

This is the

Closed-Circuit Television (CCTV)

guidelines and policy

for

Derrybeg FARM CSA

Celbridge, Kildare.

Dated 16-Feb-2024 version 07

- Section 1: Derrybeg Farm CSA guidelines for its use of CCTV.
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SECTION 1:

Derrybeg Farm CSA guidelines for its use of CCTV.

The Irish Data Protection Commission (www.dataprotection.ie) has defined seven guidelines for CCTV.

Derrybeg Farm CSA has embraced each point and has noted a comment against each of these.

1. **Purpose:** Do you have a clearly defined purpose for installing CCTV?
 - Derrybeg Farm CSA wants to protect property, volunteers, visitors and ensure a safe environment for all.

2. **Lawfulness:** What is the legal basis under [Article 6 GDPR](#) for your use of CCTV?
 - Kildare County Council allow the license holder (Derrybeg Farm CSA) the use of CCTV on site.
 - Local Garda have recommended the installation of CCTV.
 - Derrybeg Farm CSA Steering Group wants to protect property and all who visit.

3. **Necessity:** Can you demonstrate that CCTV is necessary?
 - Several acts of vandalism, theft and unauthorised access have occurred on Derrybeg Farm CSA all of which were reported to Garda. For future accurate and evidential reporting to authorities Derrybeg Farm CSA requires prevention measures such as video.

4. **Proportionality:** If your CCTV system is to be used for purposes other than security, are you able to demonstrate that those other uses are proportionate?
 - Derrybeg Farm CSA use is solely for security and visitor protection.
 - No other use is permitted by the Steering Group.

5. **Security:** What measures will you put in place to ensure that CCTV recordings will be stored safely and securely?
- On request by Garda or Kildare County Council (KCC), the Derrybeg Farm CSA Data Controller will hand over images to Garda and/or KCC if deemed necessary. This is a Steering Group directive.
- These images are stored on a secure cloud paid-for storage location that only the Data Controller has access to.
6. **Retention:** How long will you retain recordings for, taking into account that they should be kept for no longer than is necessary for your original purpose?
- Derrybeg Farm CSA Data Controller will delete images greater than 31 days old. Only images requested by the authorities will be held longer than 31 days.
7. **Transparency:** How will you inform people that you are recording their images and ensure that they have access to the other information required under transparency obligations? A person whose images are recorded by a CCTV system must be able to access information about:
- The identity and contact details of the data controller :**
 - Derrybeg Farm CSA Farmer is the Data Controller.
 - The contact details for the data protection officer :**
 - Email Farmer.Derrybeg.Farm@gmail.com
 - The purpose and legal basis for the processing :**
 - To protect the site as per license agreement from Kildare County Council (KCC). A duty of care to visitors.
 - Any third parties to whom data may be disclosed :**
 - Disclosure only to Derrybeg Farm CSA Data Controller, KCC and Garda.
 - The security arrangements for the CCTV footage :**
 - Stored in Cloud, not on local storage devices
 - The retention period for CCTV footage :**
 - Normally 31 days. However greater than 31 days if requested by KCC or Garda

The existence of data subject rights and the right to lodge a complaint with the DPC :

- Contact Derrybeg Farm CSA Steering group

SECTION 2:

Derrybeg Farm CSA policy on CCTV

CCTV And Data Protection

Recognisable facial images captured by CCTV systems are special category personal data and on that basis require appropriate controls and protections around their use, in line with statutory requirements contained in the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (the Acts).

This confers rights to persons under the Acts. Importantly, Derrybeg Farm CSA has duties and obligations as the holder of personal data, as in these cases, and must ensure such data is handled and managed correctly. This policy statement sets out what DERRYBEG FARM CSA as Data Controller, must do in relation to management of personal data processed using CCTV.

Purposes and locations for CCTV:

The DERRYBEG FARM CSA Farmer operates as a data controller regarding the use of CCTV for a range of purposes at the farm:

- Security of Farm property, including assisting in the safety and security of Farmer, visitors, and members throughout the DERRYBEG FARM CSA;

Management of CCTV:

In fulfilling its role as a Data Controller the DERRYBEG FARM CSA Farmer is committed to ensuring that personal data collected via CCTV will be in line with the principles of the GDPR as below;

- Obtained lawfully, fairly and in a transparent manner.
- Obtained for only specified, identified and legitimate purposes.
- Processed for purposes which we have identified or purposes compatible with the purposes that we have identified.
- Adequate, relevant, and limited to what is necessary for purpose for which it was obtained.
- Personal data collected and processed must be accurate and (where necessary) kept up to-date.
- Kept only for as long as is necessary for the purposes for which it was obtained.
- Processed in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

Processing CCTV images lawfully

The Farmer will identify a primary purpose for each CCTV system and this shall be aligned to a lawful basis, in accordance with Article 6(1) of the GDPR being either

- A task carried out in the public interest.
- Exercise of official authority vested in the controller.
- Necessary for compliance with a legal obligation to which the controller is subject or In exceptional circumstances processing is necessary in order to protect the vital interests of the data subject or of another natural person.

This is without prejudice to the provisions of the Data Protection Act 2018 which in limited circumstances may allow limited access to and use of personal data, for purposes other

than those specified related to the CCTV system, where it is necessary and proportionate for Derrybeg Farm CSA to do so.

Processing CCTV images fairly and in a transparent manner.

To ensure compliance Derrybeg Farm CSA will:

- Include reference to CCTV use on its online Data Protection information.
- Ensure reference is made in privacy statements to the use of CCTV and its purpose.
- Ensure that signage regarding use of CCTV is easily-read, and well-lit and in prominent positions. For example, at the entrance to Derrybeg Farm CSA.
- Ensure that the signage states purpose for CCTV use.
- Provides contact details.
- Visitors are advised of the use of CCTV.

Ensuring data minimisation and compliance with retention standards.

GDPR states 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 processed..”

- In accordance with this the normal retention period on Derrybeg Farm CSA normally shall be 31 days, however greater than 31 days if requested by KCC or Garda.
- Where, in response to an access request from An Garda Síochána footage is downloaded and provided to An Garda Síochána.
- In line with principles of data minimisation, use of CCTV to monitor areas where individuals would have a reasonable expectation of privacy will not take place. Cameras placed so as to record external areas shall be positioned in such a way as to prevent or minimise recording of passers-by or of another person's private property. Compliance with this requirement must be demonstrated at installation and reviewed periodically by persons authorised to access images (This is the Farmer and Derrybeg Farm CSA Steering Group).

Processed in a manner that ensures the appropriate security of the personal data

- Recorded images will be stored in a secure environment, will be restricted to authorised individuals and access controls will be in place to ensure they are secure.

Note

- For the avoidance of doubt, CCTV monitoring/profiling of an individual based on any of the following characteristics is prohibited:
Age / Civil status / Disability / Family status / Gender
Race / Religion / Sexual orientation / Membership of the Travelling Community

SECTION 3:

Derrybeg Farm CSA CCTV use guidance.

Derrybeg Farm CSA follows stringently the guidance on Irish Data Protection Policy as found at the link below.

[CCTV Guidance Data Controllers_November 2023 EN.pdf \(dataprotection.ie\)](#)

This includes topics of

Guidance on the Use of CCTV – For Data Controllers

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