

An  
Bord  
Pleanála

## An Bord Pleanála CCTV Policy

Adopted by the Board on 30<sup>th</sup> May 2018



## Table of Contents

<b>1. Introduction</b> .....	3
<b>2. Purpose of Policy</b> .....	3
<b>3. Scope</b> .....	3
<b>4. General Principles</b> .....	3
<b>5. Justification for the use of CCTV</b> .....	4
<b>6. Location of Cameras</b> .....	5
<b>7. Notification - Signage</b> .....	5
<b>8. Storage &amp; Retention</b> .....	7
<b>9. Access</b> .....	7
<b>10. Responsibilities</b> .....	9
<b>11. Security Companies</b> .....	9
<b>12. Implementation &amp; Review</b> .....	10

## **1. Introduction**

Closed Circuit Television System (CCTV) is installed in An Bord Pleanála at 64 Marlborough Street, Dublin 1. CCTV is in place since January 2002.

This review is being carried out in accordance with the General Data Protection Regulation (GDPR) 2016 coming into effect on the 25th May 2018 which requires that data is “adequate, relevant and not excessive for the purpose for which it is collected.”

This policy shall take into account the Office Notices dated 10th February 2005 and 26th January, 2006 and the Data Protection Policy adopted by the Board on 27th June, 2013.

This review takes into consideration the office of the Irish Data Protection Commissioner (ODPC) issue of an updated and expanded guidance note in relation to the use of CCTV in December 2015, as well as guidance relating to the General Data Protection Regulation 2016.

## **2. Purpose of Policy**

**The purpose of this policy is to regulate the use of Closed Circuit Television and its associated technology in the monitoring of both the internal and external environs of the premises under the remit of An Bord Pleanála.**

CCTV system is installed externally to control the perimeter of the building for security purposes and internally on the ground floor and fifth floor external balcony for the purpose of enhancing security and the health and safety of staff. CCTV surveillance 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, Board members and customers;
- monitoring issues relating to public access such as removal of documents;

## **3. Scope**

This policy relates directly to the location and use of CCTV and the monitoring, recording and subsequent use of such recorded material.

## **4. General Principles**

An Bord Pleanála has a statutory responsibility for the protection of its property, equipment and other plant as well providing a sense of security to its staff, Board members and visitors to its premises. An Bord Pleanála owes a duty of care under the provisions of Safety, Health and Welfare at Work Act 2005 and associated legislation and utilises CCTV system and their

associated monitoring and recording equipment as an added mode of security and surveillance for the purpose of enhancing the quality of life at the office. The use of the CCTV system is conducted in a professional, ethical and legal manner and any diversion of the use of CCTV security technologies for other purposes is prohibited by this policy, for example CCTV will not be used for monitoring staff performance.

Information obtained through the CCTV system may only be released when authorised by the SAO and/or SEO of Communications/Facilities Environmental Management (Comms/FEM), SEO of Human Resources (HR). Any requests for CCTV images from An Garda Síochána are fully recorded. If An Garda Síochána, is seeking a recording for a specific investigation, any such request made by An Garda Síochána is requested in writing. CCTV monitoring of public areas for security purposes will be conducted in a manner consistent with all existing policies adopted by An Bord Pleanála, including Anti-Racism Policy, Dignity at Work Charter, Code of Conduct, Codes of Practice for dealing with complaints of Bullying, Harassment and Sexual Harassment and other relevant policies. This policy prohibits monitoring based on the characteristics and classifications contained in equality and other related legislation which are gender, civil status, family status, sexual orientation, religion, age, disability, race and ethnicity.

Video monitoring of public areas for security purposes within An Bord Pleanála is limited to uses that do not violate the individual's reasonable expectation to privacy.

The CCTV system and associated equipment is required to be compliant with this policy following its adoption by An Bord Pleanála. Recognisable images captured by CCTV systems are personal data. They are therefore subject to the provisions of the General Data Protection Regulation 2016.

## **5. Justification for the use of CCTV**

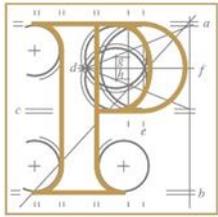
Article 5.1(c) of the General Data Protection Regulations requires that data is "adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed". This means that An Bord Pleanála needs to be able to justify the obtaining and use of personal data by means of a CCTV system. The use of CCTV to control the perimeter of the building and the internal areas for security purposes and health and safety reasons has been deemed to be justified by An Bord Pleanála. The system is intended to capture images of intruders or of individuals damaging property or removing goods without authorisation.

## **6. Location of Cameras**

Cameras placed to record external areas are positioned in five locations; Marlborough Street, Findlater Place and Strong's Court. Internally, the ground floor area has 10 cameras; Reception, Conference room, and three meeting rooms. Four cameras are located in the basement. The fifth floor balcony has one camera.

## **7. Notification - Signage**

A copy of this CCTV Policy is available to staff and Board members on Surfbord and at reception for contractors and visitors to the office. This policy describes the purpose and location of CCTV monitoring, a contact number for those wishing to discuss CCTV monitoring and guidelines for its use. Adequate signage is placed at each location in which a CCTV camera is sited to indicate that CCTV is in operation. Signage shall include the name and contact details of the data controller.



An  
Bord  
Pleanála



## Rabhadh

Ar mhaithe le do shábháilteacht phearsanta agus chun cosc a chur ar choir, tá taifeadadh á dhéanamh ar íomhánna.

An Bord Pleanála faoi chúram:

An Bord Pleanála care of:

Is féidir dul i dteagmháil leo ar:

Who can be contacted on:

## Warning

Images are being recorded for the purpose of crime prevention and your personal safety.

Aramark

01 858 8100

## **Warning**

**Images are being recorded for the purpose of crime prevention and your personal safety.**

These images may be passed to An Garda Síochána.

This scheme is controlled by An Bord Pleanála and operated by Aramark under the Facilities Management Contract.

For more information, contact Mary Kelly at 01 8588100

## **8. Storage & Retention**

Article 5.1(e) of the General Data Protection Regulations states that 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 published.”

**Accordingly, the images captured by the CCTV system are retained for a maximum of 14 days, except where the image identifies an issue and is retained specifically in the context of an investigation of that issue.**

## **9. Access**

The retained images/recordings are stored in a secure environment with a log of access kept. Access is restricted to authorised personnel. Supervising the access and maintenance of the CCTV System is the responsibility of the SAO in Comms / FEM. In certain circumstances, the recordings may also be viewed by other individuals in order to achieve the objectives set out above (such individuals may include the SEO in Comms / FEM and or HR or a member of the Gardaí following a Data Protection request). When CCTV recordings are being viewed, access is limited to authorised individuals on a need-to-know basis.

A copy of the recording is stored in the office safe located in Finance section with a log of access kept.

In relevant circumstances, CCTV footage may be accessed:

- By a staff member when a matter relating to public access such as the removal of documents by a customer is suspected of taking place.
- To allow An Bord Pleanála to fulfil its legislative duties where necessary, for example to confirm the date/time of submission of documents, etc.
- Following a request by An Garda Síochána 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 near An Bord Pleanála property.

- For data access requests by a data subject under the GDPR.
- To An Bord Pleanála's insurance company where the insurance company requires same in order to pursue a claim for damage done to the insured property.

**(i) Access requests:** On written request, any person whose image has been recorded has a right to be given a copy of the information recorded which relates to them, provided always that such an image/recording exists i.e. has not been deleted and provided also that an exemption/prohibition does not apply to the release. Where the image/recording identifies another individual, those images may only be released where they can be redacted/anonymised so that the other person is not identified or identifiable. To exercise their right of access, a data subject must make an application in writing to An Bord Pleanála. **Requests for CCTV footage must be made within 14 days** of the relevant date / incident to ensure that footage has not been erased in accordance with An Bord Pleanála's retention policy for CCTV footage. Footage requested within this time period will be retained for the purposes of the request. A fee shall not be charged for responding to such a request, unless deemed necessary and reasonable based on administrative costs. An Bord Pleanála must respond within **1 calendar month**.

Access requests can be made to the following: Senior Administrative Officer, Communications/Facilities Environmental Management, An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 or [dataprotection@pleanala.ie](mailto:dataprotection@pleanala.ie).

A person shall provide all the necessary information to assist An Bord Pleanála in locating the CCTV recorded data, such as the date, time and location of the recording. If the image is of such poor quality as not to clearly identify an individual, that image may not be considered to be personal data and may not be handed over by An Bord Pleanála.

In giving a person a copy of their data, An Bord Pleanála may provide a still/series of still pictures, a tape or a disk with relevant images. However, other images of other individuals will be obscured before the data is released

**(ii) Supply of CCTV Images to An Garda Síochána:** With regard to requests from An Garda Síochána to download footage, the ODPC recommends that requests for copies of CCTV footage should only be acceded to where a formal written (or fax) request is provided to the data controller stating that An Garda Síochána is investigating a criminal matter. 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. A log of all An Garda Síochána requests is maintained by An Bord Pleanála as a data controller / processor.

There is a distinction between a request by An Garda Síochána to view CCTV footage and to download copies of CCTV footage. Requests to view footage onsite can be made verbally.

## **10. Responsibilities**

An Bord Pleanála will:

- Ensure that the use of CCTV systems is implemented in accordance with the policy set down.
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes.
- Ensure that the existing CCTV system is evaluated for compliance with this policy.
- Ensure that the CCTV monitoring is consistent with the highest standards and protections.
- Review camera locations and be responsible for the release of any information or recorded CCTV materials stored in compliance with this policy.
- Maintain a record of access (e.g. an access log) to or the release of footage or any material recorded or stored in the system.

## **11. Security Companies**

The CCTV system is controlled by a security company contracted through the Facilities Management Contractor. The following applies:

The contractor has a written contract with the security company in place which details the areas to be monitored, how long data is to be stored, what the security company may do with the data, what security standards should be in place and what verification procedures apply. The written contract also states that the security company will give An Bord Pleanála all reasonable assistance to deal with any subject access request made under Article 15 of the General Data Protection Regulation which may be received by An Bord Pleanála within the statutory time-frame (generally one calendar month).

Security companies that place and operate cameras on behalf of clients are considered to be "Data Processors." As data processors, they operate under the instruction of An Bord

Pleanála. Article 32 of the General Data Protection Regulation places a number of obligations on data processors. These include having appropriate security measures in place to prevent the destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed, in particular where the processing involves the transmission of data over a network and against all unlawful forms of processing. This obligation can be met by having appropriate access controls to image storage or having robust encryption where remote access to live recording is permitted. Staff of the security company have been made aware of their obligations relating to the security of data.

## **12. Implementation & Review**

The policy will be reviewed as required in light of any legislative or other relevant developments, taking cognisance of changing information or guidelines from the Data Protection Commissioner, An Garda Síochána, internal policies and the Comptroller and Auditor General.

Updated: 29<sup>th</sup> June 2018