



Closed Circuit Television (CCTV) Policy

Introduction

This policy is to regulate the use of Closed Circuit Television (CCTV) and its associated technology, monitoring both the internal and external environs of the Butler Gallery, Evans Home, John's Quay, Kilkenny, R95 YX3F.

A copy of this CCTV Policy will be made available on the Butler Gallery website, provided to all full time and temporary staff.

Purpose of Policy

This policy is relevant to all staff and visitors to Butler Gallery. It relates directly to the location and use of CCTV, and the monitoring, recording and subsequent use of such recorded material.

Scope

This policy relates directly to the location and use of CCTV and the monitoring, recording and subsequent use of such recorded material. Butler Gallery will ensure that CCTV systems, where installed, are operated only in a way that is compatible with the provisions of this policy.

General Principles

- Butler Gallery has a statutory responsibility for the protection of its collection, property, and equipment as well providing a sense of security to its staff, and visitors to its premises.
- Butler Gallery owes a duty of care under the provisions of Safety, Health and Welfare at Work Act 2005 and associated legislation and utilises CCTV system and their associated monitoring and recording equipment as an added mode of security and surveillance for the purpose of enhancing the quality of life in the gallery.
- Information obtained through the CCTV system may only be released by following due procedure. Any requests for CCTV images from An Garda Síochána are fully recorded. If An Garda Síochána, is seeking a recording for a specific investigation, any such request made by An Garda Síochána is requested in writing. CCTV monitoring of public areas for security purposes will be conducted in a manner consistent with all existing policies adopted by Butler Gallery.
- The use of the CCTV system is conducted in a professional, ethical and legal manner and any diversion of the use of CCTV security technologies for other purposes is prohibited by this policy.

Butler Gallery

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- This policy prohibits monitoring based on the characteristics and classifications contained in equality and other related legislation which are gender, civil status, family status, sexual orientation, religion, age, disability, race and ethnicity.
- Video monitoring of public areas for security purposes within Butler Gallery is limited to uses that do not violate the individual's reasonable expectation to privacy.
- Furthermore, CCTV monitoring is limited to uses that do not violate the reasonable expectation to privacy as defined by law. This policy prohibits the use of the CCTV network in Butler Gallery to monitor members of staff.
- The CCTV system and associated equipment is required to be compliant with this policy following its adoption by Butler gallery. Recognisable images captured by CCTV systems are personal data. They are therefore subject to the provisions of the Data Protection Act 2018.

CCTV surveillance is employed for the following purposes:

- **Security:** To assist in providing for the security of staff and visitors.
- **Protection:** To support the protection and maintenance of gallery property and collection.
- **Safety:** To increase safety of staff, customers and visitors.
- **Prevention:** To deter and detect crime; and assist in identifying, apprehending and prosecuting offenders.

The personal data recorded and stored by the CCTV system will be used only for the purposes outlined in this policy document. Collection, storage and use of CCTV footage shall be in compliance with the Data Protection Act 2018 and the General Data Protection Regulation (the data protection legislation).

Justification for the use of CCTV

Data Protection legislation requires that data is “adequate, relevant and not excessive” for the purpose for which it is collected. This means that Butler Gallery needs to be able to justify the obtaining and use of personal data by means of a CCTV system. The use of CCTV to control the perimeter of the building and the internal areas for security purposes and health and safety reasons has been deemed to be justified by Butler Gallery. The system is intended to capture images of intruders or of individuals damaging property or removing goods without authorisation.

Location of Cameras

The cameras are located throughout the premises and galleries both internally and externally. They are situated at selected points to maximise their effectiveness for the purposes outlined within this policy. Cameras placed so as to record external areas are positioned in such a way as to prevent or minimise recording of passers-by or of neighbouring property.

Signage

Signage is displayed at prominent locations throughout the premises so that staff and visitors are aware that CCTV cameras are in use.



Storage and Retention

In accordance with data protection legislation, CCTV footage is retained for no longer than is necessary. All recordings are retained for a maximum of 30 calendar days.

After this time, they are safely deleted, except where the image identifies an issue and is retained specifically in the context of an investigation of that issue. When used in conjunction with an investigation or as evidence, recordings may be retained by request specifically in that context until the issue is resolved. After this period, images are safely deleted.

Access

CCTV Monitors are installed in the following areas and will be used in accordance with this policy:

- (a)** Reception
- (b)** Manager's office

Any remote monitoring will be restricted to ensure that staff and customer movements are not being monitored or captured continuously.

The back up system can only be accessed by authorised personnel from Butler Gallery and AP Systems (installers of system).

In certain circumstances, the recordings may also be viewed by other individuals in order to achieve the objectives set out above (such individuals may include a member of the Gardaí following a Data Protection request). When CCTV recordings are being viewed, access is limited to authorised individuals on a need-to-know basis.

In relevant circumstances, CCTV footage may be accessed:

1. By An Garda Síochána where Butler Gallery are required by law to make a report regarding the commission of a suspected crime; or
2. Following a request by An Garda Síochána when a crime or suspected crime has taken place and/or when it is suspected that illegal/anti-social behaviour is taking place on Butler Gallery property, or
3. By the HSE and/or by any other statutory body charged with child safeguarding; or
4. To individuals (or their legal representatives) subject to a court order; or
5. To the gallery insurance company where the insurance company requires same in order to pursue a claim for damage done to the insured property

Requests by An Garda Síochána:

With regard to requests from An Garda Síochána to access footage, they should only be granted when a formal written request is provided to Butler Gallery stating that An Garda Síochána is investigating a criminal matter.

For practical purposes, and to expedite response to an urgent request, a verbal request may be sufficient to allow for the release of the footage sought. However, any such verbal request must be followed up with a formal written request.

A log of all Garda Síochána requests will be maintained by Butler Gallery and its data processors. Any such requests should be on An Garda Síochána headed paper, quote the details of the CCTV footage required and should also cite the legal basis for the request under the Data Protection legislation. Prior to Butler Gallery issuing any CCTV images to An Garda Síochána, it will be discussed and agreed with the Data Protection Officer, and if necessary the Gallery board.

There is a distinction between a request by An Garda Síochána to view CCTV footage and to download copies of CCTV footage. In general, An Garda Síochána making a request to simply view footage on the premises of a data controller or processor would not raise any specific concerns from a data protection perspective.

Access Requests:

On written request, any person whose image has been recorded has a right to be given a copy of the information recorded which relates to them, provided always that such an image/recording exists i.e. has not been deleted and provided also that an exemption/prohibition does not apply to the release. Where the image/recording identifies another individual, those images may only be released where they can be redacted/anonymised so that the other person is not identified or identifiable.

To exercise their right of access, a data subject must make an application in writing to the director of Butler Gallery. The gallery must respond within 1 month.

Access requests can be made to the following: Gallery Director: Anna O'Sullivan, Butler Gallery, Evans Home, John's Quay, Kilkenny, R95 YX3F info@butlergallery.ie

A person should provide all the necessary information to assist Butler Gallery in locating the CCTV recorded data, such as the date, time and location of the recording. If the image is of such poor quality as not to clearly identify an individual, that image may not be considered to be personal data and may not be handed over by the school. In giving a person a copy of their data, the gallery may provide a still/series of still pictures, or a disk with relevant images. However, other images of other individuals will be obscured before the data is released.

Responsibilities:

Butler Gallery will:

- Ensure that the use of CCTV systems is implemented in line with the policy set down.
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes.
- Ensure that the existing CCTV system is evaluated for compliance with this policy.
- Ensure that the CCTV monitoring is consistent with the highest standards and protections.
- Review camera locations and be responsible for the release of any information or recorded.
- CCTV materials stored in compliance with this policy.
- Maintain a record of access (e.g. an access log) to or the release of footage or any material recorded or stored in the system.

Supporting Documents

This policy should be read in conjunction with other gallery policies, including:

- [Butler Gallery Data Protection Policy](#)

The above list is not exhaustive and other policies may apply.