



**Comhairle Contae
Ros Comáin**
Roscommon
County Council

COMHAIRLE CONTAE ROS COMÁIN
ROSCOMMON COUNTY COUNCIL

Privacy Statement
for
Drone Usage

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Contents

	Page No.
1.0 Introduction	3
2.0 Purpose of Privacy Statement	3
3.0 Definitions	3
4.0 Scope	3
5.0 Data Protection Policy	4
6.0 What Personal Data is Processed	5
7.0 Why Personal Data is Processed	5
8.0 The Legal Basis for Processing Personal Data	5
9.0 How Personal Data is Obtained	6
10.0 How Personal Data is Processed	6
11.0 Sharing Personal Data with Third Parties	7
12.0 Records Retention Policy	7
13.0 Data Subject Rights	8
14.0: Complaints to the Data Protection Commission	8
15.0 Monitoring and Review	9
16.0 Further Information	9

1.0 Introduction

Drones i.e. small unmanned aircraft are used by Roscommon County Council for a number of purposes. This use may involve the recording of personal data of individuals including their identifiable images. Roscommon County Council is obliged to protect such data in accordance with provisions contained in the General Data Protection Regulation (GDPR) which came into effect on 25th May 2018 and the Data Protection Act 2018.

2.0 Purpose of Privacy Statement

The purpose of this privacy statement is to describe, in clear and concise terms, the personal data that the County Council's drone systems may collect about individuals, why it is needed, how it is used and how individuals may interact with the Council in relation to the use of their personal data by its drone systems. It also outlines the rights of individuals under data protection legislation in relation to the processing of their personal data.

3.0 Definitions

For the purposes of this privacy statement the following definitions apply:

- **Data Subject:** is an identified or identifiable natural person to whom personal data relates.
- **Personal Data:** 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.

4.0 Scope

This privacy statement applies to all personal data processed by Roscommon County Council's drones which may be deployed in any area within the County for the purpose of carrying out any activity outlined in this document.

5.0 Data Protection Policy

Roscommon County Council creates, collects and processes a significant amount of personal data in various formats on a daily basis.

It is the policy of Roscommon County Council that:

- It will seek to act at all times in full compliance with data protection legislation in its processing of personal data;
- GDPR principles are respected and strictly adhered to;
- The rights of data subjects are fully respected and protected;
- Measures exist to respond appropriately to personal data breaches;
- Appropriate governance mechanisms exist to oversee compliance with data protection legislation.

Roscommon County Council is fully committed to ensuring that the personal data processed by its drone systems is:

- Obtained lawfully, fairly and in a transparent manner;
- Obtained for only specified, explicit and legitimate purposes;
- Adequate, relevant and limited to what is necessary for the purposes for which it was obtained;
- Recorded, stored accurately and securely and where necessary kept up to date;
- Kept only for as long as is necessary for the purposes for which it was obtained;
- Kept in a form which permits identification of the data subject;
- Processed only in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

Roscommon County Council has developed a ***Data Protection Policy and Procedures for Drone Usage*** which go in to more detail as to how it intends meeting these commitments.

6.0 What Personal Data is Processed

Personal data processed by Roscommon County Council's drone systems includes the following:

- Images that identify individuals;
- Images of number plates of vehicles.

7.0 Why Personal Data is Processed

Personal data is processed by Roscommon County Council's drone systems in order to:

- Assist in the provision of emergency services, such as those that may be provided by the Fire Service.
- Assist in the provision of search, rescue and recovery services such as those that may be provided by Civil Defence.
- Conduct aerial mapping, surveying and photography.
- Gather evidence to assist enforcement activities such as those that may be carried out by the Planning and Environment Departments of the Council.

8.0 The Legal Basis for Processing Personal Data

8.1 Under Articles 6 and 9 of the GDPR, the processing of personal data requires a legal basis. The legal basis for the Council's use of drone systems to process personal data includes any one or more of the provisions contained in these Articles and in particular any one or more of the following:

- Article 6(1)(c) of the GDPR where the processing is necessary for compliance with a legal obligation to which Roscommon County Council is subject;

- Article 6(1)(e) of the GDPR where the processing is necessary for the performance of a task carried out in the public interest or in the exercise of an official authority vested in Roscommon County Council;
- Article 6(1)(f) of the GDPR where the processing is necessary for the purposes of the legitimate interests pursued by Roscommon County Council. This does not however apply to processing carried out by the Council in the performance of its tasks.

8.2 Art 2(2)(d) of the GDPR however provides that *'this Regulation does not apply to the processing of personal data by Competent Authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security'*. The Law Enforcement Directive 2016/680 provides for the processing of personal data for such purposes.

9.0 How Personal Data is Obtained

Personal data obtained by drones will be captured by cameras that are located within the device.

10.0 How Personal Data is Processed

10.1 The processing of personal data obtained through drone systems by Roscommon County Council staff is restricted to Authorised Employees only.

10.2 Personal data obtained by drones shall be processed through use of administrative processes and technological systems that are designed to process such data for the purposes for which it was obtained.

10.3 The processing of personal data shall not be carried out for any other purposes than those outlined in this statement.

10.4 The processing of personal data shall be limited and proportionate to the purposes for which it was obtained.

11.0 Sharing Personal Data with Third Parties

11.1 The provision of personal data, including drone recordings, to An Garda Síochána for the purposes of investigating and/or prosecuting a criminal offence is permitted under provisions contained in the Data Protection Act 2018.

11.2 Access to drone recordings will be provided, where required and in accordance with data protection legislation, to Roscommon County Council's legal advisors for the purpose of carrying out enforcement action and in any other circumstance that is considered necessary and appropriate.

11.3 Access by third parties other than An Garda Síochána and Roscommon County Council's legal advisors to drone recordings will only be provided in circumstances that are permitted by data protection legislation.

12.0 Records Retention Policy

12.1 Personal data recorded by drones shall be kept for no longer than is considered necessary.

12.2 Normally personal data recorded by drones will not be retained by Roscommon County Council beyond a maximum of 30 days.

12.3 Personal data recorded by drones may however be retained by Roscommon County Council beyond a maximum of 30 days in a limited number of circumstances. These include situations where the retention of the personal data is necessary for operational purposes e.g. for mapping and surveying activities and for investigative, evidential and legal purposes.

13.0 Data Subject Rights

Data subjects have a range of rights under GDPR. These include the following:

- The right to be informed;
- The right of access;
- Right to rectification of inaccurate or incomplete data;
- The right to erasure of personal data (also known as the 'right to be forgotten');
- The right to portability;
- The right to object to the processing of personal data;
- The right to restrict the processing of personal data;
- Rights in relation to automated decision making, including profiling.

Roscommon County Council's ***Corporate Data Protection Policy and Procedures*** provide more detailed information on these rights and how to exercise them.

14.0: Complaints to the Data Protection Commission

14.1 Data subjects may make a complaint in the following circumstances:

- a) If they experience a delay outside of the prescribed timeframe for making a decision on a request to exercise their data subject rights;
- b) If they are dissatisfied with a decision by Roscommon County Council on their request to exercise their data subject rights;
- c) If they consider that Roscommon County Council's processing of their personal data is contrary to data protection legislation.

14.2 Contact details for the Data Protection Commission are as follows:

Phone Number: 01 7650100 / 1800 437737.

Postal Address: Data Protection Commission
21 Fitzwilliam Square South
Dublin 2
D02 RD28.

Online: www.dataprotection.ie provides details for online contact.

15.0 Monitoring and Review

Provisions contained in this statement shall be subject to on-going monitoring and review.

16.0: Further Information

Further information and advice on the operation of this privacy statement is available from the Data Protection Officer, Roscommon County Council. Contact details for the County Council's Data Protection Officer are as follows:

Phone: 090 6637100

E-mail: dataprotection@roscommoncoco.ie

Website: www.roscommoncoco.ie

Postal Address: Roscommon County Council
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