

CAN I INSTALL A HOME SURVEILLANCE DEVICE?



Looking to install CCTV cameras?

More and more people are installing CCTV in their homes. This may take the form of CCTV Cameras or Ring Video Doorbell cameras. If you want to install one of these systems, you need to:

- Complete an 'Adaptation Request Form'
- Submit the completed form to your HSCO outlining the type of CCTV system you wish to install
- The form will be reviewed and assessed by Facilities Management. They will then send out a letter to grant or deny your request.

What you need to know about Data Protection?

Data protection legislation is set out in Article 2 of the General Data Protection Regulation (GDPR) and is overseen and enforced by The Data Protection Commission (DPC). Domestic CCTV should only capture images/ sounds of people within the boundary of the resident's own property including garden or driveway. GDPR does not apply to the processing of personal data in personal or household activities - this is known as the 'domestic-use exemption'. If you capture images and sounds of people outside of the boundary of your home then you cannot avail of the domestic-use exemption and must comply with data protection law. Compliance with data protection law requires that you:

1. Demonstrate that you have a lawful basis for operating the CCTV system
2. Install appropriate signage advising of CCTV operation and provide your contact details
3. Keep personal data safe and for a limited period only
4. Comply with any access requests
5. Comply with requests for deletion of data from affected individuals

If you fail to comply, then the Data Protection Commission may take action against you and affected people may claim for damages in the courts.

Ring Video Doorbell cameras

Care should be taken to avoid overlooking public areas. If you capture images and sounds in public areas then you must comply with data protection law. It is good practice to fit a sticker or signage advising of the use of a CCTV.

CCTV cameras (where permitted by your HSCO)

- To avail of the domestic-use exemption, cameras should only overlook the area within the boundary of your home including driveway and garden, otherwise you must comply with data protection law.
- If you publish footage online or share it on social media then you may become subject to the obligations of a data controller.
- As a data controller you may be asked to disclose CCTV recordings to third parties, e.g. Gardai. Requests for CCTV footage should only be provided to Gardai where a formal written request is submitted stating that Gardai are investigating a criminal matter.
- Using recording devices without an individual's knowledge is generally unlawful.

