



Policy Location	Risk Management		
Policy Title	Closed Circuit Television Policy		
Policy No	CA27	Date Approved	11 September 2019
Revision No	1	Revision Date	September 2021

Purpose

The purpose of this policy is to enable Council to regulate the operation and management of Council-owned Closed Circuit television (CCTV) systems which have been (or which in the future may be) installed for use in public places and council owned premises. The policy aims to provide a suitable framework for the implementation, usage and access of CCTV and the associated data generated by these systems within public spaces and council facilities across the Buloke Shire Council. The policy aims to protect our local community and further enhance actual and perceived levels of public safety and deter instances of crime and anti-social behaviour within public spaces.

The policy will assist in the appropriate and effective usage of CCTV data by:

- Detecting and deterring crime, criminal damage and public disorder;
- Identify, apprehend and prosecute offenders in relation to crime or criminal damage, public disorder, road traffic offences and all forms of harassment;
- Provide evidence upon which to take criminal and civil actions within the Courts;
- Helping to monitor traffic management issues & traffic research;
- Assisting any other emergency services.

Scope

This policy applies to all Buloke Shire Council employees, volunteers, contractors and councillors. The implementation and usage of Council owned CCTV data will be managed collaboratively by designated Council staff, appointed external contractors and Victoria Police (where appropriate).

Objective

The objectives of this policy are to:

- Comply with Australian Standard AS4806.1-2006 *Closed Circuit Television (CCTV) Management and Operation*, the *Victorian Ombudsman's Closed Circuit Television in Public Places Guidelines (November 2012)*, the *Surveillance Devices Act 2007*, the *Information Privacy Act 2000* and other relevant legislation as listed at the conclusion of this policy document.
- Establish a Code of Practice within the Buloke Shire Council for the collection, access, storage and disposal of CCTV data.

Definitions and Abbreviations

Term	Definition
<i>CCTV</i>	Closed Circuit Television
<i>CCTV Camera</i>	Any fixed or non-fixed cameras, including mobile camera
<i>CCTV Camera System</i>	Council owned and/or operated CCTV system involving one or more cameras connected to a monitor for the purpose of monitoring
<i>Council</i>	Buloke Shire Council
<i>Council Depot</i>	Designated Works and Technical Services Depots across Buloke Shire – Wycheproof, Sea Lake, Birchip, Charlton, Donald
<i>Council Employees</i>	Buloke Shire Council employees, contractors, volunteers
<i>Council Offices</i>	Main Buloke Shire council office – Broadway, Wycheproof
<i>Customer Service Centre</i>	Designated Buloke Shire Council Customer Service Centres – Birchip, Charlton, Donald, Sea Lake
<i>FOI</i>	Freedom of Information (in reference to the Freedom of Information Act 1982 - Vic)
<i>Passive Monitoring</i>	Whereby CCTV monitors are intermittently observed by operators
<i>Public Place</i>	<p>Any place to which the public has access as of right or by invitation, whether expressed or implied and whether or not a charge is made for admission to the place.</p> <p>A public place relevant to Council can include, but is not limited to, public streets, central business district open spaces, council carparks, public parks and recreation reserves, council managed public buildings or areas.</p>
<i>Retrospective Review</i>	Whereby CCTV is reviewed after an incident
<i>SOP's</i>	CCTV Standard Operating Procedures

Policy Statement

1. CCTV System

- 1.1 Buloke Shire Council CCTV systems shall comply with Council Policies in relation to Privacy and Third Party Access, and any relevant legislation as detailed at the conclusion of this document.
- 1.2 Where Council has outsourced the operation and monitoring of any Council owned CCTV system, a written agreement with the appointed contractor must include an agreement to comply with this policy.
- 1.3 All matters relating to the operation and management of Buloke Shire Council's CCTV systems will comply with relevant legislation as detailed at the conclusion of this document.
- 1.4 CCTV cameras will be housed in weather protective domes or cases which will be clearly apparent to the public and not unduly concealed.

2. Future CCTV Camera Systems

- 2.1 Installation or upgrading of future CCTV systems must meet the minimum technical requirements as per Council's CCTV Standard Operating Procedures.
- 2.2 Any decision to implement a camera system will be based on the purpose and objective of this policy.
- 2.3 Installation dates and locations of future CCTV systems will be included and detailed within Council's CCTV Standard Operating Procedures document.

3. CCTV Operation

- 3.1 CCTV systems installed and managed by the Buloke Shire Council are used for the purpose of capturing incidents involving public safety, crime or suspicious behaviour.
- 3.2 CCTV 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.
- 3.3 Councillors, council employees, contractors and volunteers will not be monitored specifically on performance, but CCTV footage may be utilised as evidence where it supports breaches in Council Policy, Code of Conduct or illegal activity.
- 3.4 The operation and on-going maintenance of council CCTV systems will be undertaken by trained individuals as appointed by council. Individuals responsible for the operation and maintenance of CCTV systems will at all times adhere to the Buloke Shire CCTV Camera Standard Operating Procedures.
- 3.5 Council appointed staff operating CCTV Camera systems will be made aware of the disciplinary proceedings and potential consequences following any breach within the Standard Operating Procedures prior to undertaking CCTV system operation within the Buloke Shire Council.

4. CCTV System Locations

- 4.1 Buloke Shire Council CCTV systems are located within Public Places and Council facilities as determined by Council to minimise the potential risk for anti-social behaviour or crime.
- 4.2 Specific locations of installed CCTV systems can be found within the Buloke Shire Council CCTV Camera Standard Operating Procedures.

5. Signage

- 5.1 Appropriate signage will be installed and made clearly visible to public patrons to indicate the presence of any CCTV surveillance system within the Buloke Shire.
- 5.2 Signage will be displayed in a manner which complies with the relevant Australian Standards and of which also adheres to the following:
 - Signage will be placed at the main entryways to the CCTV system coverage area and will be displayed within clearly-visible areas of good lighting. Signs will be placed within normal eye range to enable any text to be clearly read.
 - Within Customer Service Centre locations including CCTV systems, signage will be installed directly underneath each camera within those areas to clearly inform staff, volunteers, councillors and the general public of the use of cameras for security purposes.
 - Signs will include a mix of both text and symbols, enabling a wide variety of the wider public

- All signage will identify the Buloke Shire Council as the owner of the system.
- Signage will indicate that the CCTV system is monitoring the area on a constant 24-hour basis.
- Signage will include contact information for any queries regarding the system or collected data.
- Signs will be monitored regularly for damage, theft and vandalism and will be replaced where required.
- Signage will be consistent and uniform across all CCTV system locations within the Buloke Shire and will include the following wording within each CCTV system location in at least one position:
 - 'CCTV in Operation';
 - 'Images are being monitored and recorded on a 24-hour basis by Buloke Shire Council for the purposes of Public Safety';
 - 'For further information please contact Buloke Shire Council on 1300 520 520'.

6. Collection, Access, Disclosure and Retention of Data

- 6.1 The Director Works & Technical Services is responsible for ensuring the operations of the CCTV surveillance systems continue to be utilised for the designated purposes set out within this policy only and as a result also complies with all Council Policy and privacy requirements and relevant legislation.
- 6.2 CCTV footage collected and retained will be used solely for the purposes outlined within this policy – primarily to monitor and investigate incidents concerning public safety.
- 6.3 Access to and disclosure of any live or retained footage will be restricted to the Council Chief Executive Officer and Directors. The CCTV Internal Review Committee will be held responsible for collation of any incoming requests for disclosure of data and will then report to the Chief Executive Officer and Directors in relation to each request within 48 hours of having received it.
- 6.4 Disclosure or review of any retained data will 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 on the condition that the third party has an official role within an investigation, with a legitimate reason for requiring access to the retained data.
- 6.5 Any request by members of the public to view retained data or view prior records of incidents must be done so through the Freedom of Information (FOI) process as is required for access to other Council records.
- 6.6 Retained data of incidents must be stored in a secure location with restricted access. Footage must be protected from unauthorised viewing, copying, alteration, deletion and disclosure.

7. Training and Staff Responsibilities

- 7.1 Responsible Officers will be appointed by the Chief Executive Officer as either internal Council staff or external contractors and will form part of the Buloke Shire CCTV Internal Review Committee. Members of the Internal Review Committee must understand the contents of this Policy and are required to sign an acknowledgement of their understanding.

- 7.2 All Responsible Officers will undergo privacy training on an ongoing basis to ensure awareness of their obligations within the Internal Review Committee, internal policy parameters and to keep up to date with any other relevant legislation.
- 7.3 Training will be inclusive of (but not limited to) all relevant legislation, policy parameters and shall include other relevant information identified by the Victorian Information Commissioner on how to use, store, disclose and dispose of recorded surveillance data, probity principles and confidentiality.

References

Relevant Council Policies & Documents

CCTV Camera Standard Operating Procedures

Disciplinary Action policy and associated procedures

Relevant Legislation

Privacy and Data Protection Act 2014 – Vic

Surveillance Devices Act 1999

Charter of Human Rights and Responsibilities Act 2006

Public Records Act 1973

Privacy Act 1988 Commonwealth

Evidence Act, 2008, Vic

Freedom of Information Act, 1982, Vic