



WARRNAMBOOL  
CITY COUNCIL

# **CLOSED CIRCUIT TV (CCTV) POLICY**

## DOCUMENT CONTROL

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## 1. INTRODUCTION

### Purpose

The Council has primary responsibility for compliance, maintenance, management and security of Council owned and operated closed circuit television (CCTV) systems. Council must fulfil its responsibility to ensure that the rights of individuals to privacy are maintained at all times, by managing these systems in compliance with privacy requirements.

This policy provides direction and guidance on Council's management and use of CCTV systems in public places to enhance public safety and assist in the prevention of crime.

The purpose of the Policy is to:

- ensure that the CCTV program operates fairly, within applicable legislation, only for the purposes for which it is established and with due regard to the privacy and human rights of individual members of the public and Council staff;
- provide a framework to inform and guide decision making on the implementation and installation of any CCTV system;
- assist Council to regulate the operation and management of Council-owned CCTV systems installed and operating in public places;
- ensure that the management of CCTV data inclusive of any footage, images, records or the observation of live feeds is appropriate in respect to the use, retention, security, privacy access, disclosure, storage and disposal of data;
- ensure there is appropriate and ongoing monitoring, evaluation and reporting systems and complaint handling processes.

### Scope

This Policy applies to Council owned CCTV systems installed, operated and monitored by Victoria Police in public places for the purposes of public and staff safety and asset protection.

### Definitions and Terminology

Term	Meaning
<b>CCTV</b>	Closed Circuit Television
<b>CCTV Camera</b>	Any fixed or non-fixed cameras, including mobile camera
<b>CCTV System</b>	A surveillance system in which a number of cameras are connected through a closed circuit. The footage taken by the cameras is sent to a television monitor or recorder. CCTV systems consist of cameras, monitors, recorders, interconnecting hardware and support infrastructure.
<b>CCTV Steering Committee</b>	The committee established by Council to oversee the operation of CCTV systems.
<b>City</b>	Whole of the Warrnambool municipal area.
<b>Code of Practice</b>	Contains the basic standards in accordance with which the Council's CCTV Program will be conducted.
<b>Council Audit &amp; Risk Committee</b>	The Council committee for the ongoing management of audit related matters. A function of the committee will be to uphold the integrity of Council's CCTV systems.

Term	Meaning
<b>Data</b>	Data from a CCTV Surveillance System including (but not limited to) records, film footage, recording, still images or live feeds
<b>MOU</b>	Memorandum of Understanding
<b>Public Place</b>	Any place to which the public has access. A public place relevant to Council can include, but is not limited to, public streets, public malls, shopping centres, Council car parks, open space parks or reserves, Council managed public buildings or areas.
<b>Standard Operating Procedures</b>	Detail the requirements to perform routine and non-routine duties and tasks.

## References

Category	Document
<b>Legislation</b>	Freedom of Information Act 1982 Privacy Act 1988 (Cwlth) Privacy and Data Protection Act 2014 Public Records Act 1973 Surveillance Devices Act 1999 Surveillance Devices Regulations 2006
<b>Standards, Guidelines &amp; Reports</b>	Guide to Developing CCTV for Public Safety in Victoria, Department of Justice, June 2018 Victorian Auditor General Office (VAGO) report <i>Security of Surveillance Technologies in Public Places</i> , September 2018. Public Records Office Victoria (PROV) advice and QSA Managing Closed Circuit Television Records Guideline
<b>Council Related Policies &amp; Procedures</b>	MOUs between Council and Victoria Police for the operation of CCTV Cameras in the municipality CCTV Code of Practice CCTV Standard Operating Procedures Complaint Handling Policy

## 2. POLICY

### Principles

The primary objective for installing CCTV is to discourage and detect unlawful behaviour in public places, resulting in enhanced safety and security for citizens and assets within the City.

Accordingly, CCTV systems will only be installed where there is an identified public safety or security need.

The Council CCTV systems will be operated and managed in accordance with the following principles:

- All aspects will be operated and managed with integrity and will be compliant with the relevant legislation, standards, codes and guidelines as outlined in this Policy and otherwise in force from

time to time

- All aspects will be operated and managed with due regard to the privacy and respect for the human rights of individual members of the public
- Monitoring and access to CCTV records/footage will be controlled and managed in accordance with the operating procedures of each system
- Each system will be monitored and periodically evaluated to ensure that the purposes and objectives of each system are being achieved.
- The public will be provided with clear and easily accessible information in relation to the operation of CCTV systems, including processes to request or to view CCTV records/footage.

### Installation of CCTV System

The installation of CCTV cameras in public places will be determined through consultation between relevant stakeholders and the CCTV Steering Committee and be approved by the Council.

When making decisions on the development and implementation of CCTV systems, the Council will utilise and take into account all relevant material, including the Department of Justice's CCTV Guide.

Any decision to implement a new (or retain an existing) CCTV system will be based on the purpose of the system and an assessment of the effectiveness of the system in achieving its purpose. The relevant use must be specifically stated for each system and such use must be in accordance with the IPP 1: Collection [Information Privacy Principles from the *Privacy and Data Protection Act 2014* (Vic)].

In accordance with IPP 2, any use for a purpose other than the primary purpose must be precluded or limited to exceptional circumstances, as approved by the Chief Executive Officer and in accordance with the legislation.

Any CCTV system to be installed by the Council in a public place will be based on its potential to achieve any or all of the following objectives:

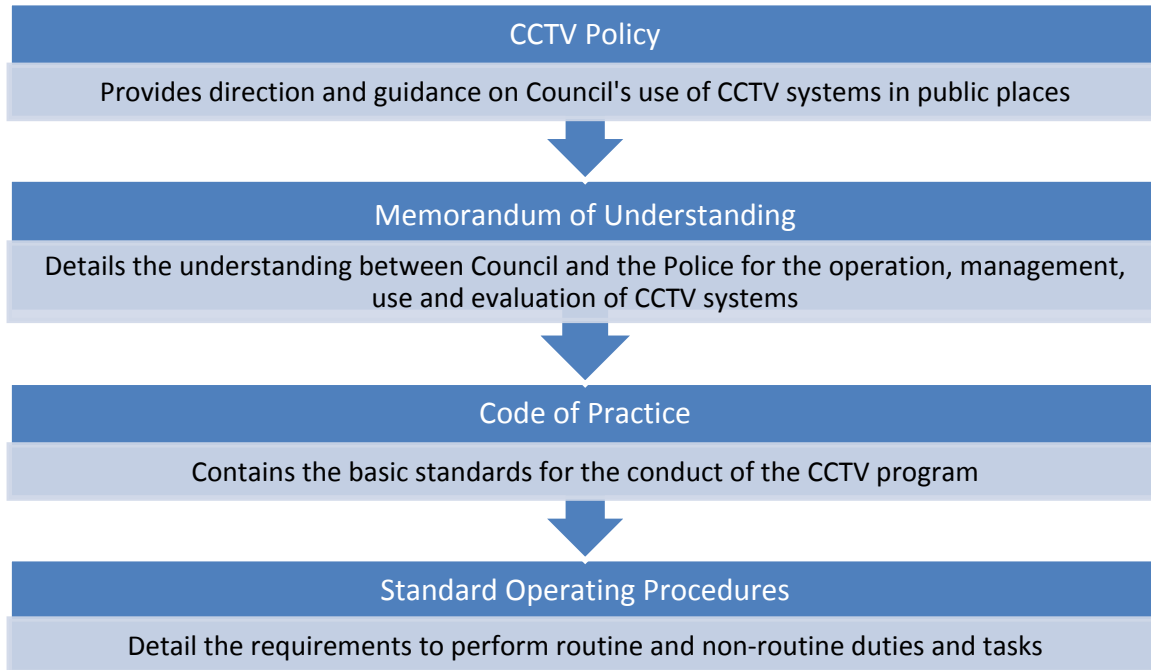
- To reduce incidents of criminal activity
- To reduce levels of anti-social behaviour
- To assist Police in the detection of offenders suspected of criminal activity and anti-social behaviour.
- To enhance public safety – actual and perceived
- To reduce the cost & impact of crime on the community

The Council will consult with relevant stakeholders prior to establishing a CCTV system. Victoria Police will be specifically consulted where the purpose of a CCTV system is to manage high crime locations and matters of public order or safety.

### Documentation

In most cases, the Council's CCTV systems in public places will be owned, installed and maintained by Council. The responsibility for the operation and monitoring of the system will typically be by the Victoria Police, a private contracting company or a nominated member of Council staff.

The authorisation and operation of the CCTV system is based around extensive documentation.



An MOU with Victoria Police is required if the CCTV system is streamed to a Police facility, that is, where any part of the CCTV system or equipment is on Victoria Police premises or where members of Victoria Police have direct access to view or download footage.

All MOUs and the CCTV Standard Operating Procedures will, ordinarily and subject to law, be confidential documents and will not be publicly available.

### Operation & Maintenance

For each CCTV system, an operation and maintenance manual will detail the technical details of the system, including detailed design drawings, product specifications and warranty information. These will, ordinarily and subject to law, not be publicly available documents.

### Training

When a new CCTV system is installed, the Council will provide the operators of the system with the required training and support to accompany the Standard Operating Procedures.

### Signage

The Council will advise the community of the presence of a CCTV system by installing appropriate signage to indicate that they are in an area of a CCTV system where they may be observed or recorded. Signage will be placed so as to comply with relevant Australian Standards in force and will comply with the following requirements:

- Signs will be placed at each main access to the CCTV coverage area members of the public are reasonably entitled to use and be monitored

- Signs will be prepared so as to be easily understood by members of the public, including people who are from non-English speaking backgrounds. Signs will include a mix of worded text and symbols
- Signs will be clearly visible, distinctive and located in areas with good lighting, placed within normal eye range and large enough so that any text can be read easily
- Signs will identify Council as the owner of the system
- Signs will include details of who to contact for any queries about the system
- Signs will be checked periodically for damage and theft and replaced where required.

### Data Collection

The collection of CCTV data including details of how the CCTV data is recorded, monitored and responded to by CCTV operators is to be documented for each system in the respective MOU or Standard Operating Procedures Manual.

For Council CCTV systems in general public areas, the CCTV footage on digital media will be retained for 30 days unless otherwise downloaded for legal reasons. Where footage has been provided to a third party (e.g. Victoria Police) it will be the third party's responsibility to retain the records/footage in accordance with the disposal authority that covers their agency's functional responsibilities.

The Council will ensure that its record keeping practices comply with the Public Records Office Standards for the management of public records, Public Records Office Specifications and the *Public Records Act 1973* (Victoria). In general, surveillance camera footage is temporary and may be destroyed when any relevant administrative use has concluded.

### Access to CCTV Records & Footage

Requests to access CCTV records/footage from the public or media will be managed according to the category of CCTV system.

#### **Public Safety CCTV Systems - Victoria Police control access to and distribution of CCTV recordings**

Images generated from the CCTV System will be stored at the Warrnambool Police Station and may be accessed by members of Victoria Police, in accordance with CCTV Policies and the Law.

Victoria Police is not under any obligation to continuously monitor the CCTV system. Victoria Police may monitor the CCTV system at any time for specific events or police operations.

Details of any images or recordings taken by Victoria Police members or provided to the public or media will be recorded in a register which will be located at Warrnambool Police Station.

If an application is made under the Freedom of Information (FOI) Act, then this will be processed through the normal FOI procedures.

### Privacy

Council will balance the need for public safety against the right for privacy of members of the public.



## Inappropriate Use & Complaints

Council staff who work with CCTV systems are to comply with the requirements of this Policy. Where a Council staff member is in breach of this Policy, there will be an internal review and appropriate action will be taken.

Public complaints in relation to any aspect of a CCTV system relating to Council must be made in writing to the Chief Executive Officer.

Chief Executive Officer  
Warrnambool City Council  
25 Liebig Street (PO Box 198),  
Warrnambool, Vic, 3280

Correspondence should be clearly marked 'Confidential - CCTV Complaint'

Any member of the public who is dissatisfied with the outcome of their complaint to Council has the right to complain to the Victorian Ombudsman. Contact details are available at [www.ombudsman.vic.gov.au](http://www.ombudsman.vic.gov.au) or phone: (03) 9613 6222

Complaints that are made by members of the public to Council relating to the policies and procedures of Victoria Police or to members of Victoria Police may be referred to the:

- Officer in Charge, Warrnambool Police Station;
- Victoria Police Professional Standards Command; or
- Independent Broad-Based Anti-Corruption Commission.

## 3. GOVERNANCE

### Review

This policy is to be reviewed, in consultation with the CCTV Steering Committee, no later than three years after the previous review/approval date.

### Evaluation & Monitoring

The Council will undertake evaluation and regular reporting of the CCTV system against the CCTV Evaluation Framework.

The first evaluation of a new CCTV system will occur between 12 and 18 months following the full commissioning of the CCTV system.

The Council will establish a CCTV Steering Committee chaired by a Council representative and consisting of representatives from Council staff and Victoria Police. The primary responsibility of the CCTV Steering Committee is overseeing the implementation of the CCTV systems, the ongoing management and evaluation.

## Compliance Responsibility

The CCTV Steering Committee shall exercise an oversight function over compliance with this policy.

The Council will undertake regular audits of its CCTV systems and appropriate action plans will be formulated to address any deficiencies.

## Roles & Responsibilities

Party	Roles & Responsibilities
CCTV Steering Committee	<ul style="list-style-type: none"> <li>• Overseeing the implementation of the CCTV systems and the ongoing management</li> <li>• Evaluating the CCTV systems against               <ul style="list-style-type: none"> <li>○ Achievement of Objectives</li> <li>○ Compliance with Good Governance</li> <li>○ Compliance with Operating Procedures</li> </ul> </li> <li>• Reporting on the management of CCTV systems</li> <li>• Ensuring adherence to the relevant MOU for each system, Council policies and the law</li> <li>• Promoting public confidence in CCTV systems by ensuring its operations are transparent and subject to public scrutiny</li> <li>• Making recommendations to improve the integrity of CCTV systems</li> </ul>
Audit & Risk Committee	Annually review the use, operation and compliance with this policy and the CCTV Code of Practice.
Director City Infrastructure	Policy Owner. Overall responsibility for the effective and ethical management of equipment and for ensuring that recorded information is appropriately maintained by Council Authorised Users. Reviews and determines applications for access to recorded images held by Council.
Council	Responsible for the assessment and approval of CCTV Program equipment installation requests in and around Council managed public places.
Victoria Police Officer in Charge	Responsible for overseeing the effective and ethical management of CCTV equipment and recorded information operated or held by Victoria Police. Reviews and determines all applications for access from members of the public and Authorised Users to recorded information in Victoria Police possession. Nominates Authorised Users and Authorised Administrators. The only officer who can approve Authorised Administrators to download and extract footage from the public space CCTV network.