



OPW

Oifig na nOibreacha Poiblí
The Office of Public Works

The Office of Public Works

Closed Circuit Television (CCTV) Systems Privacy Statement

What We Do With Your Identifiable CCTV Images



Jonathan Swift Street
Trim, Co. Meath
Ireland, C15 NX36



www.opw.ie



1. **Who Controls Your CCTV Images and how do you Contact Them?**

The Commissioners of Public Works in Ireland decide how any CCTV images in which you may be identifiable are captured and what we do with these images of you. We pass this power through senior managers down to location managers.

You can contact us in any of the following ways:

By e-mail: info@opw.ie

By phone: (0761) 106000 / (046) 942 6000 / (01) 647 6000 / 1890 213 414 (LoCall)

By post: The Office of Public Works Head Office, Jonathan Swift Street,
Trim, Co. Meath, Ireland, C15 NX36.

By fax: (046) 948 1793



2. **If you are Concerned About What we do With Your CCTV Images Contact our DPO.**

You can contact our Data Protection Officer (DPO) in any of the following ways:

By e-mail: dpo@opw.ie

By phone: (0761) 106000 / (046) 942 6000 / (01) 647 6000 / 1890 213 414 (LoCall)

By post: Data Protection Officer, The Office of Public Works Head Office,
Jonathan Swift Street, Trim, Co. Meath, Ireland, C15 NX36.

By fax: (046) 948 1793



3. Purposes and Legal Basis for the Intended Processing of Your CCTV Images.

We capture your identifiable CCTV images for two purposes:

- **Security**
 - Protecting the Commissioners of Public Works in Ireland and our property from criminal activity
 - Protecting our staff, contractors and any visitors from criminal activity

Legal Basis

The legal basis for this is the legitimate interests pursued by the Commissioners of Public Works in Ireland. (You can find these at Section 4 below.)

- **Personal Safety**

Protecting the health and safety of our staff, contractors and visitors from accidental harm or injury.

Legal Basis

The legal basis for this is the Safety, Health and Welfare at Work Act 2005 and Section 3 of the Occupiers' Liability Act, 1995

If we later add any more purposes, we will list them here in this document. Where more purposes for the use of CCTV images are proposed, these must be approved in advance by the OPW's Data Protection Officer and, if necessary, by the Data Protection Commission. Any warning signs will need to state **all** purposes, including these additional purposes. CCTV images will **not** be used for archiving in the public interest, for scientific or historical research or for statistics. We do not record sound with our CCTV systems and we do not use them with facial recognition software. We use automatic number-plate recognition cameras in some cases. We do not use our CCTV systems to spy on you without your knowledge (covert surveillance).



4. Legitimate Interests Pursued by the Commissioners or a Third Party

The legitimate interests pursued by the Commissioners of Public Works in Ireland in processing your identifiable CCTV images are:

- Protecting the property of the Commissioners of Public Works in Ireland from theft, criminal damage or any other criminal activity
- Protecting their staff, contractors and any visitors from physical assault, threatening behaviour or robbery
- Protecting the Commissioners of Public Works from fraudulent personal injury claims.
- Protecting the health and safety of their staff, contractors and visitors from accidental harm or injury

There are no legitimate interests pursued by third parties in processing your identifiable CCTV images.



5. Recipients (or Categories of Recipients) of Your CCTV Images, if any

There are no external recipients of identifiable CCTV images.



6. Will Your CCTV Images be Transferred out of the EEA?

No.

6.1. Is There an EU Commission Adequacy Decision Authorising This Transfer?

Personal data may be transferred out of the European Economic Area (EU 27, UK until Brexit on 29 March 2019, Iceland, Norway, and Liechtenstein) to another country or to an international organisation, without any specific authorisation, where the EU Commission has decided that it provides an adequate level of data protection. The Commission reviews these decisions every four years.

This does not apply, as the identifiable images captured by OPW CCTV systems will **not** be transferred out of the EEA or to international organisations.

6.2. Are There any Other Appropriate and Suitable Safeguards?

If there is no adequacy decision, personal data may only transferred to a third country or international organisation if appropriate safeguards are provided and on the condition that enforceable data subject rights and effective legal remedies are available. Appropriate safeguards may include:

- Legally binding and enforceable instruments between public authorities/bodies
- Binding corporate rules
- Standard data protection clauses adopted by a Supervisory Authority and approved or adopted by the EU Commission
- Standard contractual clauses between controller/processor and recipient in the third country or international organisation

This does not apply, as such safeguards only apply to the transfer of personal data out of the EEA or to international organisations, while the personal data captured by OPW CCTV systems will **not** be transferred out of the EEA or to international organisations.

6.2.1. Where can you get a Copy of These Safeguards?

This is not relevant, as these safeguards only apply to the transfer of personal data out of the EEA or to international organisations, while the identifiable images captured by OPW CCTV systems will **not** be transferred out of the EEA or to international organisations.



7. Period for Which the Identifiable CCTV Images Will be Kept

Normally we will keep your identifiable CCTV images for no longer than **28 days**. Where you have suffered a personal injury, we will keep them for **65 days**. Where you make a legal claim against the Commissioners, we will keep them for the duration of the case and any appeals.



8. Will Your CCTV Images be Used for a Purpose Other Than That for Which Recorded?

We will not process your identifiable CCTV images for any purpose other than those stated at Section 3 above. If we later add additional purposes, we will state them all in a revised version of this policy and on new signs.



9. Your Rights

You have the following rights under EU and Irish data protection legislation:

9.1. Access to Information and Your Identifiable CCTV Images

We must tell you if we have captured your identifiable CCTV image. If so, we must give you a copy of your identifiable CCTV images (obscuring images identifying others) and the following information:

- a) The purposes for which your CCTV images are captured
- b) The categories of CCTV images
- c) There are no recipients (or categories of recipients) of the CCTV images
- d) The period for which the CCTV images data will be stored
- e) That you have the rights to:
 - Request correction of inaccurate CCTV images (this is not technically possible)
 - Erasure of your CCTV images (right to be forgotten)
 - Restrict our use of your CCTV images (we can then only store them)
 - Object to the processing of your CCTV images.
- f) That you have the right to complain to the Data Protection Commission
- g) If we use automated decision-making, the rules we use, and the significance and consequences of this for you
- h) The safeguards we use if we transfer your CCTV images out of the EEA

9.2. Rectification of Your Identifiable CCTV Images

As it is technically impossible to correct your CCTV images, we must delete them.

9.3. Erasure of Your Identifiable CCTV Images

You can get us to erase your identifiable CCTV images in certain cases.

9.4. Restriction of Processing of Your Identifiable CCTV Images

You can get us to restrict processing of your identifiable CCTV images in certain cases. We can only store restricted CCTV images and cannot process them in any other way.

9.5. The OPW's Obligation to Notify Recipients Regarding Rectification, Erasure or Restriction of Processing of Your Identifiable CCTV Images

There are no external recipients. If there were, we would have to tell each external recipient of any rectification, erasure or restriction of processing of your identifiable CCTV images. If you ask, we must tell you who these recipients are.

9.6. Data Portability

This only applies to organisations such as utilities or financial institutions with whom you have a contract or to whom you have given consent. You can get your personal data in a structured, commonly used, machine-readable format to pass on to another organisation.

9.7. Objection to Processing of Your Identifiable CCTV Images

You can object to the processing of your identifiable CCTV images in certain cases.

9.8. Not to be Subjected to Automated Individual Decision-Making

In certain cases, we cannot make fully automated decisions about you based on your CCTV images that legally or significantly affect you. We do not make such decisions.

The rights above can be restricted by the GDPR and the Data Protection Acts. You also have three other rights, listed below:

9.9. To be Told About a Personal Data Breach Involving Your Identifiable CCTV Images

Where your identifiable CCTV images have been accessed by or disclosed to unauthorised persons, lost, destroyed or unlawfully processed and this may result in a high risk to your rights and freedoms, we must inform you without delay. This right can also be restricted by the GDPR and the Data Protection Acts.

9.10. To Complain to the DPC About Infringements of Your Data Protection Rights

You may complain to the Data Protection Commission, if you think that our processing of your identifiable CCTV images has infringed your data protection rights.

9.11. To Sue

You can sue us (or our processors) for any damage you suffer if we infringe your rights under EU and Irish data protection legislation.

We must allow you to use these rights. You can make a request under any of these rights by contacting the DPO. We may need you to confirm your identity first, as we cannot give your personal data to others. We will not retain any personal data you give us to confirm your identity. Once we have verified your identity, we must send you the information you require in clear and plain language by email or post, within **30 days**. We can provide it orally if you prefer, but only for small quantities. It is not technically possible to provide CCTV footage orally.

For complex requests or where there are large numbers of requests, we can extend our time to respond to you by a further 60 days, but we must tell you we are going to do this within the first 30 days, together with the reason for the delay. If we are not going to respond to your request we must tell you this within 30 days. We must remind you that you have the options of complaining to the DPC or of suing us.

If you make an electronic request, we must respond to you electronically, unless you prefer otherwise.

Anything we do in response to your request and any information we give you must be free. If you make excessive requests (e.g. make the same one repeatedly) or your requests have no basis in fact, we may either charge you a fee or refuse to act on it. We will not charge you a fee where you have made a mistake, such as the wrong location, but will not act on your request. We may ask you to clarify your request. You can help us to fulfil your request about CCTV footage by being as specific as possible about the location, dates and times.



10. Is Provision of Your CCTV Image a Statutory or Contractual Requirement?

No. It is not necessary to provide your identifiable CCTV image by law or under a contract, nor is it necessary to provide it in order to enter into a contract.



11. Must you Provide Your CCTV Images and What Happens to you if you Don't?

It is not possible for you to enter an OPW site, property or premises where a CCTV system is in operation and to pass into view of a CCTV camera without it capturing your image. If you are unwilling to have your image captured, you cannot enter the site, premises or property.



12. The Existence of any Automated Decision-Making, Including Profiling

None. As we do not use your identifiable CCTV images for automated decision-making, so obviously there is no information about its logic, significance or consequences for you.