



EUROPEAN DATA
PROTECTION SUPERVISOR

European Data Protection Supervisor

Draft EDPS Video-surveillance Guidelines (a work in progress)

Outline

- State of play: work in progress, final adoption planned for this year
- Regulatory objectives
- Regulatory tools

Goals

- Stop uncontrolled proliferation of video-surveillance
- Ensure that it is used responsibly and with adequate safeguards in place when its use is justified

Guidelines

- Detailed, practical compliance guide for typical situations
- Covers most standard static CCTV systems used by the Institutions for security purposes
- Written to non-lawyers in a non-legal language
- Practical examples
- Templates
- EDPS workshop

Prior checking

- Only for non-standard systems: safeguards to be tailored to specific needs
- Examples:
 - purposes other than security
 - complex, novel or intrusive systems
 - new generation of CCTV: dynamic-preventive video-surveillance

Privacy by design

- Data protection must be a part of project planning and implementation
- Role of the Data Protection Officers
- Consultation with stakeholders (e.g. employees)
- Cooperation with local or national DPAs, local police and local government (when monitoring outside EU buildings)

Pre-installation analysis

- What is the purpose of the video-surveillance? Is it clearly specified?
- Is there a lawful ground?
- Is there a demonstrated need for video-surveillance?
- Is video-surveillance an efficient tool?
- Are there any other alternatives?
- Do the benefits outweigh the risks?

Self-audit

- Controllers must verify and certify data compliance with the Guidelines in a self-audit
- A self-audit must be carried out before the installation of the system but also periodically afterwards



Take-home message

- Two regulatory goals: stop proliferation and set safeguards
- What regulatory tools to use on each front
- The EDPS gives detailed and practical guidance, but lets the controllers do their homework
- Direct involvement by the EDPS (prior checking) only in non-standard cases (e.g. dynamic-preventive CCTV)
- Importance of consultation with stakeholders