

Closed Circuit Television (CCTV) Policy

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1. Purpose

This Policy provides direction on the establishment, operation and management of Closed Circuit Television Systems (“CCTV”) in council managed facilities and in public places.

2. Background

Federation Council recognises the risks associated with asset management including crime as an important factor impacting its assets with concerns about safety in certain areas. It is recognised however, that crime will never totally be prevented.

CCTV cameras may bring benefits to the community, such as a reduction in crime, which can lead to enhanced safety in a particular area.

CCTV is only one of a range of strategies that Council may utilise with an aim to reduce crime. Other strategies include activating public space, appropriate lighting, natural surveillance, access control and signage.

This Council Policy contains the basic standards in accordance with which Council’s CCTV Program will be operated. It is supplemented by Standard Operating Procedures (SOPs) which provide instructions on aspects of the day to day operation of the Program.

Generally fixed CCTV cameras have been installed as part council’s assets, including Council buildings, in order to achieve the purposes listed below.

It is acknowledged that CCTV cameras installed in public place locations and as part of Council infrastructure may also capture Council staff performing work tasks. The CCTV Program the subject of this Policy is not designed to intentionally provide workplace surveillance. A separate Management Policy will be developed for this.

3. Scope

This policy applies to all Federation Council workers, volunteers and contractors.

This policy applies to CCTV systems established, operated and managed by or on behalf of Council with Council’s express consent.

This policy does not apply to any CCTV systems installed by a third party, such as a tenant or licensee of Council land and/or facilities. Although outside of the scope of this Policy, these schemes will need approval from Council prior to installation. Council staff will consider how the proposed scheme aligns with the principles (below) prior to approving such a scheme. If approved, the scheme will be owned and operated by the organisation in accordance with appropriate legislation and guidelines.

This Policy does not relate to mobile cameras including dash cams, and body worn video cameras that are primarily used for Council activities associated with enforcement by authorised officers of Council in their delegated tasks or for personal safety. A separate Management Policy will be developed for this.

4. Objectives

This Policy aims to ensure:

- Consistency and clarity in Council’s role and obligations regarding the establishment, operation and management of CCTV in public places and council facilities by or on behalf of Council.

- A consistent, unified, equitable and transparent approach is applied by Council to the processing of requests for the establishment, operation and management of CCTV in public places and council facilities or on behalf of Council; and
- That CCTV installed for crime prevention purposes is part of an integrated approach to crime prevention and community safety.

5. Definitions

Definition	
CCTV	A television system that transmits images within a closed system. Images are not openly transmitted but available to a specific location. The CCTV system consists of cameras, recorders, interconnecting hardware and support infrastructure, and may be fixed or portable
CCTV Schemes	The implementation of a series of CCTV cameras in a public place in consultation with the NSW Police for the purposes of preventing and deterring crime at the location, particularly in response to addressing community concerns about safety.
Council Authorised Personnel	A Council employee who has been authorised by Federation Council to carry out specific tasks in the operation or management of the CCTV System
CCTV footage	means CCTV data/footage recorded by the CCTV System
Remote Access	Access to the CCTV Network via the internet
Content Manager	Federation Council's Electronic Record Management System
Public Places	Defined from the Local Government Act 1993 and refers to public reserves, public bathing reserves, public baths or swimming pools, public roads, public bridges, public wharfs or public road-ferries with the addition of public transport and car parks.

6. Responsibilities

Position	Role
Public Officer	The delegated Public Officer of Council is responsible for assisting the community with access to information, deal with community request, receive submissions and accept service of documents and other activities as defined by section 343 of the <i>Local Government Act 1993</i> . At Federation Council the delegated Public Officer is the Director Corporate & Community Services.
IT staff	IT staff are responsible for the capture, secure storage and release CCTV camera footage where release of the footage has been approved by the Public Officer, in accordance with this policy and any associated procedures.
Council staff	All Council staff (including volunteers, contractors, casual and part time employees) are required to comply with this policy and any associated procedures.
Governance Officer	Is responsible for assessing requests for release of CCTV footage under the Government Information Public Access (GIPA) Act 2009.

Director Corporate & Community Services	Is the delegated Public Officer for Federation Council and is responsible for determining requests for release of CCTV footage.
General Manager	Is responsible for ensuring this policy and any associated procedures are consistently applied.

7. Policy Statement

Council has been primarily installed CCTV at council assets and facilities, which includes public places for the purpose of security and risk management.

When considering and determining the establishment, operation and management of CCTV, Council staff will apply relevant guiding principles as required, such as the *NSW Government policy statement and guidelines for the establishment and implementation of closed circuit television (CCTV) in public places* (“NSW Government CCTV Guidelines”).

When a CCTV scheme is proposed for crime prevention, it is crucial that the scheme is part of a broader crime prevention and community safety strategy. As identified by the NSW Government CCTV Guidelines, CCTV is not recommended as an isolated response to addressing crime in public places.

8. Risk Management

Federation Council with its vast risk profile, and limited resources, understands the need to minimise loss, and maximise opportunities, this ensuring long term sustainability. Council’s risk management framework 17/34556 and processes are in accordance with AS/NZS ISO 31000:2020 – Risk Management – Principles and Guidelines and HB 436:2013 – Risk Management Guidelines, provides an adopted process to identify, analyse and control risks that may adversely impact objectives.

The objective of the risk management process is to ensure that:

- All significant operational and organisational risks are understood and identified
- The highest risks that need to be addressed in the short to medium term are identified
- Strategies and treatments to address risks are identified and applied

9. Key Principles

Council staff will consider and determine the establishment, operation and management of CCTV in public places by Council, in accordance with applicable guiding principles as required, such as those outlined in the NSW Government CCTV Guidelines.

The Key Principles Outlined in the NSW Government CCTV Guidelines includes:

Key Principles under the NSW Government CCTV Guidelines	Council’s approach
<p>1. The Ownership of Schemes and Its Accompanying Responsibilities Principle: The ownership of public area CCTV schemes must be clear and publicly known and ensure appropriate public accountability.</p>	<p>Council staff will ensure that where CCTV is established, operated and managed for crime prevention and community safety purposes, that the implementation of CCTV will be part of an integrated, multi-agency approach to crime control and community safety.</p> <p>CCTV will only be considered as one part of a range of crime prevention measures, and not a stand-alone strategy, and that prior to installation, a safety and security audit will be completed. The audit will consider:</p>

	<ul style="list-style-type: none"> • 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 <p>Prior to a CCTV scheme being implemented for the purpose of crime prevention council will engage with the NSW Police Force, Murray River District. Approval from the Executive Management Team (Manex) must be obtained prior to proceeding with a CCTV scheme for crime prevention purposes.</p>
<p>2. Community Consultation Principle: When considering setting up or significantly expanding a public area CCTV scheme, the relevant concerns of all parties potentially affected by the scheme should be taken into account through an effective community consultation strategy. Consultation will help to ensure that schemes meet local needs and circumstances, and that the operation of the scheme has the support of those affected by it.</p>	<p>Council staff will ensure that the ownership of public area CCTV schemes is clear and publicly known.</p> <p>Council staff will erect signs informing the public of the existence of CCTV in a public place, and will take steps to ensure that the signs comply with relevant legislation such as the <i>Privacy and Personal Information Protection Act 1998</i>.</p> <p>Furthermore, Council staff will maintain a public register of all of its CCTV schemes.</p> <p>Consultation with the community and key stakeholders will occur through a range of means, including but not limited to:</p> <ul style="list-style-type: none"> • Online information; • Public surveys; • Information sessions; • Draft policy exhibition; • Feedback forms.
<p>3. Setting Clear Objectives Principle: Clear scheme objectives should be set to guide the design, implementation, management and outcomes of public area CCTV. A clear statement of objectives will provide a basis for effective monitoring and evaluation of the scheme, and help to ensure that the use of CCTV is consistent with overall crime prevention objectives.</p>	<p>When considering establishing or significantly expanding a public area CCTV scheme, Council staff will ensure that the relevant concerns of all parties affected are considered through an effective consultation process. People or groups that may be affected by the proposal could include:</p> <ul style="list-style-type: none"> • Residents; • Users of the public place; • Local businesses; • Police or other regulatory authorities; and • Council staff. <p>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 <i>Workplace Surveillance Act 2005</i>, and ensure that staff are given due notice prior to the installation of a scheme.</p>
<p>4. Integrated Approaches to Crime Prevention Principle: The implementation of CCTV should be part of an integrated, multi-agency</p>	<p>Council staff will identify the purpose and will develop and document objectives for the establishment, operation and management of CCTV in a public place. CCTV will only be used in accordance with its established objectives and not for any other purpose. Objectives may include:</p>

<p>approach to crime control and community safety.</p>	<ul style="list-style-type: none"> • To assist in the investigation and/or prosecution of civil and criminal offences in relation to the security of public places and Council’s facilities/assets, or crimes against the person; • Improving public confidence in the safety and security of public places; • To deter anti-social behaviours in high risk public places; • To assist with the safety of Council staff or authorised contractors within public places; • To assist with the management/operations or maintenance of public places, or monitoring their use; or • Identifying potential environmental safety risks.
<p>5. Police Involvement in Public Area CCTV Schemes Principle: While the NSW Police Service should not fund or operate public area CCTV schemes, it should be closely involved in the assessment and planning phase, including risk analysis and evaluation. The Standard Operating Procedures for the scheme should incorporate protocols covering communication and liaison between the scheme operators and the police.</p>	<p>Where CCTV is established in a public place for crime prevention purposes, Council staff will consult with Police to ensure that the installation of CCTV fits within a broader crime prevention strategy and will meet its objectives.</p>
<p>6. Managing and Operating Schemes Principle: Schemes should be open and accountable and operate with due regard for the privacy and civil rights of individuals and the community.</p>	<p>Council staff will ensure that its CCTV schemes are open and accountable and operate with due regard for privacy and civil rights of individuals and the community, including that:</p> <ul style="list-style-type: none"> • The recording and retention of images is undertaken 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 owners of the scheme are known and accountable for its operation; • Only authorised personnel are permitted to view, capture and release footage; and • Release of any footage will comply with the Privacy and Personal Information Protection Act and GIPA Act.
<p>7. Evaluation Principle: Effective evaluation of schemes is essential in order to identify whether their formal objectives are being achieved. Evaluation frameworks should be developed at the planning stage of the scheme.</p>	<p>Council staff will develop and implement an evaluation framework for each public place where CCTV is established to determine whether the CCTV is achieving its objectives.</p> <p>The evaluation framework will provide guidance on appropriate mechanisms to enable Council staff to assess whether the CCTV scheme is:</p> <ul style="list-style-type: none"> • Achieving its objectives (including an assessment of its impact upon crime and community safety, for those schemes implemented for crime prevention or community safety purposes); • Being used in accordance with its established objectives, and not for any other purpose; • Impacting on any groups; • Providing an overall benefit (after consideration of the costs involved in operating the scheme); and

	<ul style="list-style-type: none"> Requires changes to the extent or location of the cameras, or technology utilised.
<p>8. Complaints Principle: Publicly accountable, impartial and fair schemes should have procedures for dealing with complaints.</p>	<p>Complaints in relation to Council’s establishment, management or operation of CCTV may be made through Council’s existing customer contact processes as outlined below. Complaints, except for those specified below, will be managed in accordance with Council’s <i>Complaints Management Policy</i>.</p> <p>Complaints in relation to any aspect of the management or operation of the system may be made in writing to:</p> <p>The General Manager Federation Council PO Box 100 COROWA NSW 2646 Tel: 02 6033 8999 Email: council@federtioncouncil.nsw.gov.au</p> <p>Complaints in relation to Council’s handling of a person’s personal information may be made, and will be managed in accordance with Council’s <i>Privacy Policy and Privacy Management Plan</i>. Complaints in relation to Council’s handling of a person’s personal information may also be made to the NSW Privacy Commissioner. The contact details for Information and Privacy Commission NSW are as follows:</p> <p>Information and Privacy Commission NSW GPO Box 7011 SYDNEY NSW 2001 Tel: 1800 472 679 Email: ipcinfo@ipc.nsw.gov.au</p>
<p>9. Monitoring and Auditing Principle: Audit is needed to provide an account of the operation of a scheme, by testing its compliance against relevant policy, legislation and procedures, and to be used as the basis of recommendations for improved practice.</p>	<p>Council staff will review its CCTV systems every two (2) years to assess compliance with this Policy and any associated procedures. The review will examine such matters as:</p> <ul style="list-style-type: none"> Assessment of the scheme and any technological problems; Processes used to receive, access and process footage requests; Complaints received and responses provided; Compliance with relevant legislation, regulations and Australian Standards; and Whether the systems and processes utilised remain good practice.

10. References & Associated Documents

Council, in developing this policy, referred to the following public documents:

- NSW Government policy statement and guidelines for the establishment and implementation of closed circuit television (CCTV) in public places http://www.crimeprevention.nsw.gov.au/Documents/Councils-Publications/CCTV_guidelines.pdf
- New South Wales Police Force <https://portal.police.nsw.gov.au>
- AS/NZS 62676.1.1:2020 - System Requirements
- <https://www.ipc.nsw.gov.au/fact-sheet-managing-access-audio-visual-information-under-gipa-act>
- <https://www.privacy.org.au/Resources/PLawsST.html>
- Broken Hill City Council CCTV standard Operating Procedure
- Wollongong City Council CCTV Code of Practice
- Lake Macquarie City Council CCTV Policy

The following legislation is applicable:

- NSW Privacy and Personal Information Protection Act 1988.
- NSW Workplace Surveillance Act 2005.
- NSW Government Information (Public Access) Act 2009.
- NSW Surveillance Devices Act 2007.

The following document should be read in conjunction with this Policy:

- CCTV Standard Operating Procedure (21/44752)

11. Policy History

Version	Date	Changes / Amendments
1	11 August 2021	Initial Draft Adopted at the February 2023 Council Meeting

12. Reviews

This Policy will be reviewed every four (4) years, or upon any changes to the NSW Government CCTV Guidelines. The review will consider the results of the audits of Council's CCTV schemes, to ensure that this Policy is effective and has been implemented appropriately.

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