



Irish Greyhound Board

(Board na gCon)

CCTV Data Protection Policy

1. POLICY

It is the policy of the Irish Greyhound Board (Bord na gCon) and its subsidiaries to fully comply with the General Data Protection Regulation (GDPR) EU 2016/679 and the Data Protection Act 2018 and associated regulations with respect to its use of Closed Circuit Television Systems (CCTV). These systems are installed and used at Irish Greyhound Board Offices (Bord na gCon) and at its licensed greyhound stadia across the country. The Irish Greyhound Board (IGB) recognise and value the privacy rights of its employees, service providers and patrons and is committed to ensuring that the fundamental rights and freedoms of those affected are fully protected through its policy, procedures and practices when using CCTV security systems.

2. PURPOSE

The purpose of this policy is to regulate the use of CCTV and its associated technology in monitoring and recording the internal and external environs of IGB premises in a manner consistent with data protection law.

CCTV systems are installed internally and externally for enhancing security of premises, assets, and operations, including monitoring compliance with greyhound racing regulations and protocols. CCTV is intended to create awareness among employees and visitors, at any one time, that a surveillance security system is in operation during daylight and night hours on an ongoing basis to enhance safety and security. CCTV surveillance at head office and greyhound stadia is provided to:

- protect buildings, assets and operations, during and after operational hours;
- monitor and protect the health and safety of employees and visitors during operations, within the premises, car parks and the environs of the stadium grounds;
- investigate accidents and/or incidents occurring on the premises or within the environs of the stadium grounds;

- monitor and protect the integrity of racing, sales and trial sessions, in weigh rooms, kennels and within the environs of the stadium grounds;
- protect betting operations against fraud or other criminal activity;
- prevent bullying, pranks and/or horseplay likely to endanger safety;
- reduce and where necessary to investigate incidence of crime and anti-social behaviour (including theft, fraud or vandalism);
- support the Gardaí in a bid to deter and detect crime;
- assist in identifying, apprehending and prosecuting offenders;

3. SCOPE

This policy relates directly to the location and use of IGB CCTV including the management, monitoring, recording and subsequent use of such recorded material and its ultimate destruction. The IGB treats all data images collected through its CCTV systems as processing personal data which requires protection under the law. Where installed, these systems will operate only in a way that is compatible with the provisions of this policy and data protection law.

4. GENERAL PRINCIPLES

The Irish Greyhound Board (Bord na gCon) as a semi-state commercial and regulatory body has responsibility for the protection of its property and for maintaining the integrity of greyhound racing in a safe environment for its employees, service providers and visitors to its premises.

The IGB recognise the duty of care it owes to employees and visitors under the provisions of the Safety, Health and Welfare at Work Act 2005, the Occupiers Liability Act 1995 and associated regulations. Therefore, it uses CCTV systems as an added mode of security and surveillance to maintain safety and security standards and the integrity of greyhound racing. CCTV will be managed and operated in a legal and ethical manner and any diversion of the use of CCTV security technologies for other purposes is prohibited by this policy. CCTV will not be used for day to day monitoring employee performance e.g. timekeeping and attendance.

Personal data obtained through CCTV will only be considered for release following a written request having been processed by the Data Protection Officer (DPO) and following consultation with the Chief Executive Officer. Any requests for CCTV recordings/images from An Garda Síochána or other state agency will be subject to a written request where precise details of any specific investigation or issue have been provided and the request having been processed in compliance with data protection law.

This policy prohibits CCTV monitoring based on the characteristics and classifications contained in equality and other related legislation e.g. race, gender, sexual orientation, national origin, disability etc. including monitoring that violates the organisations Equality & Diversity Policy, Dignity at Work Policy, Codes of Practice related to Bullying & Harassment and Sexual Harassment, Child Protection, and other

relevant policies. Therefore, CCTV monitoring and recording for safety and security purposes is limited to uses that do not violate the individual's reasonable expectation to privacy based on their fundamental rights and freedoms. Recognisable images captured by CCTV systems are "personal data" and subject to the provisions of the General Data Protection Regulation EU 2016/679 and the Data Protection Act 2018 and will be treated as such by IGB.

5. JUSTIFICATION FOR USING CCTV

Article 5 (1) (a) of GDPR requires - 1. Personal data shall be: (a) processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency') and at (c) that data is "adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation'). This means that IGB must justify its purpose for obtaining and using personal data by electronic means of CCTV. In managing identified risks, IGB's use of CCTV is justified and will be proportional to:

- deter and detect criminal activity;
- enhance the safety and security of IGB employees, visitors and assets;
- protect the integrity of IGB's regulatory function with respect to greyhound racing, sales and trial sessions;

Therefore, images captured of intruders or individuals (including employees) damaging property, removing goods without authorisation, engaging in fraudulent activity or using violent, abusive or threatening behaviour toward employees or others, of accidents/incidents where liability may arise, or activities violating greyhound racing or betting regulations and/or protocols may be used in subsequent investigations and/or criminal prosecutions, and/or disciplinary or insurance related investigations.

6. CAMERA LOCATIONS

Use of CCTV to monitor areas where individuals would have a reasonable expectation of privacy would be difficult to justify. Therefore, camera location is a key consideration when managing risks while at the same time considering the privacy rights of individuals. IGB has endeavoured to select locations for the installation of CCTV cameras which are least intrusive to protect the privacy of individuals. Cameras placed to record external areas are positioned in such a way as to prevent or minimise recording of passers-by or of another person's private property. CCTV installation is proportional to the risks related to safety, and security of staff and premises and the integrity of greyhound racing sales, trials sessions.

CCTV Video Monitoring and Recording of Public Areas may include the following:

- Access/egress routes, restricted areas, stairs, dance floors, bars, tote, cash areas, delivery areas for goods and services, car parks, weigh rooms and kennel blocks.

7. COVERT SURVEILLANCE

The use of recording mechanisms to obtain data without an individual's knowledge is generally unlawful. Only in exceptional circumstances associated with a criminal investigation and in consultation with An Garda Síochána will resort be made to covert surveillance. Any covert surveillance will be a proportionate response to risks faced by IGB following careful consideration of the matter, including consideration of the fundamental rights and freedoms of employees and others who may be affected. In any circumstance where An Garda Síochána make requests to carry out covert surveillance on IGB premises, such requests must be in writing for due consideration by IGB.

8. NOTIFICATION – SIGNAGE

A copy of this CCTV Policy is located on IGB's website and on-site signage is provided indicating where CCTV is in operation. This policy describes the purpose and location of CCTV monitoring, a contact number for those wishing to discuss CCTV monitoring and guidelines for its use within IGB. Adequate signage is in place at each location in which a CCTV camera(s) is sited to indicate that CCTV is in operation. Signage is also prominently displayed at the entrance to IGB property. Signage includes the name and contact details of IGB as the data controller as well as the specific purpose(s) for which the CCTV cameras are in place in the relevant location.

General Use



WARNING

CCTV IN OPERATION

Images are being monitored and recorded for safety and security of employees, visitors and protection of property. This system will be in operation 24 hours a day, every day. These images may be passed to An Garda Síochána. This scheme is controlled by Bord na gCon (Irish Greyhound Board). For more information please contact 061 448000.

Weigh room/Kennel



WARNING

CCTV IN OPERATION

Images are being monitored and recorded for safety and security of employees, visitors and protection of property and to monitor compliance with racing regulations and associated protocols. This system will be in operation 24 hours a day, every day. These images may be passed to An Garda Síochána and/or used by IGB as part of its regulatory function. This scheme is controlled by Bord na gCon (Irish Greyhound Board). For more information please contact 061 448000.

9. STORAGE & RETENTION

Article 5 1 (e) of GDPR provides that personal data must be: *“kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which personal data are processed;”* Accordingly, the images captured by the CCTV system will be retained for a maximum of 28 days, except where the image identifies an issue requiring investigation and is retained specifically in the context of an investigation/prosecution of that issue. The recorded footage and recording equipment will be securely stored in a restricted area. Access will be restricted to authorised personnel and the area locked when not occupied by authorised personnel, a log of access to the system will be maintained. Stadium management at each location is responsible for the oversight, maintenance and access to the CCTV system, including maintaining a log of access and ensuring compliance with this policy. While in certain circumstances CCTV recordings may be viewed by others such as An Garda Síochána, however in order to achieve the objectives set out in this policy, any request to remove personal data from the CCTV system must be submitted in writing.

10. ACCESS AND ACCESS REQUESTS

GDPR provides that any person whose image is recorded on a CCTV system has a right to seek and be supplied with a copy of their own personal data from the footage, provided 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 Data Protection Officer for their request to be processed in compliance with the GDPR and the Act. The individual’s identity will be verified before the request for access will be processed. The person should provide all the necessary information to assist the DPO 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 personal data and may not be handed over by IGB. In providing a person with a copy of their personal data, IGB may provide a still/or series of still pictures or a disk with relevant images.

Access to the CCTV system and stored images is restricted to IGB authorised personnel only i.e. the stadium manager or other IGB authorised individuals and/or the Data Protection Officer. A log of

authorised individuals will be maintained as well as a log of access to the recorded images. In appropriate circumstances, CCTV footage may also be accessed by:

- An Garda Síochána where IGB (or its agents) are required by law to make a report regarding the commission of a suspected crime; or
- 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 IGB property, or
- Tusla, Child and Family Agency and/or any other statutory body charged with child safeguarding; or
- To data subjects (or their legal representatives), pursuant to an access request where the time, date and location of the recordings is furnished to IGB, or
- To individuals (or their legal representatives) subject to a court order.
- IGB Regulation Officials, the Control Committee or Control Appeals Committee and senior management in the investigation of a breach of greyhound racing laws, regulations or protocols.
- IGB's insurance company where the insurance company requires access to investigate a public or employer's liability claim or a claim for damage to property in line with its policy.
- Investigation by IGB management of suspected, or allegations of fraudulent behaviour or other activities consistent with this policy and the purposes for which CCTV has been provided.

All requests for images/recordings of personal data on CCTV systems must be referred to the DPO and appropriate safeguards maintained to protect individual privacy rights and comply with the GDPR and the Act. If An Garda Síochána request CCTV images for a specific investigation, they may in certain circumstances require a warrant and accordingly any such request made by An Garda Síochána should be made in writing to IGB.

11. SECURITY COMPANIES

IGB CCTV systems may be controlled by an external security company contracted by the IGB. Where this is the position the following applies: Article 28 of the GDPR places several obligations on 'Data Controllers' and 'Data Processors'. To meet its obligations as a 'Data Controller' under the Regulation, IGB will have a written contract with the security company. This will set out the details of 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 will state that the security company will provide IGB with all reasonable assistance to deal with any subject access request made to IGB under GDPR and the Act.

Security companies that place and operate cameras on behalf of IGB are 'Data Processors'. As Data Processors', they operate under the instructions of IGB as the 'Data Controller' and are not permitted to subcontract data processing activities without written authorisation from IGB. These requirements

include having appropriate security measures in place to prevent unauthorised access to, or unauthorised alteration, disclosure or destruction of data and/or where the processing involves the transmission of data over a network, against all unlawful forms of processing. This obligation must be met by having appropriate access controls to image storage and/or having robust encryption where remote access to live recording is permitted. Staff of the security company must be made aware of their obligations relating to the security of personal data which forms part of IGB's contract as the 'Data Controller' with the security company as 'Data Processor'.

12. EVENT SECURITY AND BODY WORN CAMERAS (Bodycams)

Security companies contracted to IGB for events may only use Bodycams with the permission of IGB and where same has been incorporated into a written contract between the parties. It is IGB policy that mobile CCTV devices, where in use, should only be activated in extreme cases in response to specific pre-defined criteria and where justified for security and safety. Any recorded data of employees, patrons or others on IGB premises or grounds must be made available to IGB on request. In terms of system specifications, where body cameras have audio recording capability, they must at the very least have separate video and audio recording controls. This is to ensure that if a situation arises which requires the video recording of an incident, the audio recording is not automatically instigated in tandem. Details of body camera recordings of incidents must be reported to IGB consistent with IGB accident/incident reporting procedures.

13. IMPLEMENTATION & REVIEW

This policy will be reviewed and amended in light of experience or changing circumstances or as required by law. This may include information and guidance from the Data Protection Commission and/or because of internal review, inspection, investigation or audit by the DPO. Implementation of this policy will be monitored by the Chief Executive Officer and form part of IGB's corporate governance compliance.