


Closed Circuit Television (CCTV) Policy		 Longreach Regional Council
Policy Number:	11.8	
Policy Category:	Community	
Authorised by:	Res-2019-08-218	
Date approved:	15 August 2019	
Review Date:	15 August 2021	

PURPOSE

This policy provides direction on the establishment and management of the Longreach Regional Council's Closed Circuit Television (CCTV) system in public spaces, and provides a framework for ensuring future requests for CCTV are managed and assessed equitably and in accordance with relevant legislation. The intention of this policy is to enable:

1. Longreach Regional Council to deliver a clear and consistent role while fulfilling its legal obligations when installing, operating and managing CCTV cameras; and
2. A consistent, unified, equitable and transparent approach to the processing of new CCTV requests within public spaces.

This policy describes a process that aligns with Longreach Regional Council's commitment to protecting its resources and to the safety and wellbeing of its staff, community and visitors to the region.

The primary use of CCTV is to discourage and/or detect unlawful behaviour in and around Council property and in identified high risk public space areas thereby enhancing the safety and security of all people and property. Other applications and benefits of CCTV include community safety.

LEGISLATION

Crime and Corruption Act 2001

Information Privacy Act 2009 (Qld)

Local Government Act 2009

Public Records Act 2002

Queensland Government CCTV Guidelines 2004

Right to Information Act 2009

Security Providers Act 1993

DEFINITIONS

To assist in interpretation, the following definitions apply:

Access Control - The term access control refers to the practice of restricting entrance to a Property, a building, or a room to authorised persons.

Closed Circuit Television (CCTV) - Closed-circuit television (CCTV), also known as video surveillance, is the use of video cameras to transmit a signal to a specific place. Signal is not openly transmitted, though it may employ point to point (P2P), point to multipoint, or mesh wireless links.

CCTV is often used for surveillance in public spaces or for the protection of assets. This definition is inclusive of recording equipment, display equipment, transmission systems, transmission media, and control systems.

Council - means the Longreach Regional Council.

Law Enforcement Agency - Means any of the following:

- a) Queensland Police Service (QPS);
- b) A police force or police service of another State or a Territory;
- c) The Australian Federal Police;
- d) The Police Integrity Commission;
- e) The Australian Crime Commission;
- f) The Department of Corrective Services;
- g) The Department of Juvenile Justice;
- h) Any other authority or person responsible for the enforcement of the criminal laws of the Commonwealth or of the State;
- i) A person or body prescribed for the purposes of this definition by regulations.

Public Space - Any place to which the public has access as of right or by invitation, whether express or implied and whether or not a charge is made for admission to the place. The public space can include, but is not limited to, public streets, public parks, public halls, museums, galleries, aquatic centres, sports grounds, and libraries.

Authorised Employees – Limited to the Public Facilities Manager, Senior IT officer, Corporate Applications Officer and the Chief Executive Officer.

Secure Area - A location where personal information is protected against loss, misuse and unauthorised access, use and disclosure.

POLICY STATEMENT

Council endeavours to protect the safety of its assets, employees and the community with a range of initiatives including the installation of CCTV cameras in public spaces and other Council controlled facilities and land.

CCTV systems will be operated within applicable legislation and only for the purposes for which it was intended as outlined in the Guiding Principles.

All security CCTV systems installed in public spaces will comply with the following:

- All CCTV controls and recorders must be located in a secure area.
- All new CCTV requests must have undergone an evidence based decision making process.
- Access to CCTV controllers and recorders shall be limited only to authorised user(s).

Council's CCTV systems in public spaces will not be monitored in real time by Council, contractors, or other agencies unless monitoring is required for the early identification and rapid response to anti-social behaviours for identified law enforcement operations or major community events.

Council intends to work in collaboration with other agencies with respect to the installation and operation of CCTV - in particular law enforcement agencies. These partnerships may involve the housing of recording and monitoring equipment at non-council locations and the granting of access to footage by authorised personnel, including the capacity to download/copy footage for law enforcement purposes.

If Council identifies any footage capturing an offence, this footage will be provided to police including the capacity to copy footage for law enforcement purposes. Alternatively the Queensland

Police Service can access footage through a warrant that adheres to relevant legislation including the *Information Privacy Act 2009 (Qld)*.

Any agreements entered into with other agencies, organisations or contractors for the purpose of obtaining footage will be bound to comply with Council policy and relevant legislation including the *Information Privacy Act 2009 (Qld)*.

Council recognises that providing system footage in a timely manner is of high importance to assist in the investigation and/or prosecution of civil and criminal offences. Council will provide system footage to law enforcement agencies as a high priority as part of Council's commitment to community safety.

Council is committed to providing safe and equitable access to community facilities to a broad range of user groups in line with Council's strategies, plans and policies. Organisations that occupy Council owned or Council controlled land and/or infrastructure, must comply with the same requirements as Council as stated in Council's CCTV Policy and CCTV Organisational Guidelines.

Requests from Organisations to install CCTV cameras/systems on Council owned or Council controlled land and/or infrastructure will be assessed using the CCTV Assessment Framework outlined in the CCTV Policy.

Organisations that occupy Council owned or Council controlled land and/or infrastructure are solely responsible for the costs of installing, maintaining, repairing and replacing all CCTV cameras/systems within their tenure area.

GUIDING PRINCIPLES

The guiding principles of this policy are:

1. Protection of Council's resources (assets and people);
2. A multi-faceted approach to crime prevention and community safety;
3. A unified, equitable, transparent and evidence based assessment of future CCTV requests;
4. A high standard of system management including maintenance and handling of footage;
5. CCTV equipment specifications are suitable to achieve the lawful purpose of the system;
6. Strong internal and external consultation and partnerships with key stakeholders to ensure a holistic approach to CCTV across the region;
7. Compliance with the *Local Government Act 2009*, *Information Privacy Act 2009* and any other relevant law.

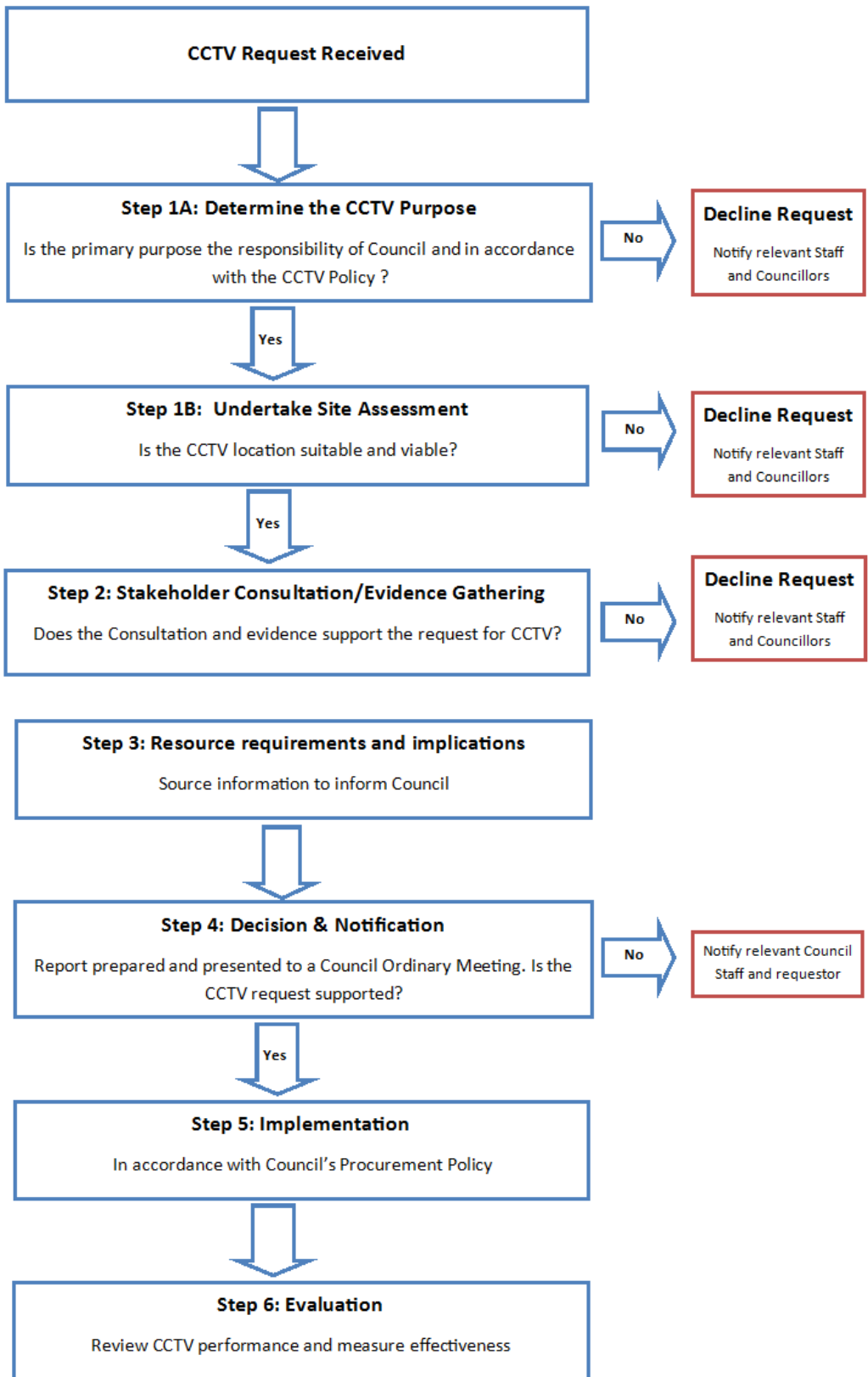
CCTV ASSESSMENT FRAMEWORK

To ensure a unified, equitable and transparent assessment of future CCTV requests which is based on evidence, a CCTV Assessment Framework has been developed which focuses on six key stages:

1. Determining the appropriateness of the system:
 - a) Define the purpose of CCTV;
 - b) Site assessment;
2. Key stakeholder consultation / evidence gathering;
3. Identify resource requirements and implications including 'whole of life' cost;
4. Decision and notification;
5. Implementation;
6. Evaluation.

Requests for CCTV in public spaces will be assessed using the CCTV Assessment Framework. If a request has been determined as being appropriate with strong evidence to support the need, the request with recommendations will be forwarded to Council for consideration at an Ordinary Meeting.

This framework and the process for implementation are contained within the CCTV Guidelines.



CCTV PURPOSE

Council must clearly understand and identify the primary purpose for the installation and management of each CCTV surveillance system within its network. The purpose of installing and managing a CCTV surveillance system is to assist:

1. The investigation and/or prosecution of civil and criminal offences in relation to the security of Council's facilities and assets;
2. The investigation and/or prosecution of civil and criminal offences in relation to the security of public spaces and crimes against the person in the Longreach Regional Council local government area;
3. Law enforcement agencies with early identification and rapid response to anti-social behaviours for identified law enforcement operations or major community events;
4. Improving public confidence in the safety and security of public spaces;
5. In the deterrence of anti-social behaviours in high risk public areas;
6. With the safety of Council staff or authorised contractors within Council facilities;
7. With Emergency Disaster Management operations;
8. With identifying potential environmental safety risks.

SYSTEM MANAGEMENT AND COMPLIANCE

The safe and successful management and compliance of Council's CCTV network is paramount to the ability of CCTV to fulfil its role within council's suite of safety measures. To ensure this outcome Council will:

1. Ensure the management of each camera surveillance system is consistent with the purpose, both in documented procedures and in practice;
2. Ensure the management of CCTV footage complies with the *Information Privacy Act 2009 (Qld)*, The Longreach Regional Council's Code of Conduct, and the *Local Government Act 2009*;
3. Retain ownership of all equipment, videos, photographs and documentation pertaining to the CCTV system and will have responsibility for the overall maintenance and management of the systems;
4. Have appropriate maintenance schedules of CCTV cameras to ensure cameras are operational and a quality that suits their purpose;
5. Provide notice to the community about the use of public space camera surveillance, ownership and point of contact of the camera, particularly in the camera or systems immediate vicinity. Locations of cameras connected to a covert undertaking of a Council investigation, or the operation, investigation or function of a law enforcement agency, will not be disclosed to the public;
6. Undertake scheduled reviews of all CCTV camera/systems, to identify cameras that no longer serve the purpose for which they were installed, cameras that are obsolete in technology and cameras that are at their life's end. When cameras that no longer serve the purpose for which they were installed, hardware can be relocated as deemed appropriate through the CCTV Assessment Framework;
7. Ensure staff responsible for surveillance shall be trained in the ethical conduct and use of CCTV surveillance systems;
8. Access system footage by Council authorised staff or contractors, to facilitate requests in compliance with the *Information Privacy Act 2009 (Qld)* and the *Right to Information Act 2009*.

PUBLIC INTEREST

CCTV systems will be operated with due regard to the privacy and civil liberties of members of the public, employees and contractors by:

1. Development of standard operating procedures that recognise privacy, security and integrity in the viewing and use of all images recorded;
2. Appropriate signage in place to inform the public that a CCTV system is operating;
3. Informing authorised employees involved in the recording, observation and capture of images of the standard operating procedures and their responsibility to act in an ethical and lawful manner as required by legislation.

Security of CCTV Equipment and Images

1. Use of CCTV equipment must be restricted to authorised employees only in accordance with standard operating procedures;
2. Employees and contractors who have access to CCTV systems must be subject to a criminal history check;
3. Employees and contractors must seek approval to view any images or footage;
4. Measures must be taken to protect against unauthorised access, alteration, dissemination, disclosure, loss or destruction of recorded material;
5. Equipment must be maintained to ensure its effective operation; and
6. Relevant recordkeeping practices must be applied.

Managing Closed Circuit Television (CCTV) Records

Records to be in alignment with the Queensland Government Queensland State Archives Managing Closed Circuit Television (CCTV) Records: Guideline for Queensland Public Authorities October 2010.

DISCLOSURE OF FOOTAGE

Requests from QPS or other Law Enforcement Agencies

The *Information Privacy Act 2009* allows Council to disclose personal information to law enforcement agencies, including the Queensland Police Service (QPS), if the personal information is 'reasonably necessary' for a law enforcement activity. This includes personal information contained in surveillance footage.

Each request will be assessed on a case-by-case basis.

When footage is disclosed for law enforcement purposes, a record of the disclosure will be included with the footage. Council will meet this requirement by keeping a copy of the footage and including it with it a record of the agency's compliance with the request.

Formal Access Applications under the Information Privacy Act or Right to Information Act

If an individual requests access to camera surveillance footage and the footage shows only that individual, Council may be able to release the footage administratively.

If there are other identifiable people in the footage, or an organisation or company requests access to footage containing identifiable people, it is not possible for Council to release the information administratively unless the footage can be securely redacted to remove personal information.

In these circumstances, a formal application under the *Information Privacy Act 2009* or *Right to Information Act 2009* will be required.

Complaint Process

Council is committed to making sure your dealings with the organisation are positive. Any complaints submitted will be dealt through Council's Administrative Action Complaint Policy.

ROLES AND RESPONSIBILITIES

Community and Cultural Services Department

The Community and Cultural Services Department provides an integral connection between Council and the community, acting as a key frontline service delivery team. The Community and Cultural Services Department provides a vital link between the community and key stakeholders such as the Queensland Police Service with Council providing the following services for CCTV in 'Public Spaces':

1. Responsible to lead the delivery of and subsequent reviews of the CCTV policy and guidelines;
2. Manage and facilitate operational requirements associated with CCTV in 'Public Spaces' and on Council's corporate buildings or depots including:
 - a) Management of complaints regarding CCTV;
 - b) Provision of CCTV information/footage for release;
 - c) Undertake investigations into breaches of the CCTV policy;
 - d) Records/information management of CCTV data;
 - e) Public notification about CCTV location and purpose;
3. Management of all CCTV footage requests that are not an Information Privacy application and/or Right to Information request;
4. Preparation (and management) for any potential Memorandum of Understanding (MOU) with State Government Agency partners in the CCTV 'Public Spaces' systems eg QPS, Department of Transport and Main Roads;
5. Referral of all requests to Departments for their consideration and comment on appropriateness, installation and maintenance costs associated with CCTV in 'Public Spaces';
6. Develop appropriate training on CCTV and compliance with relevant legislation for staff and Council contractors.

Office of the Mayor and Chief Executive Officer (CEO)

The Office of the Mayor and CEO delivers organisational leadership for key corporate initiatives, legal advice, audit compliance, statutory and corporate meeting management and facilitates government, business and community relationships.

Measurement of Success

1. Compliance with relevant legislation;
2. Enquiries relating to CCTV are managed to conclusion;
3. The establishment and utilisation of a CCTV Assessment Framework;
4. Consistency in the management of CCTV cameras;
5. The existence of CCTV Operational Guidelines delivered by Community and Cultural Services Department.

REVIEW TIMELINES

This policy will be reviewed annually or when any of the following occur:

1. The related information is amended or replaced; or
2. Other circumstances as determined from time to time by Council.

OTHER RELATED DOCUMENTS

Australian Standard 4806.1 – Closed Circuit Television (CCTV) Management and Operation

Australian Standard 4806.2 – Closed Circuit Television (CCTV) Application Guidelines

Managing closed circuit television records – Guidelines for Queensland public Authorities (Queensland State Archives)

Queensland Government Authentication Framework

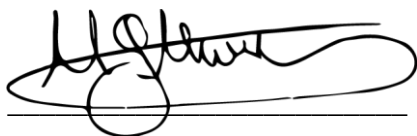
Queensland Government Information Security Classification Framework (QGISCF)

Records Governance Policy v1.0.0 Queensland State Archives

General Retention and Disposal Schedule (GRDS) Queensland State Archives

Longreach Regional Council Code of Conduct

Authorised by resolution as at 15 August 2019:



Mitchell Murphy
Chief Executive Officer