



Management, Operation and Use of Closed Circuit Televisions & Recording Devices Policy

Information Privacy Act 2009

1. POLICY STATEMENT

The Council installs closed circuit television (CCTV) systems in public areas and Council facilities with the objectives of promoting public safety and minimising damage or theft of Council assets.

Council workers carrying out regulatory functions are provided with Recording Device Systems with the objective of promoting public safety and minimising threats to public and Council workers.

To the extent possible without reducing the effectiveness of the CCTV systems and Recording Device Systems in achieving those objectives, the Council will operate these systems in a way that protects the privacy of individuals.

2. PRINCIPLES

CCTV systems will be:

- installed in locations where the system will align with Council corporate and strategic plans, including promoting public safety and contributing to crime reduction and detection or minimising damage or theft of Council assets;
- installed with Crime Prevention through Environmental Design (CPTED) Principles considerations;
- operated with efficiency, impartiality and integrity;
- operated in a way that minimises intrusion upon individual privacy while still allowing the system to serve the objectives for which it was installed; and
- operated in a way that does not breach the *Information Privacy Act 2009* or the *Invasion of Privacy Act 1971*.

Recording Device systems will be:

- operated by workers conducting Council's regulatory functions and contracted security personnel;
- where appropriate viewed live remotely for safety purposes;
- operated with efficiency, impartiality and integrity; and
- operated in a way that does not breach the *Information Privacy Act 2009* or the *Invasion of Privacy Act 1971*.

3. SCOPE

This policy applies to Council owned and Council managed CCTV systems and Recording Device Systems.

This policy applies to all Council Workers who have the responsibility for the implementation, monitoring, access and disclosure of records as part of the CCTV systems and Recording Device Systems.

4. RESPONSIBILITY

Managers are responsible for ensuring the policy is understood and adhered to. Other responsibilities are set out in the Policy items below.

5. DEFINITIONS

CCTV System – includes any system installed by the Council to electronically record and display video or audio/video of any public place or Council facility.

Manager – includes persons appointed to positions including with the title, Team Manager, Coordinator, Lead, General Manager, Principal, Director and Chief.

ELECTRONIC VERSION CURRENT UNCONTROLLED COPY VALID ONLY AT TIME OF PRINTING.

Document No. – 1024

Authorised By – Director Business Services

Document Maintained by – Legal Services

Version No. 8

Initial Date of Adoption (Version 1) – 28.07.09

Current Version Reviewed – 27.09.23

Next Review Date – 27.09.25

Recording Device System – includes GoPro cameras, fleet cameras, call centre software, body worn cameras, voice recorders and laptops, and mobile phones with recording voice/audio capability, live streaming capacity, and the storage of video/audio files. This does not include for the purposes of this policy the use of Microsoft Teams, or the use of audio or camera recording for Council or other internal meetings.

Workers – includes employees, contractors, volunteers and all others who perform work on behalf of Council.

6. POLICY

6.1. IDENTIFICATION OF NEED AND APPROVAL

The resources available for the installation of CCTV systems are limited, and priority is to be determined by a risk assessment of identified sites and suitable business case, and after consideration of the Information Privacy Principles (set out in Schedule 3 to the *Information Privacy Act 2009*).

The General Manager of Property, Fleet and Emergency Management is responsible for identifying and confirming the need for installation, monitoring and maintenance for CCTV within all Council buildings, community facilities and open spaces.

Each recommendation to install a CCTV system must be submitted to the Executive for approval.

Council General Managers are responsible for identifying and confirming the need for a worker to operate a Recording Device system.

6.2. RESOURCING, INSTALLATION AND MAINTENANCE

The Chief Digital and Information Officer is responsible for:

- selecting the optimum (within resources) server and software infrastructure for CCTV systems and Recording Device systems
- resourcing, subject to resources, the costs of installing, maintaining and as required modifying server and software infrastructure for CCTV systems and Recording Device Systems; and
- installing and maintaining server and software infrastructure for each CCTV system and Recording Device System

The General Manager of Property Fleet and Emergency Management is responsible for:

- selecting the optimum (within resources) CCTV system and/or Recording Device System;
- establishing the need for CCTV monitoring in Council buildings, community facilities and open spaces reporting known outages and contract management of service providers;
- resourcing the costs of installing, maintaining and as required modifying Council's CCTV systems and Recording Device Systems; and
- installing and maintaining each CCTV system & Recording Device System.

6.3. CCTV SYSTEMS MONITORING

Council's CCTV systems primarily will be used to collect information for later use in regulatory and legal proceedings. CCTV systems may, on a needs basis, be monitored by Council on a "real time" basis, however recordings are not generally reviewed.

In some circumstances (such as major public events) it may be appropriate for real time monitoring of the CCTV system data to occur. The General Manager who identifies the need for real time monitoring is responsible for providing the financial resources necessary to carry out that monitoring.

ELECTRONIC VERSION CURRENT UNCONTROLLED COPY VALID ONLY AT TIME OF PRINTING.

Document No. – 1024

Authorised By – Director Business Services

Document Maintained by – Legal Services

Version No. 8

Initial Date of Adoption (Version 1) – 28.07.09

Current Version Reviewed – 27.09.23

Next Review Date – 27.09.25

The viewing of recordings will be limited to the minimum number of Council officers authorised to do so.

A number of the Council's CCTV systems provide a data feed to the police service, and that service's monitoring of the CCTV is outside the scope of this policy. The General Manager of Property, Fleet and Emergency Management is responsible for authorising feeds to the police service.

6.4. RECORDING DEVICE SYSTEM MONITORING

Council's Recording Device systems primarily will be used to collect information for later use in regulatory and legal proceedings. At most times, recording device systems will not be monitored by Council on a "real time" basis, nor will the recordings be generally reviewed. The need to view feeds of these systems on a real time basis will be determined by General Managers.

The viewing of recordings will be limited to the minimum number of Council officers authorised to do so.

6.5. PRIVACY

Privacy, will be dealt with pursuant to Council's Information Privacy Policy. .

6.6. ACCESS TO RECORDS

To minimise intrusion upon the right to privacy CCTV system and Recording Device system records will be kept confidential and provided to third-parties only when that provision is authorised by law. That will include requests:

- from law enforcement or government regulatory agencies;
- from individuals (or their legal representatives) when they establish to the Council's satisfaction that the record specifically relates to the individual and is necessary for legal proceedings or prospective legal proceedings;
- under the *Right to Information Act 2009* or the *Information Privacy Act 2009*.

Legal Services and Property Services are responsible for the recovery and provision of approved records to third-parties.

In addition, a Director may authorise extraction of a particular record from within the CCTV system data or Recording Device system data when the Director determines that extraction of the record is in the Council's interest and having consideration of the Information Privacy Principles in Schedule 2 of the *Information Privacy Act 2009*.

The Chief Executive Officer may authorise the extraction or viewing of a particular record from within the CCTV system data or Recording Device system data by the Investigations Coordinator when the Chief Executive Officer determines that extraction or viewing of the record is for the purpose of investigating misconduct and having consideration of the Information Privacy Principles in Schedule 2 of the *Information Privacy Act 2009*.

General Manager Property, Fleet and Emergency Management may authorise the release of CCTV system data or Recording Device System for internal officers having consideration of the Information Privacy Principles in Schedule 2 of the *Information Privacy Act 2009*. The Chief Legal Officer may authorise release of the record to a third-party when the Chief Legal Officer determines that the release of the record is in accordance with the Information Privacy Principles in Schedule 2 of the *Information Privacy Act 2009*. When making a determination to release a record the Chief Legal Officer must confirm that:

- the release is lawful;
- is related to a function or activity of the Council; and
- give significant weight to protecting the privacy of individuals depicted in the record, unless the individual is depicted as being engaged in unlawful or anti-social conduct and the release of the record may assist in identifying the individual.

ELECTRONIC VERSION CURRENT UNCONTROLLED COPY VALID ONLY AT TIME OF PRINTING.

Document No. – 1024

Authorised By – Director Business Services

Document Maintained by – Legal Services

Version No. 8

Initial Date of Adoption (Version 1) – 28.07.09

Current Version Reviewed – 27.09.23

Next Review Date – 27.09.25

6.7. COMPLAINTS

All complaints received in relation to CCTV systems and Recording Devices are to be dealt with under the Council's Complaints Management Policy.

7. LEGAL PARAMETERS

Acts Interpretation Act 1954

Information Privacy Act 2009

Information Privacy Regulation 2009

Invasion of Privacy Act 1971

Local Government Act 2009

Local Government Regulation 2012

Public Records Act 2002

Right to Information Act 2009

Right to Information Regulation 2009

8. ASSOCIATED DOCUMENTS

Complaints Management Policy;

Confidentiality Policy;

Information Privacy Policy;

Information Security Policy;

Information Management Policy;

Right to Information Policy.

ELECTRONIC VERSION CURRENT UNCONTROLLED COPY VALID ONLY AT TIME OF PRINTING.

Document No. – 1024

Authorised By – Director Business Services

Document Maintained by – Legal Services

Version No. 8

Initial Date of Adoption (Version 1) – 28.07.09

Current Version Reviewed – 27.09.23

Next Review Date – 27.09.25

9. DOCUMENT HISTORY

Date	Version	Amendment	Reviewer	Approved
27/09/2023	8	Operational amendments and clarification of definitions	Legal Services	Council

ELECTRONIC VERSION CURRENT UNCONTROLLED COPY VALID ONLY AT TIME OF PRINTING.

Document No. – 1024

Authorised By – Director Business Services

Document Maintained by – Legal Services

Version No. 8

Initial Date of Adoption (Version 1) – 28.07.09

Current Version Reviewed – 27.09.23

Next Review Date – 27.09.25



Contact us

 103 Walker Street, Townsville City

 PO Box 1268, Townsville QLD 4810

 13 48 10

 enquiries@townsville.qld.gov.au

 townsville.qld.gov.au

ELECTRONIC VERSION CURRENT UNCONTROLLED COPY VALID ONLY AT TIME OF PRINTING.

Document No. – 1024

Authorised By – Director Business Services

Document Maintained by – Legal Services

Version No. 8

Initial Date of Adoption (Version 1) – 28.07.09

Current Version Reviewed – 27.09.23

Next Review Date – 27.09.25