



Surveillance: Instruction 1/2007 and some experiences Case Handling Workshop

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Case Handling Workshop – March 12 and 13 March 2009



Previously work done (more of 20 opinions) Taken into account controllers' opinion

- Security Directors of public hospitals
- Department of Security
- Universities
- Directors of Studies of school and high school



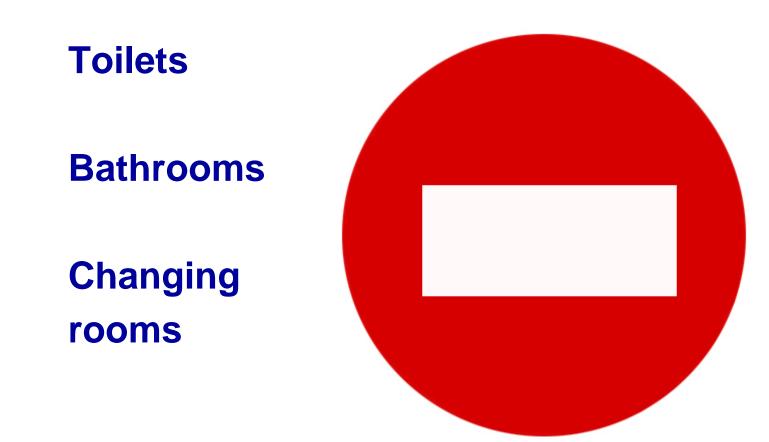


Purpose

- Surveillance and security reasons
- Traffic control
- To control vehicle access
- Health services
- > Telemedicine
- Scientific matters











First obligation controller

- Creation of the file
- It is an administrative process
- Data subject could send a complaint
- New obligation: Controller has to justify the using of the surveillance





Controller has to comply with the right of information

- Purpose for which data is processed
- Reference to Data Protection Law
- Reference of who is the controller
- Rights of data subjects





Deletion of images

- Maximum one month
- Not applying this rule when images are required by Courts and Judges
- Other purposes (not surveillance): deletion according with the sectorial legislation

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- Data subjects rights
- Right of access, delete and opposition
- Request to the controller
- Including a recent photo and indicating the place, date and time

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Other questions regulated by the Instruction

- Who is the controller?
- Security measures
- Obligation of confidentiality



Experiences (1)



- University wanted to use surveillance for security reasons
- We received a complaint of a trade union
- Prior checking
- University justified the surveillance rightly



Experiences (2)



Surveillance in the buses

- Drivers receive aggressions
- Using of surveillance only in the difficult routes
- Accomplish with the right of information





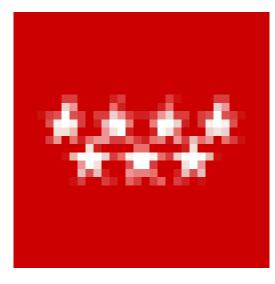


Hot topic!!!

- Received a complaint by a trade union
- Use of surveillance to control employees work
- Not proportional
- Not right of information









Agencia de Protección de Datos de la Comunidad de Madrid