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# Closed Circuit Television System (CCTV) Policy



May 2020

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Northern Grampians Shire Council  
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# Closed Circuit Television (CCTV) Policy



## Administration Policy

**Responsible director**  
**Responsible officers**

Director Corporate Services  
Manager Business Transformation/Manager  
Governance & Civic Support  
Business Transformation/Governance

**Functional area**  
**Date adopted by ELT**  
**Review date**

16 June 2020  
16 June 2024

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## Purpose

This policy sets out a framework for the management of the Northern Grampians Shire Council's closed-circuit television system (CCTV) and the protection of personal information collected from video surveillance.

The policy is supported by the [Closed Circuit Television \(CCTV\) Procedure](#) which documents system technical details, testing, maintenance and periodic internal auditing of system use, staff training and education. The procedure documents the operations of the CCTV systems but is not limited to, the method of collection of CCTV data, security access controls and the use and disclosure standards to be observed.

## Background

Council has installed a number of corporate reactive CCTV systems in its buildings to surveil public administration areas as part of its commitment to public safety and the occupational health and safety of Council employees. All CCTV cameras are installed to act as a deterrent to unwanted behaviour, assist in a timely and effective response to incidents and gather evidentiary material. Council does not have responsibility for any public safety CCTV systems installed in public places throughout the shire.

## Policy

Council's CCTV systems will be operated and managed in accordance with the following principles<sup>1</sup>:

- Surveillance use must always be necessary, proportionate and for a legitimate purpose related to the activities of the council.
- Individuals are entitled to a reasonable expectation of privacy in public places.
- Surveillance operators must assess the impact of the proposed surveillance before it is undertaken.
- Surveillance use must be consistent with applicable laws and standards including privacy and data security, human rights and management of public records.
- Surveillance activities should be governed by policies, operating procedures and agreements.
- Surveillance operators should undergo privacy training prior to use.

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<sup>1</sup> OVIC Guidelines to surveillance and privacy in the Victorian public sector

- Surveillance operators must take reasonable steps to inform individuals of the use of surveillance devices.
- The right of individuals to access their personal information should be respected.
- Reasonable steps should be taken to secure equipment and protect information gathered through surveillance activities.
- Disclosure of information gathered through surveillance activities should only occur where necessary for the stated purpose, or for a law enforcement purpose.
- Information gathered through surveillance activities should be deleted once it is no longer required.
- Effective review and audit mechanisms should be in place to ensure legal requirements and policies are complied with, and that the program is meeting its intended objectives.

### *Implementation*

Any decision by Council to implement a new CCTV system will be based on the following considerations<sup>2</sup>:

- Confirmation that proposed surveillance is for a legitimate council objective or function and consistent with applicable laws
- Clarity about the intended purpose of surveillance
- Alternatives to surveillance
- Consultation with affected communities and other stakeholders including residents, traders and business owners
- Consultation with Victoria Police where the purpose of the system is to manage high crime locations and maintain public order or safety in public areas.
- Consultation with other authoritative stakeholders and regulators such as the Office of the Victorian Information Commissioner and the Public Record Office Victoria (PROV)
- Balance the need for public safety against the right for privacy of members of the public
- Impacts on privacy and whether proposed surveillance is a proportionate response to the issue or risk to be addressed
- How the surveillance information and data will be kept secure and protected from inappropriate use or disclosure
- Costs and benefits and how Council will assess the effectiveness of their surveillance activities.
- Conduct a risk assessment to identify and mitigate privacy and security risks that could arise, up front

### *Complaint handling*

Any complaints about the use of Council surveillance technologies will be considered under Council's established Complaints Handling Policy. Information on how to make a complaint can be found on Council's website or by contacting council offices in Stawell and St Arnaud on 03 5358 8700.

## **Council Plan Objective/Strategy**

Enhance Lifestyles and Community

## **Legislation and Standards**

[Privacy & Data Protection Act 2014](#)

[Charter of Human Rights & Responsibilities Act 2006](#)

[Public Records Act 1973](#)

[Surveillance Devices Act 1999](#)

[Freedom of Information Act 1982](#)

[Complaints Handling Policy](#)

[Privacy & Data Protection and Health Records Policy](#)

## **Responsibilities**

The Manager Business Transformation is responsible for the management and oversight of the CCTV surveillance program and regular reporting to the Risk Management Committee on key aspects of surveillance activities. Day to day management of separate surveillance systems is devolved to local staff.

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<sup>2</sup> VAGO Security and Privacy of Surveillance Technologies in Public Places

Council staff who use CCTV systems are required to act responsibly, consider the reasonable expectations of the privacy of individuals and comply with the requirements of this policy.

The Business Transformation Unit is responsible for the maintenance of the CCTV cameras and surveillance systems, periodic internal audits of system activity and testing physical security and access controls.

The Manager Governance & Civic Support is responsible for processing requests to use or review recorded information, compliance monitoring and complaints about inappropriate use and privacy breaches.

The Manager Governance & Civic Support is the appropriate contact within the council should staff or members of the public have questions about privacy-related matters, how council handles the personal information we gather through CCTV and how people can access, modify or delete their personal information. The Manager can be contacted on 03 5358 8700.

### **Stakeholders**

The community are interested stakeholders affected by the policy and must be consulted prior to implementation of any CCTV system. The Manager Governance & Civic Support, together with the Manager Business Transformation and Business Transformation team, are responsible for the implementation of the policy and must be consulted during development or revision of the policy and its associated procedures.

### **Review**

Assessment of the policy will be undertaken every four years to align with the Council term to ensure it remains current with the Council's goals, processes, aims and requirements and as a means by which to reduce Council's exposure to risk. Triggers for an earlier assessment include legislative changes and the introduction of new systems or procedures.

### **Communication and implementation**

The Manager Governance & Civic Support is responsible for communicating the policy to staff which will be workflowed through the EDRMS and referred to in induction and training opportunities. The policy will be made easily available to the community via Council's website and signage making people aware of surveillance devices will be erected at CCTV sites.

### **References**

[Guide to Developing CCTV for public safety in Victoria](#)

[Ombudsman Closed Circuit Television in Public Places - Guidelines, 2012](#)

[OVIC Guidelines to surveillance and privacy in the Victorian public sector, 2017](#)

[Victorian Equal Opportunity & Human Rights Commission website Resources for local government](#)

### **Privacy and Data Protection compliance**

The operation of any CCTV system will be in accordance with legislative requirements and applicable PDPA laws and operated with due regard to the privacy rights of members of the public and employees.

This policy ensures data security through:

- Security controls on the information and communication technology (ICT) used in the devices and equipment
- Limiting access to surveillance footage and records
- Taking steps to detect and deter security breaches
- Training and education

### **Charter of Human Rights compliance**

The development of this policy has considered the human right of *Dignity - Protection of privacy and reputation* to ensure compatibility with the *Charter of Human Rights & Responsibilities Act 2006* as it involves surveillance of persons via closed-circuit television. It is considered that the policy has a positive impact on Dignity.

Any CCTV program will be subject to a human rights impact assessment to ensure that it does not breach the *Charter of Human Rights & Responsibilities Act 2006*.

### **Gender Equality Act 2020**

There are no gender equality implications identified in this policy. Councils must consider where relevant gender equality principles, workplace gender equality of rights, opportunities, responsibilities and outcomes and the promotion of gender equality in the policies, programs and services it delivers.

### **Definitions**

- CCTV use**
- Pro-active CCTV: footage is monitored live, for example by the police or a security unit. This footage may or may not be recorded.
- Re-active CCTV: involves recording and storing the footage captured by the camera for viewing at a later date, if required. Re-active CCTV is the most common form used, as it is less resource-intensive and the footage can be re-watched multiple times.
- Corporate CCTV** a Council owned or managed closed-circuit television system operating in public places and Council facilities
- Public safety CCTV** a Council owned closed-circuit television system operating in a public place and hosted by Victoria Police
- Personal information** includes information that is recorded in any form about an individual whose identity is transparent, or can be reasonably ascertained from the information and includes any still or moving images of an individual, written information or a voice recording
- Surveillance** the deliberate or purposive observation or monitoring of a person, object or place.

### **Review history**

<b>Date</b>	<b>Review details</b>	<b>Action</b>
January 2020	New policy developed	
27/02/2020	SLT informed	
16/06/2020	ELT for approval	Approved