



CCTV POLICY

Issued 13.06.2022

1. PURPOSE

This policy seeks to provide guidance, information, and transparency related to the use of CCTV and CCTV footage across the Organisation.

2. SCOPE

This policy applies to Westdoc and CIT.

3. DEFINITIONS

Data Controller

A Data Controller is defined as any person / entity who, whether alone or with others controls the purposes and means of processing of Personal Data as outlined under Article 4 of the General Data Protection Regulations GDPR 2018.

Personal Data

Personal Data is defined in Article 4 (1) of the GDPR Regulations, it refers to any information relating to an identified or identifiable natural person. The Data Subject who can be identified, directly or indirectly. In particular, by reference to an identifier such as a name, number, location, DOB or to one or more factors specific to the physical, generic economic or social identify of that natural person.

Data Subject

This is a living person who is the subject matter of the Personal Data. It should be noted that the GDPR Regulations do not apply to deceased persons and to their data.

Data Processing

Data Processing has a wide definition and scope and it includes the following processes. It means performing an operation or series of operations. It covers collection, recording, storage, adaptation, or alteration of Data retrieved. Consultation, use disclosure by transmission, dissemination or otherwise making available alignment or combination restriction, erasure or destruction of Data as described under Article 4 (2). These processes apply to both electronic and manual data.

Special Categories of Personal Data Article 9 (1) GDPR Regulations

Article 9 (1) Relates to the processing of Personal Data, notably Special Category Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or Trade Union Membership. The processing of generic Data, biometric Data for the purpose of uniquely identifying a natural person. Data concerning health, a natural person's sex life or sexual orientation is prohibited under Article 9. There are a number of exceptions to processing which are contained / outlined in Paragraph 1. They are also contained in Paragraphs 2 and 3 Article 9 and in Article 6 (1) sub sections (a) to (e) of the GDPR Regulations 2018.

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4. RESPONSIBILITIES

Westdoc Management are responsible for the enforcement of this policy.

5. REQUIREMENT FOR CCTV SYSTEMS

Westdoc operates in a highly controlled and regulated environment. To support this, CCTV installation and operation is necessary for the following:

1. CCTV cameras are required to monitor the security of premises and the Treatment Centres. Medication is stored and used in these centres and the use of CCTV is vital to protect and monitor property.
2. CCTV cameras are important for the support and safety of staff.
3. CCTV cameras are important for the prevention, detection, and investigation of a crime that may occur on Westdoc property.

6. PRIVACY

Westdoc as a Data Controller is mindful of concerns and recognizes that CCTV can be an intrusion into the privacy of individuals. Measures are outlined in this document to ensure that surveillance is not excessive.

7. CRITERIA FOR INSTALMENT OF CCTV SYSTEMS

In advance of the installation of any CCTV system by Westdoc, the following criteria will be considered:

1. The purpose for the CCTV system has been clearly defined and that the footage is used for security and safety reasons.
2. Positioning of the CCTV cameras is near sensitive areas, e.g. the entrance point of the Treatment Centre, medicine stores, etc. They will not be situated in private areas such as toilets.
3. The CCTV footage will be stored in a safe and secure location for 30 days. Access will be limited to authorised individuals.

8. RETENTION OF CCTV FOOTAGE

CCTV footage is retained for a period of 30 days. It is deleted following this 30-day period unless a request is made for particular CCTV footage.

This period is specified in Section 8 of the Civil Liability and Courts Act 2004 for the purposes of defending a potential personal injury claim.

9. CCTV IN THE WORKPLACE

Westdoc maintains the reasons outlined previously for the operation of CCTV cameras in the workplace. Staff, however, have legitimate expectations that their privacy will not be intruded upon disproportionately.

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CCTV cameras will be focused on particular areas of risk, avoiding areas where employees have increased privacy expectations such as break rooms, changing rooms, and toilets. Clear notification is given to staff where CCTV monitoring is taking place.

Westdoc may use CCTV footage for reasons such as investigation of gross misconduct or other disciplinary matters. However, it will only do this on a case-by-case basis.

10. DISCLOSURE OF CCTV FOOTAGE TO THIRD PARTIES

There are occasions where Westdoc as a Data Controller is requested to disclose CCTV recordings to third parties for a purpose other than that for which it was originally obtained. For example, this may arise when a request is received from An Garda Síochána to provide footage to assist in the investigation of a criminal offence.

Requests for footage may originate from:

- An Garda Síochána
- Insurance firms
- Solicitors

Such requests for copies of CCTV footage must be received in writing on foot of a formal request.

Emergency requests may be granted on verbal request, but must be promptly followed up in writing for the purposes of accountability.

A record of all third party requests for CCTV footage must be maintained by Westdoc.

11. PROVISION OF ACCESS TO CCTV FOOTAGE TO DATA SUBJECTS

Data Protection Law provided a right of access by Data Subjects to their personal data. This applies to any individual who is identifiable from the image which has been recorded by a Westdoc CCTV camera.

Upon receipt of a Data Access Request for CCTV footage, the Data Protection Officer will deal with them within one month. If they require a longer period of time, the data subject must be notified.

The Data Protection Officer may ask the Data Subject to specify the time and date of the footage requested to process the request.

If the Data Access Request is made after the 30-day retention period and the footage has been erased, the Data Subject will be advised of this. If the Data Access Request is made within the 30-day retention period, the footage should not be erased until the Data Access Request has been processed.

The format in which CCTV Footage is given to Data Subjects either on a disc or memory stick. If it is impossible to copy the footage from the CCTV system to another device for whatever reason, it is acceptable to provide picture stills for the duration of the recording in order to comply with the Data Access Request.

It may be the case where other individuals appear in the CCTV footage requested. They should be excluded from the footage. Where this is too difficult to pixelate or otherwise exclude third parties from the footage, the Data Protection Officer should seek the consent of all other parties identifiable in the footage.

12. COVERT SURVEILLANCE

The use of recording devices to obtain data without an individual's consent is permitted only in exceptional circumstances and on a case-by-case basis. It should only be carried out for purposes of preventing, detecting, investigating, and prosecuting offences.

A Data Protection Impact Assessment (DPIA) must be carried out prior to the operation of any covert systems to clarify if the measures can be justified on the basis of necessity in order to achieve the purpose.

13. FACIAL RECOGNITION AND BIOMETRIC DATA

Certain specific technical features on certain CCTV systems should be considered in determining the basis on which data can be lawfully processed.

Facial Recognition Processing is subject to Article 9 of GDPR Regulations 2018.

14. DATA PROTECTION IMPACT ASSESSMENT

Under Article 35(1) of the GDPR Regulations 2018, a DPIA is required to be carried out where processing data is likely to result in a high risk of harm to the Data Subject, e.g. a data breach. A DPIA should identify and mitigate against any risk arising from a new project.

For this reason, a DPIA must be carried out before installing any new set of cameras.

15. POINTS OF CONTACT

Data Subjects can contact Westdoc at its Headquarters in Galway.

If an individual wishes to make an access request or exercise their rights as outlined under Data Protection Law or if an individual has any queries, they should contact the Data Protection Officer at Westdoc.

Email: dpo@westdoc.ie
Phone: 091 747 700
Postal Address Data Protection Officer,
Westdoc HQ,
Unit 18A,
Lisbon Industrial Estate,
Tuam Road,
Galway

Further information is available on the Westdoc website: www.westdoc.ie

16. FURTHER INFORMATION

If an individual requires further information on Data Protection, they should contact the Offices of the Data Commissioner (The Supervisory Authority)

Lo Call Number 1890 252 231
Email dpo@dataprotection.ie

Postal Address Data Protection Commissioner,
Canal House,
Station Road,
Port Arlington,
Co Laois R32 NP 23