

# Camera surveillance protocol for GOO locations in the Municipality of Apeldoorn 2024

## Introduction

Camera surveillance provides an important contribution to protecting the safety of employees, visitors and residents. The preventive effect of camera surveillance prevents and deters the occurrence of incidents. It also allows incidents to be handled correctly if the facts of the incident are captured on camera.

However, camera surveillance does invade the privacy of residents, employees and visitors. Hence, careful consideration is required between the purposes served by the camera surveillance (see Article 1 of the Protocol) and the resulting invasion of privacy. Moreover, the invasion must be kept to a minimum and it must not be possible to achieve the objective by other, less invasive means. <sup>1</sup> Camera surveillance is allowed only after carefully weighing these interests.

The lawful use of camera surveillance requires rules that establish what is allowed and what isn't. These rules are set out in this protocol. They cover the use of the cameras, the viewing of the footage and the storage of the footage.

Cameras are installed in and around the following GOO locations:

- GOO location CB, Anklaarseweg 91 (4<sup>th</sup> floor)
- GOO location CG, Christiaan Geurtsweg 10
- GOO location DT, Deventerstraat 184
- GOO location VW, Watermanstraat 30
- Car park Laan van het Omniversum near number 14

It is, of course, also possible for the camera surveillance protocol to be applied at other GOO locations in the future. This will be decided in due course.

## Article 1 Definitions

### *General Data Protection Regulation*

The General Data Protection Regulation (GDPR). This European regulation provides the legal framework for the processing of personal data. The terms used in this protocol have the same meaning as those in the GDPR.

### *Data Protection Authority*

The Dutch Data Protection Authority (DPA) monitors compliance with the legal rules on the protection of personal data.

### *Data subject(s)*

Persons whose images were recorded (employees, residents and visitors of the GOO locations).

### *Security staff*

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<sup>1</sup> To this end, an investigation was conducted (a so-called Data Protection Impact Assessment, DPIA), which concluded that the infringement is justified.

Employees of a security company in charge of the direct supervision of the GOO site.

*Camera system*

The entire system of cameras placed in, or aimed at, areas in the buildings and the outside of these buildings.

*Camera surveillance*

Camera surveillance is the monitoring of a building, area or group(s) of people with the aid of cameras. The emphasis with camera surveillance is on surveillance: footage is viewed even when there are no ongoing incidents. One of the main purposes of camera surveillance is the prevention of incidents. The aim is for observants to observe any incidents occurring and to provide an immediate response, for instance directing police, security personnel or emergency workers to the incident to allow immediate action to be taken.

*GOO location (Municipal Refugee Centre)*

Dutch abbreviation for: Municipal Reception Centre for Ukrainians. GOO locations comprise buildings and the adjoining grounds used by the Municipality of Apeldoorn to accommodate refugees from Ukraine.

*Incident*

An accident, nuisance event, criminal offence or suspicion thereof and/or an event that constitutes a danger or imminent danger to the health or safety of people or property in and around the GOO location that requires action by the controller.

*Location Coordinator*

The employee organising and facilitating the reception of Ukrainians at one of the GOO locations on behalf of the Municipality of Apeldoorn.

*Location Manager*

The employee managing the location on behalf of the Municipality of Apeldoorn and who is responsible for matters transcending an individual GOO location.

*Municipal Duty Officer*

The employee put in charge by the Municipality of Apeldoorn of the operational management of the location coordinators and employees at the GOO locations outside regular working hours.

*Project Leader*

The employee or his or her alternate responsible for the reception of Ukrainians at the GOO locations on behalf of the Municipality of Apeldoorn and who acts as the person with final responsibility for the project organisation.

**Article 2 Processing and purpose of camera surveillance**

- a. Specifically, the camera surveillance serves the following purposes:
  - I. the protection of health and safety in and around GOO locations;
  - II. securing access to the GOO locations;
  - III. protecting property of the municipality, landlord, residents and employees from theft and damage;
  - IV. the recording of incidents.
- b. Camera surveillance will not be used to track and/or monitor employees. <sup>2</sup>

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<sup>2</sup> As referred to in section 27(1) of the Works Councils Act

### **Article 3 Duties and responsibilities**

- a. The camera surveillance is carried out under the responsibility of the College of Mayor and Aldermen (the Municipal Executive). The Municipal Executive is therefore a data controller within the meaning of the GDPR. The Municipal Executive bases this on the *legitimate interest* condition. The Municipal Executive has made, and internally documented, a balancing of interests before relying on this basis.
- b. Appropriate technical and organisational measures have been taken to secure camera footage and the camera system. The necessity, subsidiarity and proportionality of these measures have been carefully considered. These considerations are also documented.
- c. Security staff, location coordinators, location managers, duty officers and the (acting) project leader are authorised to view 'live' footage.
- d. The location manager or, in the absence thereof, the (acting) project leader or, in the absence thereof, the duty officer are authorised to watch the footage back. Watching footage back is allowed only in the presence of two of the aforementioned persons (four-eyes principle). Should it not be possible for two of these persons to be present, one of them may watch the footage back in the presence of the location coordinator.
- e. Footage will only be watched back in the event incidents have occurred and/or if images are requested by authorised third parties.
- f. In the event of an incident that requires an investigation, the (acting) project leader may:
  - evaluate the footage;
  - if the investigation requires the footage to be stored, copy or transfer the relevant footage to a separate new storage medium.
- g. Technical management and maintenance of the camera system are carried out by the Facilities Team Manager. For this purpose, the Facilities Team Manager uses installer/maintenance partner with whom contracts have been signed.

### **Article 4 The camera system, security and retention periods**

- a. Camera surveillance takes place through a closed system. Footage is stored digitally on a hard disk or similar storage medium: the system and storage medium are located in a locked room accessible only with a pass, code or key.
- b. The cameras do not record sound.
- c. The footage is stored for 14 days. After this, the images are automatically overwritten by new footage.
- d. Footage may be stored for a longer period of time if an incident has occurred and the footage is required for handling the incident. As soon as they are no longer necessary, the footage is removed from the storage medium.

### **Article 5 Privacy of employees, residents and visitors**

- a. Camera surveillance is compatible with the purpose of security and surveillance. The footage will only be used for the purpose of camera surveillance referred to in Article 2.
- b. Camera surveillance will only be used in the general areas of the GOO location. This means that parking spaces and other outdoor areas forming part of the GOO site, entrances, communal cooking and dining areas, halls, corridors, waiting areas, recreation and play areas and other common areas may be filmed.
- c. There is no camera surveillance in the sleeping and living areas, the toilets and showers, treatment rooms of caregivers or any other areas that are part of the residents' personal environment.
- d. Camera surveillance takes place for 24 hours a day.
- e. The personal data processes are exclusively:

- The footage;
- Metadata relating to time, date, location and the camera used to film the footage.

#### **Article 6 Access to and the provision of recorded footage**

- Access to camera footage is restricted to the extent possible. Only designated officials have access to the camera system and camera footage.
- Footage will only be transferred to and at the request of the police, public prosecutor or magistrate.
- The person receiving the footage on behalf of the police, the public prosecutor or the magistrate must identify him or herself and sign for receipt of the footage.
- Footage will only be provided to third parties if there is any (legal) obligation to do so and if this is compatible with the purpose of collecting the footage as referred to in Article 1 of this protocol.
- Any provision of footage to third parties is recorded in a journal.

#### **Article 7 Confidentiality**

Any person authorised to view the footage or who processes the footage on behalf of the controller shall be bound to secrecy of all that becomes known to him or her within this capacity, unless there is a statutory requirement for the disclosure or the necessity of disclosure arises from his or her duties.

#### **Article 8 Rights of data subjects**

- Any data subject may submit a request to the controller to exercise their rights in relation to their personal data.
- The data subject only has the right to inspect the images that show the data subject. The request of the data subject must include the date and time the footage was recorded.
- Prior to being granted access to the footage, the data subject must provide proof of identity to the (acting) project leader or the location manager.
- A request as referred to in this article must be submitted via [privacy@apeldoorn.nl](mailto:privacy@apeldoorn.nl).

#### **Article 9 Provision of information regarding camera surveillance**

- The Municipality of Apeldoorn announces the recording of footage via information boards at the GOO locations.
- The Municipality of Apeldoorn provides more extensive information to data subjects in accordance with Article 13 of the GDPR. This information will be provided in the form of posters and brochures.

#### **Article 10 Complaints**

A data subject may file a complaint about the processing of their personal data with the Data Protection Officer of the Municipality of Apeldoorn via [fg@apeldoorn.nl](mailto:fg@apeldoorn.nl).

#### **Article 11 Final provision**

This protocol may be cited as 'Camera surveillance protocol for municipal reception centres for Ukrainians in the Municipality of Apeldoorn 2024'.