officer shall maintain an annual record of these complaints to include the nature and resulting actions and this record shall be presented to the Joint Policing Committee at the beginning of each year.

7. Data Breach

In the event of a Data Breach concerning personal data collected from Longford Town Community CCTV, the Council's Data Protection & Information Compliance Officer shall be notified immediately and provided with all the details necessary in order to assess whether there is a high risk to the individual(s) rights and freedoms. Longford County Council are responsible for reporting a high-risk data breach to the Supervisory Authority within 72 hours of becoming aware for the breach. Data Breaches shall be processed in accordance with provisions contained in Longford County Council's Incident Response Policy

8. Retention

CCTV Data recorded on Longford Town's Community CCTV systems shall be kept for no longer than is considered necessary. Data recorded on the CCTV system shall not be retained by Longford County Council beyond a maximum of 28 days. Data recorded on the CCTV systems may however be retained by Longford County Council beyond a maximum of 28 days in circumstances where the data is required for evidential purposes and/or legal proceedings.

9. Compliance, Review & Further Information

Compliance with this policy shall be reviewed and monitored on an annual basis by the Data Protection & Information Compliance Officer.

Longford Town Community CCTV Steering Group shall be responsible for the annual review of this policy.

Further Information on the operation of this policy document is available from the Data Protection and Information Compliance Officer at Longford County Council

10. Data Subject Right to Complain to the Data Protection Commissioner

If a Data Subject is not satisfied with the outcome of a response received from Longford County Council in relation to Longford Town's Community CCTV, the Data Subject is entitled to make a complaint to the Data Protection Commissioner who may investigate the matter further.

The Data Protection Commissioner's website is www.dataprotection.ie or the Data Subject

can contact their office at 1890 252 231, Email: info@dataprotection.ie, Postal Address: Canal House, Station Road, Portarlinton, R32 AP23, Co Laois

11. Definitions

Personal Data : 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 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.

Processing: means any operation or set of operations which is performed on personal data or on sets of personal data, whether by automated means such as collection, recording, organisation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Processor: a natural or legal person, public authority, agency or other body which processes personal data on behalf of Longford County Council.

Data Controller: means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member state law, the controller or the specific criteria for its nomination may be provided for by Union or Member State Law.

Data Subject: is an individual who is the subject of personal data

12. **Responsibilities**

Authorisation was granted under the An Garda Síochána Act 2005, Section 38 3{c} in which Longford County Council are the exclusive Data Controller, therefore the council are responsible for the installation, management and day to day operation of the CCTV System in accordance with the General Data Protection Regulation and the Data Protection Act 2018.

Members of An Garda Síochána shall always be given access to the CCTV system for supervising and controlling its operation and, in accordance with provisions contained in this policy document, retrieving information or data recorded by it.

The CCTV Steering Group shall oversee the management of Longford Town's CCTV system, approve policies, identify issues and monitor the effectiveness of Longford Towns CCTV system. This group shall meet on the first Monday of every 4th month (or on a suitable date as close as possible to this) and consists of the following:

- 1) Director of Services for Longford Municipal District (Joint Chair)
- 2) Inspector Longford Garda Station (Joint Chair)
- 3) Senior Engineer Infrastructure (Joint Vice Chair)
- 4) Inspector Longford Garda Station (Joint Vice Chair)
- 5) Administrative Officer, Roads Admin, Infrastructure (Secretary to Group)
- 6) Community Safety Partnership Coordinator
- 7) Senior Executive Engineer for Mid Longford
- 8) Executive Engineer, Mid Longford
- 9) Data Protection & Information Compliance Officer
- 10) Sergeant Longford Garda Station

- 11) Detective Sergeant Longford Garda Station
- 12) Detective Sergeant Longford Garda Station
- 13) Community Policing Sergeant, Longford Garda Station
- 14) Longford Town Regeneration Officer
- 15) IT Project Leader

Longford Town's Community CCTV Steering Group shall, at every meeting, review a list of footage taken from the system in conjunction with a short statement from An Garda Siochana detailing any use of note taken from the system. The minutes of the meeting shall record the Groups consideration of effectiveness of the system.

As Data Controller of Longford Town CCTV, Longford County Council shall operate CCTV recording;

- lawfully, fairly and in a transparent manner for which the data was collected.
- only for the specific, explicit and legitimate purposes for which the data was collected.
- By ensuring images are adequate, relevant and limited to what is necessary in relation to the collection and processing of the data
- By ensuring that personal images are accurate, and every reasonable step is taken to ensure that the data is kept up to date.
- By retaining personal images 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 images may be stored for longer periods in accordance with statutory and other legal obligations.
- By keeping personal images 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. include restricting access to footage and the use of encryption and password protection for devices storing CCTV footage.
- By being responsible for, and able to demonstrate compliance with, lawfulness, fairness and transparency.

13) Confidentiality

Longford County Council shall store and process personal data in a secure manner. Personal data shall not be shared internally or externally with anyone who does not require access to the personal data. Where possible and appropriate, personal data shall be password protected and/or encrypted before sharing it with anyone both internally and externally, particularly if sharing is via email. Good security practices should be adopted, such as using robust passwords and encrypting hardware. When storing personal data in group or shared drives, it shall be stored in a location where only those who require access have access to the personal Data and if possible, personal data shall be stored in a anonymized/ non-identifiable form.

14) Data Protection

Longford County Council is committed to privacy and respecting the rights of those whose personal data we collect and use in accordance with applicable law. Data Protection is about providing individuals with protection as to what information about them is used by our organisation. To provide this protection, data protection law establishes good data

handling and data management principles. It also grants specific rights to individuals regarding their personal data which is processed by Longford County Council. Longford County Council is committed to respecting and supporting the right to data protection, including the rights of individuals under applicable law to control the dissemination and use of the Personal data that relates to them.

15) Review

This policy must be reviewed by and approved by Longford CCTV Steering Group at least on an annual basis. No updates can be made to this policy without full review and approval by the Group