

OTHER POLICY

POLICY NO	O.5
POLICY SUBJECT	CLOSED CIRCUIT TELEVISION SYSTEMS (CCTV)
FILE NUMBER	LEG052/POL1
ADOPTION DATE	11 December 2012 (354/12/12)
LAST REVIEW:	

STATEMENT OF INTENT

1. This policy has been developed to comply with legislative requirements and standards. The policy will be applied to the management of closed circuit television systems (CCTV) established and managed by the Shire of Toodyay.
2. The CCTV system will be managed in accordance with all relevant legislation, standards and Shire of Toodyay policies. Monitoring of cameras, and any replay of recorded footage, is controlled by this policy.
3. The CEO is responsible for managing adherence with the conditions set out in this policy. Any changes or extensions to the policy or system will only take place after consultation with Council. The CEO may authorise minor changes to the system and to this policy, where appropriate.

DEFINITIONS

- Authorised officer:** An officer authorised by the CEO to act on his behalf under this Policy. Normally the Authorised Officer unless otherwise stated.
- Authorities:** WA Police, Australian Federal Police, Emergency Services and other agencies.
- Contractor:** Contractor employed by the Shire to install/maintain the CCTV system.
- Control Area:** The restricted access facility managed by the Authorised Officer.
- Council:** The Council of the Shire of Toodyay
- MOU:** Memorandum of Understanding between the Shire of Toodyay and the WA Police.
- Register:** Transmittal register used to record the transmission, archiving or disposal of media containing visual images recorded using the Shire of Toodyay CCTV system.

OBJECTIVES

- 2.1. To limit, deter and detect crime and criminal damage;
- 2.2. To identify, apprehend and assist in prosecuting offenders;
- 2.3. To improve communications and the operational response of staff ; and
- 2.4. To assist emergency services.
- 2.5. To provide relevant material to accused persons on request; and
- 2.6. To provide relevant material in Civil disputes at a cost not exceeding the cost of the provisions of that material.

POLICY STATEMENT

1. System Details

- 1.1. The CCTV System consists of a number of overt colour CCTV cameras situated in the Toodyay town site and in Shire properties and buildings. The cameras are linked to a dedicated CCTV server located at the Shire of Toodyay.
- 1.2. The video feeds, play backs and remote control features are accessible from the Control Area at the Shire of Toodyay, the Toodyay Police Station.
- 1.3. Remote access may be granted to the Authorised Officer and Officer in Charge, Toodyay Police Station to control the remote control features only (e.g. iPad or iPhone).
- 1.4. Video footage is stored on the server for 60 days. Footage and still may only be downloaded and copied at the Shire of Toodyay. This function may be extended to the WA Police subject to a current MOU.

2. Data Protection - Privacy

- 2.1. All data collected using this system, including images, will be managed in accordance with the relevant Federal and State laws and Shire of Toodyay policy relating to the control of private information.
- 2.2. All persons involved in the operation of the system are obliged to exercise the upmost care to prevent improper disclosure of material.
- 2.3. CCTV cameras are directed to public places, not private or semi-private places.

3. Management of the System

- 3.1. The CEO is responsible for managing compliance with this Policy, including compliance by staff and contractors employed to work on the system or in the Control Area, or use of the system under MOU by the WA Police.
- 3.2. The Authorised Officer shall be responsible for the day-to-day management of the system and associated processes. In particular, the Authorised Officer will be responsible for external agency liaison, compliance with this Policy by staff, contractors or any other authorised person, staff training, the preparation of reports and the evaluation of the system performance.
- 3.3. The Authorised Officer will be responsible for managing access to the system and the Control Area ensuring that only authorised personnel are given access.

4. Accountability

- 4.1. The Shire of Toodyay acknowledges the importance of accountability in the management of the system. With that in mind, the following steps will be taken to ensure the community is informed.
- 4.2. Copies of this policy will be available to the public via the Shire of Toodyay web page.
- 4.3. An annual report to the Shire of Toodyay Council on the operation of the system will be prepared by the CEO and Authorised Officer. This report will provide information on any extensions to the system (i.e., additional cameras) and the outcome of any complaints.

5. Public Information

- 5.1. Cameras will not be hidden and will be placed in public view wherever possible.
- 5.2. Signs that CCTV cameras are operating will be displayed at key positions and in proximity to the area under surveillance to allow

people to be made aware that a highly visible CCTV system operates within the Shire of Toodyay and to come to Council prior to installation.

5.3. The policy will be available on the Shire of Toodyay web page.

6. Assessment of the System and Policy

6.1. The CEO is responsible for ensuring that the System is evaluated annually.

6.2. Evaluation will be conducted according to the following criteria:

- a. Impact on crime prevention, public safety, deterrence and prosecution.
- b. Operation of the policy.
- c. Impact on the Shire of Toodyay's reputation.

6.3. Ongoing monitoring of the system will be conducted by the Authorised Officer who will also take all reasonable measures to ensure that all relevant parties are complying with the provisions of this policy.

7. Operating Staff

Shire of Toodyay staff and contractors employed to work on the system must be fully cognisant of their responsibilities under this policy. Subject to a current MOU, this responsibility extends to WA Police officers and civilian staff.

8. Complaints

8.1. Complaints regarding the CCTV system and its operation must be made in writing to the CEO. Where appropriate, the CEO will appoint an independent person to investigate the complaint and provide a written report within an agreed period of time not to exceed eight weeks. The report will be presented to the CEO, who will take action as appropriate and advise the complainant.

8.2. For this policy, the definition of an independent person is one who does not directly work in areas responsible for the management or maintenance of the CCTV system. For the avoidance of doubt, complaints against members of the WA Police will not be investigated by the Shire, but will be directed to the WA police for investigation.

9. Breaches of the Policy

9.1. Breaches of the policy will be subject to proper investigation by, in the first instance, the person appointed by the CEO to conduct an investigation. This person shall be responsible for making recommendations to the CEO to remedy any breach.

- 9.2. The Shire of Toodyay reserves the right to apply disciplinary measures for breaches, up to and including dismissal. If criminality is involved the police will be advised.

10. Control and Operation of the Cameras

- 10.1. Control Area equipment and the remote control of cameras will only be operated by authorised persons acting with the utmost probity.
- 10.2. Operational procedures shall be adopted to ensure necessary restraints upon the use of cameras in relation to personal privacy.
- 10.3. System Operators will be subject to supervisory procedures and routine audit to ensure compliance with this aspect of the policy.
- 10.4. The Authorised Officer will be responsible for the control, storage and approved use of recorded material.

11. Access to and Security of Monitors and Security Control Room

- 11.1. Access to and operation of equipment or viewing of recorded images is limited to authorised staff. **Note: the Police Station has a monitor in the main office of the Police Station – this monitoring station is on 24/7 but only displays LIVE footage, not recorded footage.
- 11.2. Access to or the demonstration of monitors will not be permitted except for lawful and proper reasons.

12. Recorded Material

- 12.1. Recorded material will be used only for lawful purposes defined in this policy. Access to recorded material will only take place as defined in the policy. Recorded material will not be sold or used for commercial purposes.
- 12.2. Still photographs from incidents will only be taken by the Authorised Officer or the appropriate authorities, including the WA Police subject to a current MOU. A written record of all video and still image captures including the requesting officer, time and date of the capture and the reasons will be made. This record will be held by the Authorised Officer.
- 12.3. Still images and video captures may only be released to the public or media where there is a clear investigative imperative to do so, and must be approved by the CEO.

13. Dealing with Incidents

- 13.1. Consistent with standard operating procedures control area operators are authorised to report relevant matters to authorities as appropriate. A record of any reports will be made at the time and will include details

of the incident, date and time of the report and details of the officer taking the report. Where appropriate, the control room operator may elect to have a Shire of Toodyay ranger attend the incident.

- 13.2. All incidents requiring attendance by the authorities will be reported to the Authorised Officer.
- 13.3. Incidents of interest to the WA Police will be noted in a register kept at the Toodyay Police Station. This register will be made available for inspection upon request by the CEO.

14. REFERENCES

Commonwealth

Privacy Act 1988	Establishes and regulates privacy principles for individuals, corporate entities and personal information.
Surveillance Devices Act 2004	Regulates use of optical surveillance devices without warrant

Western Australia

Criminal Investigation Act 2006	Provides powers for the investigation and prevention of offences and for related matters.
Occupational Health and Safety Act 1984	Regulates the protection of persons at or near workplaces from risks to health and safety
Surveillance Devices Act 1998	Regulates use, installation and maintenance of optical surveillance devices

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