

Use of Closed Circuit Television - Council Operated Properties

1. Introduction

Waverley Council is committed to ensuring, as far as possible, the safety of its staff and the people who use its facilities. Council is also required to adequately protect the property and assets it manages

To assist in providing staff and customer safety and the protection of property and other assets, Council has installed Closed Circuit Television (CCTV) in a number of its locations.

The aim of this policy is to ensure the operation of CCTV in any Council managed facility meets legislative requirements and any guidelines such as the New South Wales Governments '*Policy and Guidelines for the Operation of Closed Circuit Television in Public Places*' and the '*Code of Practice for the Use of Overt Video Surveillance*.'

2. Legislation and Best Practice

Installation and operation of CCTV needs to meet the requirements of the New South Wales *Privacy and Personal Information Protection Act 1998*. In addition, the use of any CCTV by Council should meet the '*Code of Practice for the Use of Overt Video Surveillance in the Workplace*', as a check to ensure CCTV installation and operation does not breach the *Workplace Video Surveillance Act 1998*.

The *Workplace Video Surveillance Act 1998* defines a workplace as 'premises, or any other place, where people work'. Under the Act, an employee means 'an individual who works under a contract of employment or an apprenticeship'. The Act prohibits an employer from undertaking covert video surveillance of its employees in the workplace without the authority of a covert surveillance authority, unless the surveillance is carried out solely for the purpose of establishing unlawful activity in the workplace.

The *Workplace Video Surveillance Act* also sets out criteria to establish if video surveillance is overt or covert. The criterion for overt surveillance includes notification to staff, visible CCTV equipment and adequate signage.

3. Policy

- Waverley Council will only use CCTV as part of an overall approach to providing a safe environment for customers and staff and to maintain the security of its property and assets.
- In some locations, for example Council operated car parks, the installation of CCTV may assist in traffic management. In other locations it may assist in queue management to ensure prompt customer service.
- When operating any CCTVs Council will respect people's privacy rights and their right to engage in lawful activities by ensuring the requirements of the Privacy and Personal Information Protection Act 1998 are met.
- As far as possible, Waverley Council will meet best practice guidelines when operating its CCTV. In particular Council will ensure:
 - ⇒ staff and customers are aware they may be subject to video surveillance;
 - ⇒ the purpose of video surveillance is known;
 - ⇒ CCTV surveillance information is only used to identify potential or actual criminal behaviour;
 - ⇒ access to video surveillance information is restricted.
- When reviewing the operation of its CCTV systems or looking at other possible areas for CCTV, Council will, as far as possible, use the '*Policy and Guidelines for the Operation of Closed Circuit Television in Public Place*' as a best practice guide to the installation and operation of CCTVs.
- When considering the installation of additional CCTVs, Council will consult with staff and other community members who use the area where any CCTV is to be installed.

4. Operational Procedures

4.1 Why and where CCTV may be installed

CCTV will be installed in areas where criminal behaviour may occur and where this behaviour is likely to impact on Council staff or customers, or where there is a significant risk of loss or damage to Council property. The decision on where to install and locate CCTVs will be made following a risk assessment and will, as far as possible, meet the best practice standards.

4.2 Hours of operation

Currently all CCTVs used by Council operate 24 hours a day. Generally, real time monitoring of cameras does not take place and all recorded information is generally overwritten within 28 days of recording.

Where an incident has been recorded by CCTV this information may be copied and stored for a period longer than 28 days. This information will be deleted when no longer required.

4.4 Signage

All locations where video surveillance is in operation will display adequate signage. This includes:

- ⇒ signs placed at each main access point to areas which members of the public are reasonably entitled to use, and which are being monitored;
- ⇒ signs that are easily understood by members of the public, including people who are from non-English speaking backgrounds;
- ⇒ signs that are clearly visible, distinctive, located in areas with good lighting, placed within normal eye range, and large enough so that any text message can be easily read;
- ⇒ numbers to ring if there is a problem, enquiry or complaint.

In addition, members of the public will be provided with information about the meaning of the signs. This information should be available in appropriate community languages

4.5 Access to recorded information

Access to stored video surveillance information will be restricted to senior staff of the area where the CCTVs are located, the Workplace Safety Officer for that area, Council's Safety Manager and senior staff from Council's Property Services Department. Where any criminal behaviour is identified copies of video surveillance information will be made available to members of the NSW Police Service to assist in their investigations.

4.6 Dispute resolution

Complaints about the use of CCTVs or access to video surveillance information should in the first instance be dealt with by the Director of the Department where the CCTV is located. If the complainant remains dissatisfied the complaint should be referred to the General Manager, who can direct that a further investigation of the matter be undertaken either by a Council staff member or referred to the Ombudsman or Privacy Commissioner.

4.7 Consultation with and notification of staff

No CCTVs will be installed without written and verbal notification to staff. This will include the provision of information at staff meetings, written information on staff notice boards and a letter to each individual in an area likely to be covered by CCTV.

Where CCTV surveillance is already in place, staff will be advised at a staff meeting of the adoption of this policy and where they can access a copy of the policy.

5. Future Installation of CCTV

From the date of adoption of this policy all future CCTV installations will follow the process of risk identification and staff and customer consultation before any decision is made about installation.

Prior to installation staff will be advised of the location and operation of any CCTVs.

6. Adoption and Review

This policy was adopted on 27 May 2004 and will be reviewed in July 2005.