Data Protection Act 2018 (as amended)

**PRIVACY STATEMENT for**
**Athy Community CCTV Scheme**

**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 operated by Kildare County Council as Data Controller under Athy Community CCTV Scheme for the purpose of securing public order and safety in public places by facilitating the deterrence, prevention, detection and prosecution of offences by An Garda Síochána.

**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.

Section 38(3) of the Garda Síochána Act 2005 – authorisation has been given by the Garda Commissioner for the installation and operation of CCTV by Kildare County Council for the sole or primary purpose of securing public order and safety in public places by facilitating the deterrence, prevention, detection and prosecution of offences by An Garda Síochána.

**What types of personal data do we need to undertake this activity?**An Garda Síochána, subject to relevant controls and where necessary and proportionate, may access personal data from the Athy Community CCTV Scheme such as:
Videos & Photographs (Includes Vehicle Registrations, Facial Footage, Location information).

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

(a) The primary purpose of securing public order and safety in public places by facilitating the deterrence, prevention, detection and
 prosecution of offences.
(b) Footage will be available to An Garda Síochána upon receipt of a signed request from a Superintendent/Inspector to assist in
 functions of An Garda Síochána, in accordance with the Code of Practice governing Community- Based CCTV systems, available
 at this location: [www.justice.ie/en/JELR/Pages/Community-Based-CCTV](http://www.justice.ie/en/JELR/Pages/Community-Based-CCTV)
(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 as joint controllers of the CCTV shall have access to the live feed of the CCTV footage.
Requests for downloads of footage 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/**](http://kildare.ie/CountyCouncil/DataProtection/) , use a form at our Counters or contact us. Completed applications to be sent to:

**Kildare County Council – Data Protection Officer**

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| **Phone** | 045 980 200 |   |
| **E-mail** | dataprotection@kildarecoco.ie  |  |
| **Postal Address** | 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:

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| **Contact:**  | <https://www.dataprotection.ie/en/contact/how-contact-us>  |   |
| **Postal Address** | Data Protection Commission 21 FITZWILLIAM SQUARE SOUTHDUBLIN 2D02 RD28 |  |
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 **Changes to Privacy Statement:** We may make changes to this Statement. If we make changes they will be posted below.

**LAST UPDATED ON: 21/1/2022.**