

Policy Name:	Council's CCTV Program & Code of Practice
Originated Date:	Adopted 17 February 2014 – Min. No. 44/14 (as Policy 72)
Amended Date/s:	Reviewed ... August 2018 – Min. No./18 Reviewed 21 March 2016 – Min. No. 61/16 (adopting Local Business & community Organisations Participation in Council's CCTV Program (adopted 17 February 2014 – Min. No. 44/14 (as Policy 73)
Applicable Legislation:	<i>Tasmanian Personal Information Protection Act 2004</i>
Dataworks Reference:	44/001/001
Objective	The objective of Council's CCTV Program is to reduce personal and property crime, deter anti-social behaviour, and promote public safety in association with a range of other crime prevention strategies. The Code of Practice contains standards to guide the operation of the CCTV Program.

1 BACKGROUND:

Council is committed to taking action to reduce crime and increase public safety in the Northern Midlands. Council's CCTV Program is one of a number of initiatives designed to facilitate greater community safety by preventing and reducing crime. It assists Council and Tasmania Police to work together to help provide a safer environment, reduce criminal and anti-social behaviour levels by deterring potential offenders, and aid in crime detection, apprehension and prosecution of offenders.

2 STRATEGY

The CCTV Program has two key components:

- 2.1 Council purchasing cameras for use in public places and in Council buildings and facilities.
- 2.2 Council providing financial assistance to businesses and community organisations in Northern Midlands towns to assist with the purchase and installation of CCTV cameras that will provide surveillance of their premise's frontage and agreed aspects of the surrounding public area.

The CCTV Program is only one of a range of strategies that Council utilises to prevent or reduce crime and anti-social behaviour. Other strategies include designing out crime through urban environmental design, effective street lighting, access control and signage.

4 POLICY STATEMENT:

The Code of Practice has been developed in consultation with Tasmania Police and complies with:

- Australian Standard Closed Circuit Television (CCTV) AS 4806.1-2006/ AS 4806.2-2006.

- The *Tasmanian Personal Information Protection Act 2004*
- The Tasmanian Crime Prevention and Community Safety Council's "Policing Requirements for Closed Circuit Television".

5 COMPLAINTS

Complaints are to be considered through Council's customer request system.

6 CODE OF PRACTICE: KEY PRINCIPLES

6.1 Principle 1: Purpose, Privacy and the Public Interest

The CCTV Program will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code of Practice. The purposes of the CCTV Program are to:

- Assist in reducing personal and property crime levels;
- Assist in the detection and prosecution of offenders;
- Promote a safer and more liveable environment in the Northern Midlands.

The CCTV Program will be operated with due regard to the privacy and civil liberties of individual member of the public, and particularly with a view to minimising false association.

The public interest in the operation of the CCTV Program will be recognised by ensuring the security and integrity of operational procedures.

It must be accepted that CCTV cameras cannot be placed to cover all conceivable areas. Rather, Council will install, or assist with the funding of, cameras at 'priority' locations.

** the definition of priority locations includes those areas in a Northern Midlands town where there is a recent or regular history of criminal and/or anti-social behaviour.*

Council owned CCTV cameras installed in locations that are later deemed to be non-priority locations, or not assisting Council achieve the objectives of this policy, will be removed and reallocated as required.

6.2 Principle 2: Ownership of the Program, Responsibilities and Accountability

Council is responsible for compliance with the objectives of the CCTV Program and the protection of the interests of the public in relation to the Program.

Council is accountable for the effective operation and management of the CCTV Program.

6.3 Principle 3: Public Information and Community Consultation

Council will provide the public with clear and easily accessible information in relation to the CCTV Programs' objectives, operation and outcomes.

Copies of this Code of Practice will be made available to the public at the Council Offices and on the Council's website.

Where appropriate signs advising that CCTV cameras are operating will be

conspicuously displayed at the location of the CCTV camera. These signs will clearly:

- Inform the public that the area is under video surveillance;
- Identify Council as the responsible body for the CCTV Program.

6.4 Principle 4: Installation, Control and Operation of Cameras

Council staff responsible for installing CCTV cameras must follow the requirements of the Work Place Health and Safety Act, and AS1657: Fixed platforms, walkways, stairways and ladders.

Information recorded will not exceed that necessary to fulfil the purposes of the CCTV Program, and will be obtained fairly and in accordance with the privacy provisions in this Code of Practice.

Council owned cameras will not be used to look onto adjacent premises, buildings, commercial premises or private residences unless requested by Tasmania Police.

The cameras will only be controlled and operated by authorised Council officers. These officers must act in accordance with the highest standard of probity and must control cameras to record subjects or particular places strictly in accordance with the purposes of the CCTV Program, this Code and applicable legislative requirements.

6.5 Principle 5: Retention and Access to Recorded Material

Council owned, and wherever possible – cameras Council provides funding towards – will comply with the attributes of a good CCTV system as documented in the Tasmanian Crime Prevention and Community Safety Council's "Policing Requirements for Closed Circuit Television".

The retention of, and access to, recorded material will be only for the purposes provided by this Code of Practice and will not be kept any longer than is necessary for the purposes of the CCTV Program. Recorded material no longer required will be disposed of in a manner which protects the privacy of persons identified in the material.

Recorded material will be treated according to all relevant and appropriate legislation and standards.

Subject to the concurrence or request of Tasmania Police, the release of material recorded on Council owned cameras to the media may be referred to Council for approval. Use of recorded material by the media must only occur to gain public information with respect to the identity of a person/s wanted. The recognisable characteristics of other people in the footage must be obscured.

Authorised Council Officers are to access video footage at the request of Tasmania Police and provide Tasmania Police with requested footage. Council Officers providing images to Tasmania Police may be called as witnesses in a court of law, and they must have a thorough understanding of the operation of the CCTV system, how the images were recorded and the process followed to download the images from the camera.

It is acknowledged that only Tasmania Police has the authority to take action to identify and prosecute an offender detected via the Council's CCTV Program.

Council's disciplinary procedures will be activated in the event of unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.

Council will generally retain images for not more than 30 days, and they will thereafter be deleted, unless they are required to be retained in relation to the investigation of crime, or for Court proceedings notified to Council, or for ongoing intelligence and investigation.

If in the rare circumstances that IT hardware fails and the current recorded images of up to 30 days are deleted, Council will take all reasonable efforts to repair or replace equipment and retrieve images.

Council retains ownership of and has copyright in all recordings, photographs and documentation relating to the Council owned CCTV system.

6.6 Principle 6: Evaluation of the Program

Evaluation of the CCTV Program will be undertaken to identify whether the purposes of the Program are being complied with. The evaluation will extend to whether Council's Policy and Code of Practice are being adhered to. Council will evaluate the CCTV Program at least once every four years. The evaluation scope and the person/s to perform the evaluation will be agreed by the Council's General Manager and the District Superintendent of Tasmania Police.

At a minimum the evaluation will:

- Identify and report any changes required to the Policy and Code of Practice;
- Recommend actions that will safeguard and enhance the CCTV Program.

6.7 Principle 7: Compliance and Breaches of the Code

Responsibility for ensuring the Code of Practice is adhered to rests with the Council. This responsibility includes ensuring breaches of the Code are investigated and remedied to the extent that the breaches of the Code are within the ambit of Council's power to remedy.

Where surveillance is required for the security of employees or Council assets, such surveillance devices will only be used in accordance with Council's Work Health & Safety Policy.

7 GRANTS TO LOCAL BUSINESS AND COMMUNITY ORGANISATIONS PARTICIPATING IN COUNCIL'S CCTV PROGRAM

The rationale behind this Council CCTV Grants Program is that good quality, colour CCTV systems that are well installed and maintained can provide footage of offenders of a quality admissible as evidence in a court of law.

If such evidence is obtained from a poor quality, incorrectly installed, poorly maintained and malfunctioning CCTV system it is highly unlikely to be accepted as evidence in a court of law. Therefore, Council seeks to assist local businesses and community organisations in priority locations to purchase good quality, colour CCTV systems.

Offering a grant encourages community organisations in priority locations to purchase,

install and operate high quality, colour CCTV systems to provide surveillance of their premises' frontage and agreed aspects of the surrounding public area.

7.1 AVAILABLE FUNDING:

Council will make an allocation for the CCTV Grants Program in each annual budget. Council will fund up to 75% of the cost of purchasing and installing a CCTV system at a business or community organisation's premises; with an upper cap of \$1,000. This is a one-off grant. The CCTV system is owned by the business/community organisation which will be responsible for funding the maintenance, operation and insurance of the CCTV system, as well as any future upgrades/replacement of the system.

If the Grants Program allocation is fully committed during a financial year, Council has the option of reviewing the budget allocation and providing further funding into the Grants Program, or holding applications for consideration at the commencement of the next financial year.

7.2 APPLICATION PROCESS:

Council will accept completed Grants Program Application Forms from businesses and community organisations in Northern Midlands towns on a rolling basis.

Each application will be assessed by Council Officers in collaboration with Tas Police with selection criteria including:

- Whether there has been a recent or regular history of criminal and/or anti-social behaviour in the public space adjacent to the premises;
- The quality of the proposed CCTV system;
- The applicant's level of commitment to installing, maintaining and operating the CCTV system at a high standard.
- The applicant's level of commitment to meeting all relevant legislation and standards.
- The level of pedestrian traffic flow through the area;

All applicants will be informed in writing of the outcome of their application.

Successful applicants will enter into a Service Agreement with Council.

Unsuccessful applicants have the right of appeal as per the Council's Customer Charter.

8 POLICY REVIEW

This policy shall be reviewed within two years of the date of it being adopted.

Acknowledgement:

It is acknowledged that this Policy and Code of Practice is based on the Wollongong City Council CCTV Program Policy and Code of Practice.

APPLICATION FORM

1. Name of the business/community organisation:

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2. Address of applicant's premises

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3. Applicant's postal address:

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4. Contact person's Name:

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Phone number: Email address:

5. Rationale for installation of CCTV system at the applicant's premises:

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6. Preferred CCTV system

- Attach technical specifications
- Attach quote for the purchase and installation of the system

Indicate below how compliance the preferred CCTV system is with the recommendations of the Tasmanian Crime Prevention and Community Safety Council's "Policing Requirements for Closed Circuit Television":

Is it a colour CCTV system? Yes No

Will it operate on a 24hour basis? Yes No

If no: please explain rationale for lesser hours of operation:

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Will images be recorded on a DVR? Yes No

Will all recorded images be watermarked with time, date, camera number/description that recorded the image? Yes No

Can the system generate a copy of the recorded vision? Yes No

Can you supply an uninterrupted power supply to the system? Yes No

7. Provide a plan showing the proposed location of the camera outside your premises

Has this plan been developed in consultation with Tas Police and/or a CCTV consultant?

Yes No

If YES please provide the name and contact details for the personnel consulted

Will the camera be:

- Positioned out of the reach of passers-by? Yes No
- Have an anti-tamper bracket? Yes No
- Positioned to capture facial details of passers-by? Yes No

8. Do you commit to:

Cleaning the glass front housing of the camera at least monthly Yes No

Checking the system's date and time against an accurate clock at least monthly
Yes No

Reviewing the vision recorded to ensure images are still being captured with desired view
and clarity at least fortnightly Yes No

Check camera mounting to ensure it is still firmly fixed at least fortnightly
Yes No

Maintaining a written maintenance log Yes No

9. Data Management:

Do you commit to:

Maintaining the integrity of the recorded vision Yes No

Ensuring the data cannot be manipulated or changed Yes No

Ensuring the data is only accessible to authorised persons Yes No

Developing a Privacy Policy for your business/organisation as required under the
Tasmanian Personal Information Protection Act 2004, and appointing a member
of staff/ organisation as your Personal Information Protection Officer: the person
to have a sound understanding of the Personal Information Protection Act and
the ability to convey this knowledge across the business/organisation
Yes No

Signed:

Date:

Name:

Designation:

COUNCIL APPROVAL:

Approved: Yes No

Signed:

Date: