

CCTV and On-Body Cameras Policy



Policy References

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| Policy Number: | 5.27 |
| Sponsor: | Director Internal Partnerships |
| Facilitator: | Team Leader: Information Management |
| Authorised By: | Chief Executive |
| Effective Date: | February 2021 |
| Internal review due: | February 2023 |
| Legal Compliance: | Health and Safety at Work Act 2015 Privacy Act 2020 The local Government Official Information and meetings Act 1987 (LGOIMA) |
| Referral Documents: | Privacy and CCTV – A guide to the Privacy Act for businesses, agencies and organisations GDC Information Management Policy GDC CCTV Systems |

Purpose

Gisborne District Council (GDC) endeavours to provide a safe and secure environment to protect its staff, customers and the interest of our ratepayers. Closed Circuit Television (CCTV) cameras and on-body recording devices are installed and operated for one or more of the following purposes, to:

- ✚ Facilitate staff and public safety
- ✚ Improve security and deter criminal activity in public places (including Council premises and recreational facilities)
- ✚ Monitor trespass on Council facilities
- ✚ Record receipt and banking transactions for playback if an error has occurred, for the benefit of the customer and the staff involved
- ✚ Provide opportunities for staff training and development
- ✚ Monitor compliance with Council bylaws
- ✚ Capture information that could be used to investigate a health and safety situation and/or staff incident/s.

This policy has been created to ensure that GDC, its employees and contractors comply with good practice, transparency and accountability and in respect of the requirements of the Privacy Act 2020 when operating Council CCTV cameras. It also outlines the process for managing all access to CCTV data, the delegated authorities of Council staff and Council obligations in regard to CCTV data storage, security and signage.

Scope

This policy applies to all employees of Gisborne District Council, Councillors, contractors and general public who may enter the areas covered by GDC cameras. The CCTV cameras owned and operated by the Gisborne Crime Prevention Camera Trust (GCPCT) are outside the scope of this policy. Cameras used for inspection of GDC assets (such as RPAS, UAV or drones) for inspecting the inside of pipes, and any other videos recorded by a GDC employee or contractor, are not considered to be CCTV footage for the purposes of this policy.

Policy

1. Camera Locations

- 1.1. CCTV cameras are situated in locations which are clearly linked with the camera's specific purpose. All new camera systems and/or replacement systems are to be approved by the CCTV Administrator and recorded in GDC's register of CCTV cameras.
- 1.2. Covert systems may only be used for Council's internal purposes in exceptional circumstances and with the prior approval of the Chief Executive. Exceptional circumstances may include where there is a strong suspicion of criminal activity or misconduct which breaches Council bylaws or may give rise to a health and safety risk to any person or damage to the environment, and which cannot be detected by other means.
- 1.3. Body worn cameras are used by City Watch, parking enforcement and camping enforcement teams. Process for requests for footage outlined in sections 6 and 7.
- 1.4. Mobile cameras may be used to monitor compliance on construction sites (or similar) and recording progress of project work.

2. Monitoring

- 2.1. The recording devices/servers for CCTV cameras are to be installed in a secure location as agreed upon with the CCTV Administrator. Only persons trained and authorised as CCTV Operators are allowed access to recorded CCTV footage stored in this location.
- 2.2. All footage is kept for the duration of the intended purpose and then the data is overwritten as part of the recording process, unless it is exported for evidential purposes.
- 2.3. Live streaming camera monitoring is restricted to locations where it is necessary, depending on the purpose of the camera. For example, when the purpose of the camera is to monitor public activity in the Library or Olympic Pool facility, the camera live feed may be viewed by designated GDC employees and contractors.
- 2.4. Council reserves the right to have remote access to all footage created by Council owned CCTV cameras.
- 2.5. Where cameras are monitored via a mobile device (such as a smartphone, tablet or similar device) a CCTV Operator shall ensure that no unauthorised person has the ability to view the device.

3. Control and operation of cameras

3.1. All GDC facilities, premises and areas may at some point in time be monitored by GDC'S CCTV camera, the exceptions being listed below:

- CCTV coverage will not include private areas within public spaces and facilities (e.g. toilet facilities, changing rooms)
- CCTV coverage will not be directed at private property except unavoidably as part of a wide angle or long shot while panning past.

4. User access

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| CCTV Administrator | Full system access to all CCTV camera features and programming | Team Leader Information Technology |
| CCTV High Level User | Full system access to all CCTV camera features and programming for maintenance purposes | Designated IT staff |
| CCTV Operator | Majority system access for all CCTV cameras on their site including some programming ability, live view, playback and export. | Delegated GDC Facility Managers and Supervisory Staff, GDC Privacy Officers |
| CCTV view only | Live view, playback (no export). | Police by request, Delegated GDC Staff* |

4.1 The CCTV Administrator is responsible for:

- Understanding their responsibilities under the Privacy Act 2020 and with respect to the Privacy Principles which determines they operate with efficiency, impartiality and integrity
- Ensuring the installation and maintenance of equipment is sufficient
- Undertaking an annual review of the use of all GDC CCTV cameras
- Organising the training and authorising of CCTV Operators
- Ensuring all new installations are GIS mapped
- Referring all public requests for footage (other than that from Police as per clause 6 to GDC's Privacy Officer)
- Responsible for the establishment and oversight of GDC's CCTV Access Log (Restricted access)
- Responsibility for the ongoing maintenance and accuracy of the GDC CCTV camera inventory and related service provider agreements.

4.2 CCTV High Level Users are responsible for:

- Understanding their responsibilities under the Privacy Act 2020 and with respect to the Privacy Principles, which determines they operate with efficiency, impartiality and integrity
- Implementing all maintenance to the CCTV system, as required. This includes security level access for designated GDC staff
- Referring all requests for footage (other than from a Police officer) to the GDC Privacy Officer
- Maintaining a record of all released or viewed footage in GDC's CCTV Access Log
- Maintain confidentiality in regard to duties and observations.

4.3 CCTV Operators are responsible for:

- Understanding their responsibilities under the Privacy Act 2020 and with respect to the Privacy Principles, which determines they operate with efficiency, impartiality and integrity
- Ensuring all requests for footage are in writing. In this context 'in writing' includes submissions in electronic forms
- Retrieving footage requested for viewing by the Police within 24 hours of the receipt of the request and recording footage released in the CCTV Access Log
- Referring all requests for footage (other than from a Police Officer) to the GDC Privacy Officer
- Maintain security of the monitors and footage (tapes, drives, disks etc)
- Ensuring signage is in place and in accordance with this policy
- Maintain confidentiality in regard to duties and observations.

5. Use of information collected

In line with the Privacy Act 2020 Privacy Principles, and with regard to the listed exceptions in the principles, information collected by the cameras can only be used for the purpose for which it was collected.

6. CCTV information access and the Police

- 6.1. The NZ Police may access footage at short notice from those cameras that have been set up for purposes linked with crime detection and prevention. The Police are required to complete a request form [Link to CCTV Request Form Template](#) prior to the release of the footage. This request requires the Police to enter details such as the event they are interested in, the specific offence and the name and contact details of the Officer making the request.
- 6.2. All footage released to the Police at the request of the Police, or when criminal activity is suspected, will be recorded in the CCTV Access Log.
- 6.3. The completed and signed release request form should be provided to a Privacy Officer for storage in the Privacy Act EDRMS files.

7. CCTV information access by individuals

- 7.1. Recorded footage is confidential to GDC. All requests to view footage relating to individuals will be referred to the GDC Privacy Officer for consideration.
- 7.2. The Chief Executive (CE) and GDC's Privacy Officer, or other officers delegated that responsibility to them by the CE, may approve persons or entities that data may be disclosed to. A list of approved persons or entities will be maintained by GDC in the CCTV Access Log.
- 7.3. A request by the public to view footage that contains information relating to other individuals must be in writing and will be dealt with as either:
 - a) Matter to be referred to the Police or
 - b) LGOIMA request under the Local Government Official Information and Meetings Act 1987 or
 - c) Where the footage requested for viewing only shows the individual who has made the request, the request will be dealt with in accordance with the Privacy Act 2020.

7.4. Any request to view footage will be limited by the need to protect other persons' privacy. If a request to view the footage is unable to be granted without unreasonably breaching others' privacy, a written description may be provided by the CCTV Operator of what they are doing in the footage. Any such requests will be responded to within 20 working days and are subject to review by GDC's Privacy Officer and the CE as per Council's LGOIMA Policy and Procedure.

8. CCTV and Council staff

8.1. The Council will investigate any suspected breach of the use of Council CCTV by a Council officer.

8.2. Any staff incidents or misconduct detected by CCTV will be handled in accordance with Council employment contracts, GDC Employment Handbook and Code of Conduct.

9. CCTV Signage

9.1. Individual cameras and/or camera areas will be clearly signposted to notify the public.

9.2. Signs will clearly display the message "Surveillance Cameras in Operation" or a similar message and be of a size and style that makes them readily visible to people entering the area. Where it is impractical to include all the information, the sign will direct the public to the GDC website where this policy can be viewed.

10. Delegated staff

- Library: Library Services Leader/delegated persons
- Enforcement: Animal Control, Parking and City Watch team
- Olympic Pool: Aquatics Service leader, Duty Managers
- IT Staff: (section 4)
- Homesafe team