



# National Library of Ireland

## Closed Circuit Television Policy (CCTV) Policy

## Contents

1.0 Policy Statement ..... 3

2.0 Applicable CCTV Legislation ..... 3

3.0 Purpose of CCTV at NLI ..... 3

4.0 Legal Basis for the use of CCTV ..... 4

5.0 Scope..... 5

6.0 General Principles ..... 5

7.0 Recording & Retention..... 6

8.0 Signage ..... 6

9.0 Roles and Responsibilities..... 8

10.0 Installation and Maintenance of the CCTV System and Data Processing ..... 8

11.0 Access to Personal Data ..... 9

12.0 Access Requests from An Garda Síochána..... 11

13.0 Implementation & Review ..... 11

14.0 Definitions:..... 12

## 1.0 Policy Statement

The National Library of Ireland (NLI) has a statutory responsibility to protect the security and safety of all readers, visitors, staff, and contractors whilst on library premises. All personal data processed will be done in accordance with relevant legislation and in accordance with the NLI Data Protection Policy. NLI is the Data Controller of the personal data collected. The personal data collected will include images and movements of NLI readers, visitors, staff, contractors and private individuals. The use of Closed-Circuit Television (CCTV) systems is an integral, and deemed justified, part of enhancing the safety and security of the NLI buildings and spaces.

The purpose of this policy is to regulate the use of CCTV in the monitoring of both the internal and external environs of the National Library buildings and grounds. The aim is to ensure that operation, monitoring and access to CCTV systems, and any use of resulting CCTV images, is used transparently and proportionately in accordance with data protection legislation, the library's Data Protection Policy and guidance provided by the Data Protection Commission.

## 2.0 Applicable CCTV Legislation

CCTV cameras capture identifiable images of individuals and, accordingly, they process personal data. CCTV must therefore be operated in accordance with the Data Protection Acts 1988 to 2018, the General Data Protection Regulation (Regulation (EU) 2016/679) (GDPR) and guidance issued by the Office of the Data Protection Commission (together, Data Protection Law). Together, these rules and regulations regulate the way the NLI collects, processes and protects personal data.

## 3.0 Purpose of CCTV at NLI

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. Its use will be to achieve the aims and legitimate objectives in this regard and as deemed necessary by NLI and for the purposes of:

- for the health and safety of readers, visitors, staff, and contractors
- to protect the NLI buildings, spaces and assets at all times against loss, anti-social behaviour, vandalism or damage

- to deter and detect criminal activity, or unauthorised access, and to assist with the identification, investigation, detection, apprehension and prosecution of offenders, including the provision of evidence and assisting An Garda Síochána with any related enquiries
- as an ancillary use monitoring of readers, visitors, staff, and contractors will only take place in the event of a specific incident that requires investigation under an NLI Policy, Procedure or Code
- to assist in the resolution of incidents involving workplace hazards, injuries or near misses; to assist in the processing of allegations/claims against NLI.
- To assist NLI where its grievance, disciplinary or dignity at work procedures have been invoked. CCTV surveillance will not be used to monitor individuals to gather evidence to invoke a procedure. To enable NLI to respond to legitimate requests to investigate complaints, allegations, accidents, health, safety and security incidents and where there is a legal basis for doing so e.g. for legal proceedings or insurance investigations.

Where, in the carrying out of these purposes, images are obtained of persons committing acts of an illegal nature and / or acts which breach NLI's policies and procedures, these may be used as evidence.

While every effort has been made in the layout of the CCTV system to give it maximum effectiveness, it is not possible to guarantee that it will detect every incident that takes place in the Library buildings and grounds.

#### 4.0 Legal Basis for the use of CCTV

Under Data Protection Law, the processing of personal data requires a legal basis. The legal basis for the NLI's use of CCTV stems from legislation and the public interest, and in particular the official authority vested in the controller (NLI) as outlined in the National Cultural Institutions Act 1997, which sets out responsibility for entire and exclusive possession, occupation and control of NLI premises and its collections. The NLI's buildings and grounds, at Kildare Street, are held in the ownership of the OPW, with the NLI's having the use and occupation of the buildings. In addition, the OPW lease the National Photographic Archive and a commercial a storage facility at Parkwest for the NLI's use and occupation.

Safety, Health & Welfare at Work Act 2005

- Legal Obligation: investigation of allegations, complaints, accidents and incidents and verification of facts as regards same; and

- Prevention, detection and deterrence of crime.

CCTV systems will not be used for any purposes other than as outlined at section 3 above and further consistent with legal basis of use stipulated in this section.

CCTV will further not be deployed in a way that infringes employees' rights to privacy in the workplace or in a manner contrary to the purposes outlined here and at Sections 3 above.

## 5.0 Scope

This policy applies to the use of CCTV systems across all areas of the NLI buildings and spaces, both internal and external on the main Kildare Street campus and at the National Photographic Archive Temple Bar at NLI Parkwest storage facilities.

## 6.0 General Principles

- To comply with the Data Commissioner's recommendations in relation to data protection.
- Monitoring of footage will be conducted in an ethical, legal and professional manner as deemed necessary by NLI and in compliance with the relevant legislation.
- In the event of an incident being reported to the NLI Estates Department or Data Protection officer, the footage of the identified location is reviewed by the Buildings & Security Manager and, if he/she is unavailable, the Head of Estates, and addressed under the Data Commissioner's recommendations.
- Only on receipt of an official request in writing from the Garda Síochána will a copy of the footage be released.
- Private Citizens (Data Subjects) can apply to the NLI Data Protection Officer for a copy of footage under the Data Protection Act 2018 and under applicable NLI Data Protection Policies and Procedures which are available on the NLI website page addressing data protection.
- Private Citizens (Data Subjects) can avail of their other data protection rights under applicable NLI Data Protection Policies and Procedures (available on the NLI website) by contacting the NLI Data Protection Officer at [dataprotection@nli.ie](mailto:dataprotection@nli.ie)

- Private Citizens (Data Subjects) can make a complaint to the Data Protection Commissioner through the following link: <https://www.dataprotection.ie/en/contact/how-contact-us>
- Access to the CCTV servers is restricted to the NLI Head of Estates and the NLI Buildings & Security Manager or a designated appointee.

## 7.0 Recording & Retention

The CCTV system installed at the NLI premises and open spaces uses digital recording technologies only. Recordings are made directly to hard disc and are retained for approximately one month, or as deemed necessary by NLI. In the event of an ongoing Garda Síochána investigation, or other legal or insurance proceeding, the data will be retained until such time as the case is complete.

## 8.0 Signage

Signage is displayed at prominent locations at the entrances to the NLI buildings so that readers, staff, contractors and visitors are aware that CCTV cameras are in use:

The presence of CCTV is indicated by easily-read and well-lit bilingual signs in prominent positions at all entrances identifying the National Library and indicating the purpose of the CCTV system and the contact details of the data controller, [dataprotection@nli.ie](mailto:dataprotection@nli.ie).



Tá íomhánna TCI (Teilifís Ciorcaid Iata) á dtaifeadadh anseo 24 uair in aghaidh an lae ag Leabharlann Náisiúnta na hÉireann chun coireacht a chosc agus a bhraith, agus ar son sábháilteacht. Chun tuilleadh eolais a fháil, cuir ríomhphost chuig [dataprotection@nli.ie](mailto:dataprotection@nli.ie) le do thoil nó féach ar ár suíomh gréasáin [www.nli.ie](http://www.nli.ie).

**CCTV (Closed Circuit Television) Images are being recorded at these premises 24 hours a day by the National Library of Ireland for the purposes of crime prevention, detection and safety. For further information please email [dataprotection@nli.ie](mailto:dataprotection@nli.ie) or refer to our website [www.nli.ie](http://www.nli.ie).**

Example of NLI CCTV Sign typically A4 or A3 in size (depending on location)

## 9.0 Roles and Responsibilities

The NLI CCTV systems are operated by the NLI. The CCTV system is installed and maintained by a contract security maintenance and installation company, who operate under a contract, and a data processing agreement, with the OPW to provide the service.

Personnel from the contract security company, and NLI Science and Art attendants monitor live CCTV feeds in accordance with this policy.

### **NLI Buildings & Security Manager**

- Ensures that the use of CCTV systems and the monitoring of all footage are carried out in accordance with this policy.
- Ensures that all monitoring is in compliance with any relevant legislation relating to privacy.
- Ensures that only authorised individuals have access to footage and only as necessary and always in accordance with the terms of this policy and consistent with Data Protection Law.
- Oversees the use of CCTV monitoring for safety and security purposes across NLI buildings
- Co-ordinates viewing and release of any footage with the parties involved, i.e. Garda Síochána in accordance with the provisions of this policy
- Maintains a record of the download and release of any footage in a written log that will prescribe the date and time relating to said footage and the reason for said footage being downloaded and reviewed.
- Ensures that any required signage is correct and in place, including information on how to contact the Data Protection Officer

## 10.0 Installation and Maintenance of the CCTV System and Data Processing

The installation and maintenance contractors for the NLI CCTV system are contracted by the OPW on behalf of the NLI. There will be a GDPR compliant written contract with installation and maintenance contractors. The following applies to such contract: The OPW has a written contract with the security company which details the areas to be monitored, how long data is to be stored, what the security company may do with the data, what security standards should be in place and what verification procedures apply. The written contract also states that the security company will give NLI all reasonable assistance to deal with any subject access request made under Article 15 of the General Data Protection Regulation which may be received by NLI within the statutory time-frame (generally one calendar month).



*In its Processor contracts under Article 28, the OPW will instruct its security contractors to cooperate fully with all their tenants to fulfil their Data Protection obligations. The OPW will maintain the CCTV systems along with the other infrastructure of the building such as lifts and intruder alarms. (The OPW CCTV Policy, 2018, p.29)*

Security companies that place and operate cameras on behalf of NLI are considered to be "Data Processors." As data processors, they operate under the instruction of OPW, who forward requests from the NLI. Article 32 of the General Data Protection Regulation places a number of obligations on data processors. These include having appropriate security measures in place to prevent the destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed, in particular where the processing involves the transmission of data over a network and against all unlawful forms of processing. This obligation can be met by having appropriate access controls to image storage or having robust encryption where remote access to live recording is permitted. Staff of the security company have been made aware of their obligations relating to the security of data.

The Library's CCTV system is password protected and can only be accessed by the Head of Estates, and the Buildings & Security Manager.

Recorded Data obtained by the Library through the CCTV system may only be released by the Library to any third party when such release is authorised by the Head of Estates.

## 11.0 Access to Personal Data

Under Data Protection Law, there is a right to be informed by us whether we hold personal data about you, and if so, how it is used and shared, including CCTV footage and images. There is also a right to obtain a copy of the personal data relating to you that we hold (a **Subject Access Request**). In most cases, we will comply with a Subject Access Request free of charge. However, we can impose reasonable fees, based on administrative costs and expenses, where your request is manifestly unfounded or excessive.

Subject Access Requests should be made to the NLI Data Protection Officer (see contact details below) within one month of the date the data is being sought from. You will be asked to present evidence of your identity (eg. an official document with a photograph, such as a passport or drivers licence), to assist us in identifying the appropriate data is being given to the appropriate person.

Your request should be as specific as is possible to enable us to identify where the particular data is held. To help us identify the correct data, it is very helpful if you:

1. provide as close a time period as possible from which you want us to search for the data to see records (for example, "1 March 2022, 3.45 to 4 pm")
2. provide an idea of the general nature of your query (for example, "in relation to an incident in the entrance hall of the main building")
3. inform us what areas of the Library you visited (for example, "Cafe" or "entrance steps") and the names of staff members or department you were dealing with (if applicable).
4. let us know which Library services you availed of.
5. on receipt of a request the NLI Data Protection Officer (DPO) will notify the Head of Estates and the Buildings & Security Manager including any details provided to help us identify the relevant data.
6. the NLI Buildings & Security Manager will review the available data and, where required, request the maintenance contractors isolate the data and obscure the data of others not included in the request.
7. the NLI Buildings & Security Manager will report the finding of the data review (either with no data being discovered or forwarding a copy of the requested data) to Head of Estates who authorises release to the NLI DPO.
8. the NLI DPO will respond to the request with the relevant data, where is has been available, subject to any restrictions as referenced below.

A response to your access request will issue to you as soon as possible and, in any event within one calendar month of a valid request being received. If, due to the complexity and number of requests, more time is needed to process it, this period may be extended by a further two months. Records which contain your personal data may contain other information which does not relate to you. We are not obliged to release that information as part of a Subject Access Request.

There are certain exemptions that restrict the right of access and allow for a refusal of a request. An appeal against a refusal can be made direct to the Data Protection Commission (see contact details below).

For all enquiries relating to Data Protection you can contact the National Library at:

E-mail: [dataprotection@nli.ie](mailto:dataprotection@nli.ie)  
Postal Address: The Data Protection Officer  
The National Library of Ireland  
4 Kildare Street  
Dublin  
D02 A322

If you are not satisfied with the outcome of the response you receive from the NLI in relation to your request, then you are entitled to make a complaint to the Data Protection Commission who may investigate the matter for you.

The Data Protection Commission

Website: [www.dataprotection.ie](http://www.dataprotection.ie)

Telephone: +353 (0)761 104 800 /+353 (0)57 868 4800

E-mail: [info@dataprotection.ie](mailto:info@dataprotection.ie)

Postal Address: Data Protection Commissioner,  
21 Fitzwilliam Square South,  
Dublin  
D02 RD28

## 12.0 Access Requests from An Garda Síochána

Under Data Protection Law, An Garda Síochána are entitled to view personal data on individuals, if it is for the following purposes:

- for the prevention and detection of crime;
- for the prosecution of offenders;
- when required urgently to prevent injury or other damage to welfare of the person or serious loss or damage to property; and
- when required under an order of the Court or any other enactment.

Applications to view footage should be made in writing to the Data Protection Officer (see contact details at 10 above) by a duly authorised member of An Garda Síochána.

## 13.0 Implementation & Review

The policy will be reviewed every 3 years or as required in light of any legislative or other relevant developments, taking cognisance of changing information or guidelines from the Data Protection Commissioner, An Garda Síochána, and the internal policies of NLI.

## 14.0 Definitions:

Personal Data is defined under Article 4 of the EU General Protection Regulation ('GDPR') as

*“any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.*

'processing' means

*“any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;”.*