CCTV CAMERA POLICY

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Strategic Objective 4.2 Create community pride through a well-designed and maintained City
Adopted by Council 27 November 2017
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Date for Review
Responsible Officer Manager Governance
Department Governance
1 POLICY STATEMENT

1.1 Prudent use of CCTV Cameras can assist Council in protecting its staff, assets and aid in prosecuting illegal actives.

1.2 CCTV Cameras cannot replace effective supervision and/or good design.

1.3 The cost to install and maintain CCTV cameras needs to be assessed against the most effective use of Council resources.

2 PURPOSE

The purpose of Council’s CCTV Camera policy is to provide a suitable framework for decision making on the implementation, installation, data management and operation of any fixed and non-fixed camera system.

3 OUTCOMES

3.1 The outcomes achieved by installing CCTV camera systems are to:

3.1.1 Capture breaches of legislation and aid successful criminal prosecutions e.g. littering, rubbish and dumping;

3.1.2 Prevent fraud and theft e.g. in service areas where money is handled;

3.1.3 Protect staff / customers in public areas within and adjacent to Council buildings;

3.1.4 Protect Council assets e.g. vandalism, graffiti; and

3.1.5 Provide evidence for the assessing of any claims that Council is party to

3.1.6 Enhance community safety and prevent crime. CCTV cameras can play a role in successful Victoria Police prosecutions when capturing data in public places

4 SCOPE

4.1 The policy will apply to all Council owned or operated camera systems

4.2 The scope will not include CCTV cameras on private land where the data captured is not accessed or controlled by Council.

5 OBJECTIVES

The objectives of this policy are;

5.1 To ensure all camera systems are compliant with best practice and relevant legislation;

5.2 To ensure a clear evidence-based approach is consistently applied pertaining to camera system installation; and

5.3 To ensure the management of data is appropriate, in particular collection, access, disclosure and retention of data.
6 POLICY IMPLEMENTATION

6.1 CCTV system

6.1.1 Where Council has outsourced the operation and monitoring of a camera system, Council will enter into a written agreement with the contractor agreeing to comply with this policy.

6.1.2 The CCTV system shall comply with Council's Policies in relation to Privacy, Third Party Access Policy, and other relevant policies and documents, and

6.1.3 All matters relating to operating, controlling and managing Hume’s CCTV cameras will complying with all relevant legislation.

6.1.4 Any property leased to another organisation, where that organisation has exclusive use of that property, shall comply with legislation relevant to the operation of CCTV cameras.

6.1.5 All existing fixed camera systems will be reviewed against minimum technical specifications as contained within Council's CCTV Standard Operating Procedures. All new or replacement cameras must be operationally consistent with the technical specifications.

6.2 CCTV Camera System - Sunbury Town Centre

6.2.1 The CCTV camera system installed at the Sunbury Town Centre will be operated and managed in accordance with an agreed Memorandum of Understanding (MOU) between Council and Victoria Police.

6.2.2 It is accepted that the primary objectives listed within the MOU to support Victoria Police in carrying out its role in the community are additional than the outcomes contained within this policy.

6.3 Future CCTV Camera System

6.3.1 When installing or upgrading a CCTV camera system, the system must meet the minimum technical requirements as per Council’s CCTV Standard Operating Procedures.

6.3.2 Any decision to implement a camera system will be based on the purpose and objectives of this policy.

6.4 Signage

6.4.1 In the public areas where fixed CCTV cameras are installed, Council will advise the community by installing signage to indicate that the area is under constant video surveillance.
6.5 Collection, Access, Disclosure and Retention of Data

6.5.1 Data collected, in accordance with the outcomes of this policy, is not collected for the purpose of public access to the data.

6.5.2 Data collected by any CCTV camera for the purposes of enforcement shall be stored securely in a centralised location. Any evidence obtained and retained shall be in accordance with the Evidence Act 1988 and associated standards and guidance material.

6.5.3 Access and disclosure of captured data from a CCTV camera system shall be in accordance with the Privacy and Data Protection Act 2014.

6.5.4 Access to the data collected shall be restricted to Council's Chief Executive Officer, Directors, authorised Council staff, Privacy Officer, FOI Officer and any external person conducting an internal fraud investigation/audit as approved by an authorised member of Council staff. A record of staff authorised to view CTV data will be kept.

6.5.5 Documentation of all data (other than for enforcement purposes), extracted (downloaded) or disclosed shall be recorded. This documentation shall be stored securely and form part of the auditable records.

6.5.6 Any data downloaded / transferred / extracted shall be securely stored and necessary permissions set to prevent unauthorised access.

6.5.7 Collected data will only be disclosed to law enforcement or government agencies i.e. (VicPol, Worksafe, Environmental Protection Authority etc..), in accordance with Privacy and Data Protection Act 2014. That agency must retain footage in accordance with their organisation’s legislative responsibilities.

6.5.8 Captured data that relates solely to an enforcement or insurance matter may be disclosed to Councils’ legal representatives.

6.5.9 Any request for data by parties external to Council that is not an enforcement agency shall be made in accordance with the Freedom of Information Act 1982 (FOI Act) and with Council’s FOI request process. Captured data is not intended be disclosed to any member of the general public.

6.5.10 All footage/images within the CCTV recording system will be retained for a period of at least 30 days. All extracted footage/images shall be kept for as long as the use of the footage/image is required in accordance with this policy.

6.5.11 Collected data from a Council managed CCTV camera system shall be managed in accordance with procedures detailed in Public Records Office Victoria, General Retention and Disposal Authority guidelines.
6.6 Training and Staff Responsibilities

6.6.1 Council staff that operate a camera system will be requested to undertake necessary training and understand this Policy, associated CCTV SOPs, and relevant legislation.

6.6.2 Unauthorised access or disclosure of any data is a breach of the Employee Code of Conduct. A breach of this Code will result in Council addressing the matter as per the Disciplinary Policy.

7 DEFINITIONS AND ABBREVIATIONS

CCTV  Closed Circuit Television
CCTV Camera  Any fixed or non-fixed cameras, including mobile camera
CCTV Camera System  A system involving one or more cameras connected to a monitor for the purpose of monitoring.
MoU  Memorandum of Understanding
SOPs  System Operating Procedures
FOI  Freedom of Information
EPA  Environmental Protection Authority
Vicpol  Victoria Police

8 RELATED DOCUMENTS

8.1 Related Council Policies and Documents

CCTV Camera Standard Operating Procedures
Hume Social Justice Charter 2014
Social Justice Charter and Bill of Rights Policy
Employee Code of Conduct
Disciplinary Policy
Community Engagement Framework
Community Safety Action Plan 2015 - 2019
Asset Management Policy
Graffiti Management Policy
Public Places Lighting Policy
Risk Management Policy
Social Impact Assessment Planning Policy
Third Party Access

8.2 Relevant Legislation

Privacy and Data Protection Act, 2014, Vic
Charter of Human Rights and Responsibilities, 2006
Privacy Act, 1988, Commonwealth
Evidence Act, 2008, Vic
Freedom of Information Act, 1982, Vic
Surveillance Devices Act, 1999, Vic
Local Government Act, 1989, Vic
Public Records Act, 1973, Vic

8.3 Relevant Guidance

Victorian Ombudsman’s Office, Guidelines for developing Closed Circuit Television policies for Victorian Public Sector Bodies’, Victoria, 2012
Guide to developing CCTV for Public Safety in Victoria, Department of Justice, 2011
Surveillance in a Public Place, Law Reform Commissioner, 2010
AS 4806.2 - 2006: Closed-Circuit Television (CCTV) - Part 2: Application Guidelines