



An Chartlann Náisiúnta
National Archives

Disposal of Closed-Circuit Television (CCTV) on an ongoing basis as a category of records under section 7 of the National Archives Act, 1986

Guidance Note

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1. CCTV Images

The use of CCTV systems has expanded significantly in recent years, due to the increased sophistication of the technology and its affordability. CCTV systems have legitimate uses in securing premises and supporting workplace safety management. Recognisable images captured by CCTV systems, if stored, are subject to the provisions of the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) and the Data Protection Act, 2018.

CCTV falls within the definition of a departmental record as set out in section 2 (2) of the National Archives Act, 1986, as a record ‘made or received, and held in the course of its business, by a Department of State’. As such, these records are subject to legislation governing public records, including the National Archives Act, 1986, the Freedom of Information Act, 2014, and the Data Protection Act, 2018.

2. CCTV Best Practice

The [Data Protection Commission](#) (DPC) lays out its guidance for data controllers. The principles of data protection require that personal data shall be “*collected for specified, explicit and legitimate purposes and not further processed in a manner that is compatible with those purposed*”.

Before installing a CCTV system, Departments of State and government agencies must consider a number of questions:

- Purpose: Does it have a clearly defined purpose for installing CCTV?
- Necessity: Can it demonstrate that CCTV is necessary?
- Proportionality: Is the CCTV to be used for purposes other than workplace safety and premises security?
- Security: What measures will be put in place to ensure that recordings will be stored safely and securely?
- Retention: How long will you retain the recordings for, bearing in mind that they should not be kept for longer than is necessary?
- Transparency: How will you inform people that you are recording their images and ensure that they have access to the other information required under transparency obligations?

3. Data Protection Policy

Best practice recommends the creation of a CCTV Data Protection Policy setting out the purpose, location, retention period, and storage of CCTV monitoring.

A policy can be published on a department's or agency's official website, and should be reviewed on a regular basis to ensure compliance and relevance.

The purposes for installing CCTV include security and supporting health and safety standards in the workplace.

Any CCTV data protection policy should follow best practice as laid out by the Data Protection Commission.

4. CCTV and Law Enforcement

Under article 6(1)(e) of the GDPR, the use of CCTV may have a legal basis where it pertains to the carrying out of a task in the public interest, or in exercising public authority. Law enforcement authorities, such as An Garda Síochána, have a legal basis to access CCTV for the prevention, investigation, detection or prosecution of criminal offences under Directive (EU) 2016/680, otherwise known as the Law Enforcement Directive (LED). This Directive is transposed into Irish data protection law by Part 5, Processing of Personal Data for Law Enforcement Purposes, of the Data Protection Act 2018.

5. Recommendations

The National Archives have reviewed existing disposal applications with regard to CCTV images and recordings to ascertain if they merit long-term preservation. From these reviews, it is clear that CCTV images and recordings do not provide evidence of the functions of a department or government agency.

It is recommended that authorisation should be given to Departments of State for the disposal of CCTV images. These records do not warrant permanent preservation as archives and therefore do not fall within derogations for retention beyond business use in article 5(e) of GDPR for archiving purposes in the public interest, historical, scientific or statistical research in accordance with article 89 of GDPR.

In instances where legal claims exist, the department or government agency should keep the CCTV images and recordings for the duration of the case and any subsequent appeals. Where an incident has occurred in which the department or government agency is obligated to report to the Health and Safety Authority, it may retain the identifiable CCTV materials for the purpose of the investigation of the incident.

Retention periods are a matter for each department or agency to determine based on their business needs. A standard retention period for CCTV is one month. The National Archives do not have a statutory remit in the setting of retention periods for records and offer this as a guide only. Where an incident occurs or an offence is suspected, a copy of CCTV footage may be retained for a longer period, and may be provided to An Garda Síochána or other bodies with investigative powers, to allow for an investigation and court proceedings.

6. CCTV Disposal Certificate

In order to comply with the National Archives Act, 1986, a signed disposal certificate for CCTV records must be obtained.

The following steps are required:

1. Complete the CCTV Disposal Request Form (Appendix 1)
2. Email the completed form to query@nationalarchives.ie with your request for the attention of the Head of Current Records.
3. Your request will be processed and a draft certificate will be sent to you for signature by the relevant [certifying officer](#).
4. The signed certificate will be returned to the National Archives for counter-signature by the Director to complete the formal authorisation process.

The following conditions of disposal will be attached to the certificate:

1. Authorisation applies to **routine** CCTV images and recordings on an ongoing basis.
2. Authorisation **does not extend** to records where CCTV is required for further evidential or legal functions other than its core business use.
3. Authorisation **does not extend** to records where CCTV forms part of an investigation.
4. Authorisation **is contingent** on compliance with all other statutory or regulatory requirements in relation to the retention of records, including internal rules and procedures and administrative requirements.

Appendix 1

National Archives Appraisal Request: Application for Disposal of CCTV Records

[Please download and complete a Word version of the form here.](#)

Please complete the questionnaire to provide the National Archives with as much information as possible to support your application for a records disposal certificate.

Part 1: General information	
Contact details:	
Name of department/office/body:	
Division/section/unit:	
Name and grade of applicant:	
Name and contact email of Certifying Officer :	

Part 2: Overview of disposal application	
Title of record series:	
Title of series:	
Short description:	
Covering dates:	
Please indicate earliest date of records for which disposal authorisation is being sought. This disposal application is for ongoing disposal.	
From (yyyy):	

Part 3: Format and content of records	
Formats:	
Which formats are the CCTV images stored in?	
☐ Video recordings e.g. .mp4; .mov; .avi; .wmv ☐ Photographic image stills e.g. .jpeg; .png; .gif; .tif ☐ Photographic stills (printed out) ☐ Film reels (magnetic) ☐ Disks e.g. Floppy; CD; DVD; Blu-ray ☐ Other (please specify)	
Details:	
Contents:	
What is the function of the CCTV records?	☐ Security of premises ☐ Health and safety
Details:	

Part 4: Extent and storage of records	
Series volume	
Approximate annual accrual of CCTV:	
MB, GB, TB:	
Storage location:	
Where are the records stored?	☐ Cloud storage ☐ Local servers ☐ External servers ☐ Other
Details:	

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