



# Comhairle Contae Chill Dara Kildare County Council

## Data Protection Act 2018 (as amended)

### PRIVACY STATEMENT for

### CCTV use for traffic management purposes by Kildare County Council and access to CCTV in securing public order and safety in public places by An Garda Síochána.

#### Who are we?

Kildare County Council (the Council) is the democratically elected unit of Local Government in County Kildare and is responsible for providing a range of services to meet the economic, social and cultural needs of the people of our County. In order to provide the most effective and targeted services to meet the needs of the citizens, communities and businesses of County Kildare we will be required to collect, process and use certain types of information about people and organisations. Depending on the service being offered, information sought may include 'personal data' as defined by the Data Protection Acts and the General Data Protection Regulation (GDPR) and may relate to current, past and future service users; past, current and prospective employees; suppliers; and members of the public who may engage in communications with our staff. In addition, staff may be required, from time to time, to collect process and use certain types of personal data to comply with regulatory or legislative requirements or to carry out functions in the public interest.

#### Why do we have a Privacy Statement?

This privacy statement has been created to demonstrate the Council's commitment that personal data you may be required to supply to us is;

- 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.

More detail is available in our Data Protection Policy Statement at <http://kildare.ie/CountyCouncil/DataProtection/> or request a hard copy at 045 980 200.

#### What is the activity referred to in this Privacy Statement?

Use of CCTV Technology at relevant traffic junctions throughout the County for the



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purpose of monitoring and managing traffic conditions on the regional and local road network, as well as use by An Garda Síochána in the interest securing public order and safety in public places by facilitating the deterrence, prevention, detection and prosecution of offences.

### **What is the basis for making the processing of this personal data lawful?**

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in Kildare County Council in accordance with Article 6(1) (e) of the General Data Protection Regulation, 2016.

In accordance with the Roads Act 1993 (as amended) the Council as Roads Authority, through the activities of the Transportation Department has a role in the planning, design, management and maintenance of the regional and local roads within County Kildare, including certain matters related to road safety. In this regard Sections 2 and 13 of the [Roads Act 1993 \(as amended\)](#), are relevant.

Kildare County Council has conducted a data protection impact assessment regarding use of CCTV for Traffic Management purposes. This will be referred to the Data protection Commission for consultation and guidance as required.

### **What types of personal data do we need to undertake this activity?**

Routine traffic management activity by the Council involving CCTV cameras do not require monitoring or access by Council staff to personal data captured by CCTV.

Kildare County Council does not access vehicle registrations or facial images from Traffic Management CCTV to discharge its Roads Authority functions.

CCTV footage at key junctions and bridges in the following areas are recorded: Naas, Newbridge, Kildare, Leixlip, Celbridge, Maynooth, Carragh, Athy and Monasterevin.

An Garda Síochána, subject to relevant controls, may access personal data from the Traffic Management CCTV system such as:

Videos & Photographs (Includes Vehicle Registrations, Facial Footage, Location information).

This access is in the interest of securing public order and safety in public places by facilitating the deterrence, prevention, detection and prosecution of offences.

Where downloads of such footage are required this is subject to a protocol between Kildare County Council and An Garda Síochána available here:

<http://kildare.ie/CountyCouncil/Forms/DataProtection/>

Kildare County Council maintains a log recording such requests and disclosures.

### **This personal data may be processed for the following purposes:**

- (a) The primary purpose of the Traffic Management CCTV system is for Kildare County Council to monitor and manage traffic flows safely and efficiently.
- (b) Footage will be available to An Garda Síochána upon receipt of a signed copy of a request from Superintendent/Inspector to assist in functions of An Garda Síochána.



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- (c) The footage may also be used as part of investigations by Kildare County Council into claims resulting from injuries to the public, as is necessary and proportionate.
- (c) Other purposes as permitted in accordance with Section 60, Section 41 and or Section 71 of the Data Protection Act 2018, where necessary and proportionate.

### **What will happen if the personal data is not provided by the individual?**

There are no consequences as data is not provided by the individual.

### **Is personal data submitted as part of this activity shared with other organisations?**

The Council may, to fulfil statutory or regulatory obligations or in the public interest, from time to time, have to share personal data with other organisations or entities (in Ireland or abroad). Where this is required the Council shall have regard to your rights, to the security and integrity of the data and will minimise the data shared.

In this activity, the data may be shared with the following recipients:

An Garda Síochána, IPB Insurances (Kildare County Council's insurance provider) and legal representatives that may be engaged by the Council.

Requests for access by shall be processed in accordance with the Data Protection Act 2018.

Data processed by the Council in this activity is not transferred to another country.

### **How long is my data kept for?**

The data processed as part of this activity will be retained for 30 days.

### **Your rights:**

You have the right to obtain confirmation as to whether data concerning you exists, to request access to personal data held about you, to be informed of the content and source of data and check its accuracy.

If the data held by us is found to be inaccurate you have the right to rectify/correct this – see above on how to update your records.

You also, subject to certain conditions being met, have the right to object to or seek restriction of the processing of personal data and to request the erasure of personal data held by the Council.

Please note that to help protect your privacy, that we take steps to verify your identity before granting access to personal data.

To exercise these rights logon to <http://kildare.ie/CountyCouncil/DataProtection/> , use a form at our Counters or contact us. Completed applications to be sent to:



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### Kildare County Council – Data Protection Officer

<b>Phone</b>	045 980 200
<b>E-mail</b>	<a href="mailto:dataprotection@kildarecoco.ie">dataprotection@kildarecoco.ie</a> or <a href="mailto:customercare@kildarecoco.ie">customercare@kildarecoco.ie</a>
<b>Postal Address</b>	Áras Chill Dara, Devoy Park, Naas, Co Kildare. W91 X77F.

### Right of Complaint to the Data Protection Commission

If you are not satisfied with the outcome of the response received by the Council you are entitled to make a complaint to the Data Protection Commission who may investigate the matter for you. The Data Protection Commission website is [www.dataprotection.ie](http://www.dataprotection.ie) or you can contact their Office at:

<b>Lo Call Number</b>	1890 252 231
<b>E-mail</b>	<a href="mailto:info@dataprotection.ie">info@dataprotection.ie</a>
<b>Postal Address</b>	Data Protection Commission Canal House, Station Road, Portarlinton, Co. Laois. R32 AP23.

**Changes to Privacy Statement:** We may make changes to this Statement. If we make changes they will be posted below.

**LAST UPDATED ON: November 8th 2019.**