

Welcome to the September 2012 edition of PSAWatch, the ezine of the Private Security Authority. In this issue we detail our plans for licensing CCTV Monitoring Centres and have some advice from the Data Protection Commissioner. We hope you find something of interest within.

Licensing Of CCTV Monitoring Centres

The licensing of CCTV Monitoring Centres is scheduled to take place during 2013. The Authority is currently assessing the licensing requirements for the sector and as part of the process has already engaged with the National Monitoring Centres Forum and others. If you are involved in the CCTV monitoring sector and wish to be kept informed of developments you can do so by emailing us at public_consultation@psa.gov.ie. Updates will also be posted on our website.

Data Protection Commissioner advices on use of mobile recording devices by Security Personnel

The Data Protection Commissioner has received complaints from members of the public with regard to the use by security staff of mobile recording devices such as headset cameras. Arising from these complaints, the Commissioner considers it important to inform the security sector of the obligations which apply in law to the capturing of the images of individuals by the use of such equipment.

The Data Protection Acts 1988 & 2003 apply to the capturing and retention of images by means of camera systems such as CCTV. Substantial guidance material is published on the Data Protection Commissioner's website (www.dataprotection.ie) on this subject. The key issues in terms of compliance with the law are transparency (i.e. appropriate notices indicating that CCTV is in operation and its purpose), proportionality (i.e. a security need identified with recording taking place for that purpose) and retention (i.e. recorded footage is kept for no longer than is necessary – usually not more than thirty days).

In general, there is no great difficulty from a data protection perspective with the placement of CCTV cameras for security purposes outside a premises or in certain areas within a premises where deemed absolutely necessary from a security perspective.

The use of headset cameras or other image recording devices, which by their very nature are mobile, presents difficulties from a data protection and privacy perspective where security staff using such devices enter private areas such as toilets or staff canteens. Headset cameras or other mobile recording devices should not routinely record footage in toilets, rest rooms or staff areas of patrons or staff using those areas. To do so would constitute a breach of the Data Protection Acts. Furthermore, footage recorded by such devices should not be retained for longer than footage recorded by a CCTV system – i.e. a maximum of thirty days, unless where the footage specifically identifies a serious issue which requires to be investigated.

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Data Protection Commissioner advice (cont'd)

Security companies that install **and operate** cameras on behalf of clients are considered to be 'data processors.' As data processors, they operate under the instruction of data controllers (their clients). The Data Protection Acts place a number of obligations on data processors. These include having appropriate security measures in place to prevent unauthorised access to, or unauthorised alteration, disclosure or destruction of the data, 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. Access to footage recorded by CCTV cameras or by mobile recording devices such as headset cameras must be strictly limited to key staff and must not be accessible to all security staff operating on the premises.

Equally, footage recorded on such mobile devices should be kept on site or at the premises of the security company and, under no circumstances, should such footage be stored in the private homes of security staff or be otherwise available for reviewing by security staff when off-duty.

Staff of the security company must be made aware of their obligations relating to the security of data. Clients of the security company should have a contract in place which details what the security company may do with the data, what security standards should be in place and what verification procedures may apply.

This advice relates to all types of surveillance equipment and cameras used only for the capturing of images. It should be noted that the recording of sound or voices (audio recording) by equipment used for security purposes is a considerable added intrusion into the privacy and data protection rights of individuals. In general, the Data Protection Commissioner does not accept that the use of such audio recording equipment is in any way justifiable or warranted even where members of the public or staff are aware that their voices are being recorded.

Complaints in relation to alleged data protection breaches arising from the recording of images or audio can be made by members of the public to the Office of the Data Protection Commissioner for investigation. Any subsequent investigation may incorporate the security firm as well as the business on whose premises the alleged breach occurred.

[Link to the Data Protection Commissioners guidance on CCTV](#)

[Details of Contractor
Licences Revoked
In 2012
\(View Here\)](#)

CCTV and Access Control Licensing deadline draws near

The critical date for the licensing of installers of CCTV and Access Control systems is the 1st October 2012. From that date any contractor installing or maintaining CCTV and/or Access Control systems must hold a licence issued by the PSA. Existing Intruder Alarm licence holders may be able to add the new sectors to their existing licence free of charge.

Details on how to apply are available on our website, www.psa.gov.ie.

Contractor Update

At the end of August 2012, there were 742 contractors licensed to operate in 850 sectors. In addition, the PSA have issued a further 113 licences for the CCTV and Access Control sectors ahead of licensing on the 1st October 2012.

Comparison of Number of Licences Issued for each sector at the end of each year since 2007 and end of August 2012 (excluding CCTV and Access Control)

	Door Supervisor	Security Guard (Monitoring)	Security Guard (Static)	Installer (Intruder Alarms)	Cash In Transit	All Sectors
December 2007	53	19	278	490	0	840
December 2008	56	22	254	501	0	833
December 2009	71	26	263	491	0	851
December 2010	71	29	239	494	23	856
December 2011	65	30	233	490	26	844
August 2012	67	30	224	504	25	850

Feedback

We welcome your feedback on our ezine and its contents. You can contact us at info@psa.gov.ie. If you wish to unsubscribe or a colleague wishes to have their name added to our distribution list please let us know at info@psa.gov.ie.

Thank You

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