



An Coimisiún um Chaidreamh san Áit Oibre
Workplace Relations Commission

Closed Circuit Television (CCTV) System

Policy & Guidelines

November 2023

Contents

Introduction	3
Purpose of the Policy	4
Scope	5
Justification for use of CCTV	6
Operation of System	6
Location of Cameras	7
Signage	7
Location of Signage	7
Storage and Retention	8
Access and Requests for Information	9
Who can access our CCTV images?	9
Our Access and Disclosure Logging System or “Logs”	9
Making an Access Request for a copy of your own Personal Data recorded by our CCTV systems	9
Making a Complaint	11
Implementation and Review	11

Introduction

This policy relates to the use of Closed-Circuit Television (CCTV) Systems both internally and externally on properties occupied by the Workplace Relations Commission (the “WRC”). Currently the WRC is situated in the following locations:

- Lansdowne House, Lansdowne Road, Ballsbridge, Dublin 4.
- O’Brien Road, Carlow
- Elysian Building, Eglinton Street, Cork
- Suite–19, Block A, Clare Technology Park, Gort Road, Ennis, Co Clare.
- Marino House, Finisklin Business Park, Sligo

CCTV is a technology that uses video cameras to transmit signals to a specific place but does not transmit publicly.

CCTV systems are generally used to conduct surveillance for security for health and safety purposes. They capture images that may identify individuals either directly or indirectly by recording for example vehicle registration numbers or distinctive items of apparel.

A copy of this CCTV policy is available on the WRC website.

Purpose of the Policy

The purpose of this policy is to regulate the use of Closed-Circuit Television Systems, i.e., CCTV and its associated technology in the monitoring of both the internal and external environs of the premises under the remit of the Workplace Relations Commission (WRC).

Scope

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

Justification for use of CCTV

Article 5(1)(c) of the General Data Protection Regulation (the “GDPR”) requires that data are “*adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed*”.

The following are the purposes that the WRC has deemed to be justified to obtain and use Personal Data by means of a CCTV system:

- Protect the building, assets, and information of the WRC during and outside of office hours.
- Promote health and safety of WRC staff and visitors to WRC buildings.
- Deter and detect crime.
- Assist in investigating security incidents.
- In exceptional circumstances and where it is considered appropriate, CCTV material or images may be used to visually monitor visitors or staff members. Such exceptional circumstances could include, for example, where an accident or incident has taken place or in the case of a staff member(s) where there is an alleged breach of the Civil Service *Disciplinary Code*.

This policy prohibits CCTV monitoring for any other purpose other than that set out above.

Furthermore, it is limited to uses that do not violate the *reasonable expectation to privacy* as defined by law.

Collection, storage and use of CCTV footage will adhere to the data privacy principles set out in the General Data Protection Regulation (GDPR) and the Data Protection Acts, 1988 to 2018.

Operation of System

WRC CCTV systems can only be accessed and are maintained by authorised personnel from the OPW Helpdesk or associated maintenance contractors and or management of the Corporate Services Division of the WRC. The recordings are password protected and the system is housed in a secure locked office with restricted access.

All cameras operate 24 hours a day 7 days a week. Cameras are positioned so they only monitor areas intended to be covered by the equipment.

The CCTV system records digital images and any movement detected in the area under surveillance together with data about time, date, and camera location.

The equipment and recording media are checked or “serviced” on a regular basis to ensure the quality of the images, camera and recording function.

Location of Cameras

Lansdowne House hosts twenty (20) cameras monitoring both internal and external areas.

Carlow hosts twenty-two (22) cameras monitoring both internal and external areas. The recordings are password protected.

Cork hosts four (4) cameras monitoring both internal and external areas. The recordings are password protected.

Ennis hosts four (4) cameras monitoring both internal and external areas. The recordings are password protected.

Sligo hosts four (4) cameras monitoring both internal and external areas. The recordings are password protected.

Signage

In compliance with the *Lawfulness, Fairness and Transparency Principle* [Article 5, clause 1(a)] of the General Data Protection Regulation (the “GDPR”), individuals (or “Data Subjects”) whose images may be captured on WRC CCTV cameras must be made aware of WRC recording activities. WRC do this through CCTV Signage which is placed in prominent locations throughout the premises.

Signage includes details relating to:

- **WRC Identity** – i.e., informing you that the WRC is recording your image (i.e., WRC are the Data Controller).
- **Contact Details** – how you can contact WRC.
- An **Image of a Camera** – a picture image of a camera to focus your attention to the presence of the recording CCTV camera.

A copy of this CCTV policy will be available on WRC website and to any tenants of WRC managed buildings – including the Labour Court currently located in Lansdowne House, the Companies Registration Office, currently located in the Carlow building, in the buildings in which WRC are tenants (Ennis and Sligo) and the Department of Social Protection currently located in the Cork offices.

LOCATION OF SIGNAGE

Signs are located in car parks, at the entrance to WRC offices and in reception areas.

Storage and Retention

The Personal Data captured from WRC CCTV cameras are securely stored as electronic data.

Article 5.1(e) of the General Data Protection Regulation (GDPR) on Storage Limitations requires 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 published.”*

The images captured by WRC CCTV system are retained for 30 calendar days.

It is important to note that in exceptional circumstances, images may be retained for longer time periods. This occurs where, for example an image captured on WRC CCTV systems identifies an incident that is subject to an investigation (e.g., an alleged crime has been captured by the CCTV footage and a copy of the footage has been requested by An Garda Síochána or/and other competent bodies for law enforcement purposes'. 'Competent authority' is defined at section 69 Data Protection Act 2018). In these cases, the CCTV images or “footage” will be retained until the investigation and all associated appeal processes have been concluded.

Access and Requests for Information

Access to, and disclosure of CCTV images to third parties is strictly controlled and documented. This is to ensure that the rights of the individual(s) are maintained, and that the chain of evidence remains intact should the CCTV images be required for evidential purposes.

Who can access WRC CCTV images?

In relevant circumstances, CCTV footage recorded by WRC may be accessed by:

- An Garda Síochána, 'and other competent bodies for law enforcement purposes, ('Competent authority' is defined at section 69 Data Protection Act 2018), where the WRC is required by law or following a written request to make a report regarding a suspected crime or incident.
- Individuals whose images has been captured by WRC CCTV systems or requests on their behalf by their legal representative subject to a Court Order.
- Individuals whose images have been recorded by WRC CCTV systems and who have submitted a valid Subject Access Request (or "SAR") under the Data Protection Acts 1988 to 2018 or a valid Freedom of Information (or "FOI") Access Request under the Freedom of Information Act, 2014.
- The State Claims Agency as WRC's insurer where the footage is required to pursue a claim for damage done to the insured property.
- In exceptional circumstances, CCTV images may be used in the context of a formal internal investigation or disciplinary procedure concerning a staff member. In such cases, the disclosure of the image(s) may be used to assist in the investigation or prosecution of a sufficiently serious disciplinary matter or a criminal offence.

WRC Access and Disclosure Logging System or "Logs"

The following information will be retained by WRC where access to CCTV images or "copies of CCTV footage" recorded by our CCTV systems is provided.

- **Reason** for disclosure.
- Details of the **image disclosed** (i.e., the date, time, and location of the image).
- **Identity of the person** who released the CCTV image(s).
- Description of whether the **images were disguised/blurred** to prevent identification of individuals other than the data subject (i.e., the individual making the request for the CCTV footage). If it is not possible to sanitise or pixilate the images, WRC may contract an **external company** to assist with this exercise. These details will also be recorded.

Making an Access Request for a copy of your own Personal Data recorded by WRC CCTV systems

If you require access to your own Personal Data that has been recorded by WRC on CCTV systems, you should complete a *Subject Access Request Form* available on WRC website, .

It is important that you provide as much detail as possible to assist WRC in complying with your access request.

The following information will be required:

- the **date** and **time** of when you reasonably think your image was recorded.
- any **other particulars to identify you** on the recorded image (e.g., your clothing or other details that will assist WRC in identifying you in the “footage”).

All decisions taken by WRC in relation to your Access Request will be clearly communicated to you.

If you request to view your own image as recorded by WRC CCTV systems, the viewing will take place in a private office and will be facilitated by WRC designated officials.

Making a Complaint

You can [Make a Complaint](#) to the [Data Protection Commission \(DPC\)](#) if you have concerns about how WRC process your Personal Data.

Prior to making a complaint to the [Data Protection Commission \(DPC\)](#) please contact WRC in the first instance to see if your query can be resolved.

You can do this by sending an e-mail to: dataprotection@enterprise.gov.ie

Or by writing to WRC Data Protection Officer at:

Data Protection Unit
Department of Enterprise, Trade & Employment
23 Kildare Street
Dublin 2
D02 TD30

Implementation and Review

WRC may update this policy from time to time.

If WRC make changes to this policy such changes will be identified by posting a notice on the WRC website.