

COUNCIL POLICY

# CCTV Surveillance Cameras

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**DOCUMENT UNCONTROLLED WHEN PRINTED**

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Directorate Corporate Performance	Department Corporate	External

**REVISION RECORD**

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13/5/2014	1.0	Draft
06/06/2014	2.0	Adopted
17/11/2017	3.0	Adopted
03/07/2018	4.0	Adopted
9/11/2021	5.0	Presented to Council for Adoption. Updated template and supporting documents.

## 1. Purpose

The purpose of this policy is to provide guidance for the appropriate installation and use of CCTV surveillance cameras and use of footage collected at Council owned, operated or managed sites.

## 2. Scope

This policy applies to all Council employees and councillors, contractors, volunteers, and representatives.

This policy and its supporting procedures apply to the installation or proposed installation of CCTV surveillance cameras on Council owned, operated or managed sites.

Where installation of CCTV surveillance cameras is proposed on sites where Council is not the sole owner, operator or manager, this policy will serve as a minimum requirement and written agreement between all parties will be required. For example: where Council owns a site but does not operate or manage its functions directly (e.g. local halls and sporting reserves), and also the reverse where Council manages or operates a site, but it is owned by another entity (for example Crown Land administered by the Victorian Department of Environment Land Water and Planning (DELWP)).

The *Surveillance Devices Act 1999* in conjunction with the *Privacy and Data Protection Act 2014*, govern the use of CCTV surveillance cameras in public areas. This policy addresses Council's requirements under these and other Acts.

The objectives of this policy are to:

- ensure the safety of Council employees, councillors and members of the public;
- protect property from theft and damage;
- discourage unlawful activity;
- improve the investigation of incidents; and
- ensure that CCTV surveillance cameras are installed following a thorough assessment.

## 3. Policy details

### Definition of public place

For the purposes of installation and use of CCTV surveillance cameras, the Victorian Law Reform Commission has identified a 'public place' as "any place to which the public have access as of right or by invitation, whether express or implied and whether or not a charge is made for admission to the place". Under this definition, Council owned, managed or operated sites, including Council workplaces, are considered public places and as such, any use of CCTV surveillance in these areas must comply with various Victorian and Australian legislation, Australian Standards and other guidelines.

## **CCTV operation**

The CCTV surveillance cameras will be used to capture any incidents involving threats to Council employee safety, public safety, theft, and unauthorised access to 'staff only' areas.

Installed cameras will operate for twenty-four hours a day, seven days a week. The majority of monitoring will be retrospective reviews, however there will be occasional periods of passive monitoring.

The cameras will not be used to record or monitor the daily activities of Council employees nor will they be used to assess employee performance.

All reasonable steps will be taken to ensure the identity and images of any individual captured on camera remains anonymous where lawful and practicable.

Signage must be displayed at any site where CCTV surveillance cameras are installed, and positioned below each camera within those areas, to inform Council employees, councillors and the public of the use of cameras for security purposes.

## **Definition of an incident**

An incident is defined as an occurrence or event that could result in harm to persons, property or business operations.

An incident may occur at any time, and may involve members of the public, Council employees and/or councillors.

## **Camera locations**

CCTV surveillance cameras must not be installed without the prior written approval of the Chief Executive Officer (CEO). An assessment must be undertaken prior to the CEO approving installation of CCTV surveillance cameras, which includes the following:

- Location;
- Primary purpose of the surveillance;
- Evidence to support the request for surveillance;
- A privacy assessment; and
- Consultation and notification requirements.

A register of CEO-approved camera locations will be maintained.

## **Purpose of collection**

Footage recorded and retained by the CCTV surveillance cameras will be used for the sole purpose of monitoring and investigating incidents.

The primary purpose of collection is:

- incident monitoring;
- detection of any Council employee and/or public safety issues;
- detection and deterrence of theft;
- monitoring any unauthorised access to 'staff only' areas

## Access to footage

Access to live streaming or recorded footage for the purposes of viewing, copying or disclosing the footage will be restricted to the following Authorised personnel: Council's CEO, Directors, Manager Facilities, and Manager Asset Maintenance. Authorised personnel may request the assistance of the Information Technology Coordinator to retrieve footage.

## Use and disclosure of footage

Live streaming and recorded footage must only be used for the purposes of investigating and providing evidence of an incident.

Footage of an incident may be disclosed to a third party such as Victoria Police, and copies may be provided on the condition that the third party has an official role in investigating the incident or some other legitimate reason for requiring access to the footage.

Any request by members of the public to view records of incidents must be done through the same Freedom of Information (FOI) process as is required to access any Council record.

## Storage of footage

Any recorded footage of incidents must be stored in a secure location with restricted access.

Footage must be protected from unauthorised viewing, copying, alteration, deletion and disclosure.

## 4. Roles and responsibilities

The following positions are responsible for

Responsibility	Role / Position
Implementation	CEO, Directors, Managers
Compliance	All employees and Councillors
Development / Review	Governance Officer Health, Safety and Risk Officer
Interpretation / Advice	Governance Officer Health, Safety and Risk Officer Information Technology Coordinator

## 5. Breaches

Failure to comply with this Council policy, supporting procedures or guidelines, will be subject to investigation which may lead to disciplinary action and potential legal ramifications.

## 6. Human Rights Charter compatibility

This policy has been assessed as being compatible with the *Charter of Human Rights and Responsibilities Act 2006 [Vic]*.

## 7. Supporting documents

This policy should be read in conjunction with all other relevant, Council policies and procedures, as well as relevant legislative requirements.

### Related Legislation

- *Surveillance Devices Act 1999 [Vic]*
- *Privacy and Data Protection Act 2014 [Vic]*
- *Public Records Act 1973 [Vic]*
- *Private Security Act 2004 [Vic]*
- *Freedom of Information Act 1982 [Vic]*
- *Evidence Act 2008 [Vic]*
- *Charter of Human Rights and Responsibilities Act 2006 [Vic]*
- *Local Government Act 2020 [Vic]*

### Related Council Policies

- Employee Code of Conduct
- Information Privacy Policy (No.45)
- Health and Safety Policy (No.52)
- Risk Management Policy (No.54)
- Body-Worn Camera Policy (No.109)
- Digital Information Security Policy (No.111)
- Equal Opportunity, Discrimination, and Harassment Policy (No.112)

### Related Procedures

- CCTV Surveillance Camera Operating Procedures (P93.1 and P93.2)

### Other documents

- Guidelines to surveillance and privacy in the Victorian public sector (Commissioner for Privacy and Data Protection) May 2017 (currently being updated)
- Security and Privacy Surveillance Technologies in Public Places (Victorian Auditor General) September 2018

## 8. Definitions and abbreviations

Term	Meaning
CCTV	Closed Circuit Television
CEO	Chief Executive Officer of the Alpine Shire Council
Council	Alpine Shire Council
Council employees	Alpine Shire Council employees, volunteers, contractors
Passive monitoring	Where CCTV monitors are intermittently observed by operators
Retrospective review	Where CCTV is reviewed after an incident
Workplace	Physical location where Council employees undertake their Council duties. Relates to fixed locations only, and not where employees are required to undertake field work for their roles.

## 9. Approval

THE COMMON SEAL OF THE ALPINE SHIRE COUNCIL was hereunto affixed this 9<sup>th</sup> day of November 2021 in the presence of:



*Ron Tanas*  
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 COUNCILLOR

*R. Tanas*  
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 SIGNATURE

*Charlie Vincent*  
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 COUNCILLOR

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*CHARLIE BIRD*  
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 CHIEF EXECUTIVE OFFICER

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