



COUNCIL OPERATED CLOSED CIRCUIT TELEVISION (CCTV) POLICY

September 2021

| | |
|-----------------------|--------------------|
| Policy No: | GOV-EXE-035 |
| Adopted by Council: | 21.09.2021 |
| Minute No: | 07.09.21 |
| Review Date: | August 2025 |
| Responsible Officer: | General Manager |
| Responsible Director: | General Manager |
| Functional Area: | Executive Services |

CONTENTS

| | |
|---|---|
| PART 1 – INTRODUCTION | 3 |
| PART 2 – POLICY OBJECTIVES | 3 |
| PART 3 – SCOPE | 3 |
| PART 4 – POLICY STATEMENTS | 3 |
| 4.1 Guiding Principles..... | 3 |
| 4.1.1 Integrated Approaches to Crime Prevention..... | 4 |
| 4.1.2 Scheme Ownership and its Responsibilities..... | 4 |
| 4.1.3 Community Consultation..... | 4 |
| 4.1.4 Setting Clear Objections | 5 |
| 4.1.5 Police involvement in Public Area CCTV Schemes..... | 5 |
| 4.1.6 Managing and Operating CCTV Schemes | 5 |
| 4.1.7 Evaluation..... | 5 |
| 4.1.8 Complaints | 6 |
| 4.1.9 Monitoring and Auditing..... | 6 |
| PART 5 – IMPLEMENTATION | 6 |
| 5.1 Roles and Responsibilities | 6 |
| 5.2 Associated Documents..... | 7 |
| PART 6 – REVIEW | 7 |
| PART 7 – DEFINITIONS | 8 |

PART 1 – INTRODUCTION

Closed Circuit Television (**'CCTV'**) can bring benefits to the community through a reduction in crime to people and property. CCTV also involves a cost to the community in the allocation of resources and implications for personal privacy.

Council recognises that CCTV can be effective for many purposes including monitoring facilities use, maintenance and protection of assets, risk management and assisting in reducing or preventing crime. Council also recognises that the ownership of CCTV brings accountability, responsibility to consult with and inform the community, and responsibility for design, management, running costs, evaluation, and audit activities. Council also recognises that the ownership of CCTV can potentially increase the liability of Council.

PART 2 – POLICY OBJECTIVES

This policy provides a framework for the implementation, installation, management, and operation of CCTV in a range of public places within the Junee Shire Council area (**'Council'**).

This policy should be read in conjunction with the CCTV Code of Practice and the CCTV Standard Operating Procedures.

PART 3 – SCOPE

This policy applies to Council owned CCTV systems only:

- CCTV systems installed on and in Council properties and premises.
- CCTV footage; and
- Data collected via CCTV ('CCTV data').

PART 4 – POLICY STATEMENTS

4.1 Guiding Principles

When considering and determining the establishment, operation and management of CCTV, Council has considered the principles contained in the "NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Places". These guidelines were developed by the NSW Government to provide a policy framework to assist local councils considering CCTV as a possible response to local community safety concerns.

The following principles address issues relating to privacy, fairness, public confidence and support, managerial efficiency and effectiveness and police involvement in public are CCTV.

4.1.1 Integrated Approaches to Crime Prevention

Principle: Council will ensure that where CCTV is established, that the implementation of CCTV will be part of an integrated, multi-agency approach to crime control and community safety.

CCTV will only be considered as one part of a range of crime prevention measures and not a stand-alone strategy. Consideration will include:

- Whether the problem is on-going or the result of a one-off event.
- Whether the perception of crime is supported by evidence and data.
- How the establishment, operation, and management of CCTV fits within a broader crime prevention strategy.
- Evidence as to the effectiveness of CCTV in addressing the identified crime.
- The lawfulness of the collection of personal information via CCTV, and
- The costs associated with establishing, operating, and managing the CCTV.

4.1.2 Scheme Ownership and its Responsibilities

Principle: Council will ensure that the ownership of public places CCTV schemes are clear and publicly known.

Council will erect signs informing of the existence of CCTV in any public place and will take steps to ensure that the signs comply with relevant legislation such as the *Privacy and Personal Information Protection Act 1998*.

Council will also maintain a register of all its CCTV schemes.

4.1.3 Community Consultation

Principle: When considering establishing or significantly expanding a public area CCTV scheme, Council will ensure that the relevant concerns of all parties affected are considered through an effective community consultation process.

People or groups that may be affected could include:

- Residents.
- Users of the public place.
- Local businesses.
- Police or other regulatory authorities, and
- Council staff.

Information available through the consultation process will include the potential benefits of the scheme, possible costs involved, and privacy implications, including people's rights and Council's responsibilities.

Consultation with Council staff will ensure compliance with the *Workplace Surveillance Act 2005* and ensure that staff are given notice prior to the installation of a scheme.

4.1.4 Setting Clear Objectives

Principle: Council will identify the purpose and will develop and document clear objectives for the design, implementation, management, and outcomes of CCTV in a public place.

This policy has established the following objectives as a basis for effective monitoring and evaluation to ensure that the use of CCTV is consistent with overall community safety objectives which may include:

- Improve the safety and security of public places and Council's facilities and assets.
- Improve public confidence in the safety and security of public places.
- Deter anti-social behaviour in high-risk public places.
- Improve the safety of Council staff and authorised contractors in public places.
- Assist with the management and maintenance of public places.
- Assist with monitoring the use of public places.
- Assist with the identification of potential environmental safety risks.
- Assist in the investigation and/or prosecution of civil and criminal offences in relation to public places.

4.1.5 Police involvement in Public Area CCTV Schemes

Principle: Council will consult with NSW Police Force to ensure that the installation of CCTV fits within any broader crime prevention strategy and during the assessment and planning phase, including risk analysis and evaluation.

The CCTV Standard Operating Procedures incorporate protocols covering communication and liaison between the scheme operators and the police.

4.1.6 Managing and Operating CCTV Schemes

Principle: Council will ensure that its CCTV schemes are open and accountable and operate with due regard for the privacy and civil rights of individuals and the community.

Council will ensure that:

- The recording and retention of images is undertaken fairly and lawfully.
- The purpose for which the information is being obtained is known.
- The information is not used for any purpose other than that stated.
- People are made aware that they may be subject to CCTV surveillance.
- The CCTV surveillance is used for specific intelligence gathering, and
- The owners of the scheme are known and accountable for its operation.

4.1.7 Evaluation

Principle: Council will develop and implement an evaluation framework for each CCTV established in a public place to identify whether the CCTV is achieving its formal objectives.

The evaluation framework will provide guidance on how Council will assess whether the CCTV scheme is:

- Achieving its objectives.
- Being used in accordance with the formal objectives and not for any other purpose.
- Impacting on any groups.
- Providing overall benefit, after consideration of the costs involved in operating the scheme, and
- Requiring change as to the extent or location of the cameras or the technology utilized.

4.1.8 Complaints

Principle: Complaints in relation to Council's CCTV may be made through Council's existing customer request being in person at Council or via phone, letter, email or website.

Complaints will be managed in accordance with the subject matter of the complaint:

- Complaints in relation to Council's handling of a person's personal information will be managed in accordance with Council's Privacy Management Plan. Complaints about privacy can also be made to the NSW Privacy Commissioner.
- Other complaints will be managed in accordance with Council's Complaint & Compliment Handling Policy.

4.1.9 Monitoring and Auditing

Principle: Council will review its CCTV systems at least every four years to assess compliance with this policy.

The review will be documented and will include examining:

- Assessment of the scheme and any technological problems.
- System access logs.
- Processes used to receive, access and process footage requests.
- Complaints received and responses provided.
- Compliance with legislation, regulations, and Australian Standards.
- The current systems and processes against best practice.

PART 5 – IMPLEMENTATION

5.1 Roles and Responsibilities

Council – Elected Members of Council

They are responsible for the adoption of this Council policy and the consideration of resources towards the implementation of this policy.

General Manager

Is responsible for the CCTV systems and the implementation of standard operating procedures relevant to CCTV.

Chief Financial Officer

Is responsible for managing the CCTV system in accordance with this policy. They are also appointed as the Privacy Contact Officer.

Authorised Persons

They are responsible for the operation of the CCTV system in accordance with relevant legislation, this policy and associated procedure.

5.2 Associated Documents

External

Privacy and Personal Information Protection Act 1998

Privacy and Personal Information Protection Regulation 2019

Security Industry Act 1997

Workplace Surveillance Act 2005

Local Government Act 1993

NSW Government policy statement and guidelines for the establishment and implementation of closed circuit television (CCTV) in public places

Australian Standard AS 4806.1-2006: Closed circuit television (CCTV), Part 1: Management and operation

Australian Standard AS 4806.2-2006: Closed circuit television (CCTV), Part 2: Application guidelines

Australian Standard AS 4269-1995: Complaints Handling

Internal

CCTV Code of Practice

CCTV Standard Operating Procedures

Workplace Surveillance Operational Policy

Privacy Management Plan

Complaint & Compliment Handling Policy

PART 6 – REVIEW

This policy will be reviewed every four years or upon changes to the guidelines.

The review will consider the results of any review of the Council's CCTV to ensure that the policy is effective and has been implemented correctly.

PART 7 – DEFINITIONS

Camera – an electronic device capable of monitoring or recording visual images of activities in public places.

Closed Circuit Television (CCTV) – a television system that transmits images on a ‘closed loop’ basis, where images are only available to those directly connected to the transmission system. CCTV systems consist of cameras, monitors, recorders, interconnecting hardware and support infrastructure. A hand held or fixed video record is not included in this definition unless it is connected to the transmission system.

Public Place – is as defined in the NSW Local Government Act 1993 and refers to public reserves, public bathing reserves, public baths or swimming pools, public roads and public bridges.

Version Control and Change History

| Version | Date | Action |
|---------|------------|--------------------|
| VI | 21/09/2021 | Adoption of Policy |
| | | |