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<b>POLICY TITLE:</b>	CCTV Policy and Procedure
<b>POLICY NUMBER:</b>	163
<b>REVISION NUMBER:</b>	1
<b>TRIM REFERENCE:</b>	SF14/411 - R20/2955
<b>RESOLUTION NUMBER:</b>	2860
<b>POLICY TYPE:</b>	Strategic
<b>APPROVING OFFICER:</b>	Council, by resolution
<b>DATE OF ADOPTION:</b>	19 May 2020
<b>TIME PERIOD OF REVIEW:</b>	5 Years
<b>DATE OF NEXT REVIEW:</b>	31 May 2025
<b>RESPONSIBLE DEPARTMENT:</b>	Finance
<b>LINK TO CORPORATE PLAN:</b>	Our Governance – Transparent, Accountable and Engaged Governance

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## 1. OBJECTIVE

Council operates a network of fixed and mobile closed circuit television (CCTV) security cameras within its building portfolio, work sites and public spaces to assist in the prevention of crime and promotion of public safety & security. This policy and procedure outlines how Council operates its CCTV network and the principles under which information is collected, managed and disposed.

## 2. SCOPE

This policy and procedure applies to Council's fixed and mobile CCTV security cameras.

The policy and procedure does not apply to video, film, photographic images or sound recordings collected or stored by Council through means other than its CCTV systems. For example, videos, photographs and sound recording of public & civic functions taken by Councillors, staff or members of the public are outside the scope of this policy and procedure.

## 3. DEFINITIONS

**CCTV system:** includes any fixed or mobile system installed by the Council to electronically record video or audio/video of any public place, work site or Council building & facility.

**Council:** Flinders Shire Council

**Employee / Worker:** holds the same definition as *worker* under the *Work Health and Safety Act 2011*, and includes employee, contractor, volunteer.

**Manager:** includes persons appointed to positions with the title Coordinator, Director & Chief Executive Officer.

**Retention Period:** The period of time recordings will be kept before being disposed of.

## 4. POLICY

Through the installation and monitoring of CCTV data feeds, Council is committed to: -

- deterring crime, vandalism and damage of public property and Council assets;
- contribute to an increased feeling of community safety and security;
- assist Queensland Police Service and other law enforcement agencies to prosecute criminal activities and minimise unlawful behaviour and nuisance in public places; and

- providing information on water levels & river flows at select creek crossings and flood ways.

#### Determining Extent of CCTV coverage

Council shall consult with key stakeholders (Queensland Police Service, Queensland Fire and Emergency Services and other relevant stakeholders) to determine the priority areas for the deployment of CCTV cameras.

It shall be Council's sole discretion, depending upon, capital and recurrent costs, grant funding, network capacity, technological compatibility and assessed need whether further investment shall be made in the CCTV network.

#### Collecting personal information collection

The *Information Privacy Act 2009* defines personal information as any information or opinion about an individual whose identity is apparent or can reasonable be ascertained from the information or opinion. CCTV recordings therefore contain personal information. Council understands that there are competing interests between the need for security and public safety and an individual's right to privacy. In accordance with the *Information Privacy Principles* Council will only collect and store personal information in the form of CCTV recordings for lawful purposes in the pursuit of the objectives of this Policy.

To ensure members of the public are aware of the collection and management of personal information collected through Council' CCTV network, Council shall: -

- Install appropriate signage within the CCTV network area in accordance with Australian Standard AS4806 – Closed Circuit Television (CCTV);
- Amend its Information Collection Notice on its website to include reference to the CCTV network;
- Publish a copy of this Policy & Procedure on its website; and
- Publicly notify residents and members of the public on the installation of CCTV network and how personal information will be managed under this Policy & Procedure.

#### Storing CCTV Recordings

CCTV recordings will be securely stored on an IT network drive. Recordings will be stored for a minimum period of 30 days (retention period). Recordings will be deleted or over-written at the conclusion of the retention period. Access to CCTV recordings shall be restricted to authorised personnel only. CCTV recordings will not be actively monitored in real time, and will only be reviewed by authorised personnel upon: -

- An access application from a law enforcement agency has been received and approved by the Chief Executive Officer;
- A request from an individual has been received and approved to view personal information;
- Council refers an incident (for example, but not limited to criminal activity or damage to a public asset) to a law enforcement agency or its insurance provider(s);
- Localised flood events along the Flinders River where there is a public safety and awareness need to display river levels at flood ways or river crossings;

#### Access CCTV Recordings

Individuals seeking access to personal information must apply in writing to the Chief Executive Officer to access their personal information. Applications may be refused if they are assessed as unreasonable in the circumstances or where an unreasonable administrative burden will be imposed upon Council (for example, the volume of recording subject to the application is excessive, significant pixilation of footage is required to protect the private information of others is required).

Third parties seeking access to recordings must apply in writing to the Chief Executive Officer, or provide a legal authority (such as a Warrant or Notice to Produce) to compel the access or release of recordings.

#### Disclosure of Personal Information

Council will only disclose personal information in accordance with the purpose for which it was obtained. Council may disclose CCTV recordings (including personal information) in the following circumstances: -

- To the Queensland Police Service or other law enforcement agency, under an access application, Warrant or Notice to Produce;
- Where it is required under law;

- Under an Information Privacy Act or Right to Information Act application
- In case of emergency or serious threat to life, health, safety or welfare of an individual or to the public. In this case, Council may disclose personal information to other agencies involved in the emergency or welfare response.
- In instances where Council is making a complaint to the Queensland Police Service and / or its insurers in respect of criminal activity and / or an insurance claim in respect of the commission of a crime, public health & safety complaint or damage to Council's assets, or other insurable event.

#### Method of Access

Council shall retain sole discretion in how access to individuals and third parties shall occur, having regard to the particular circumstance of each application.

Where recordings are to be used for purposes exceeding the retention period, the recording (limited to the scope of the application) shall be downloaded into a separate file and securely stored. If the downloaded recording has been approved for release to the individual and / or third parties, a copy of the recording shall be given to the individual or third party on a portable storage device or any other suitable device/format. Council shall maintain disclosure logs of downloaded recordings given to individuals and / or third parties, and retain a copy of the recording for a period of 12 months, after which time it will be disposed of.

#### Disposal of CCTV Recordings

All CCTV recordings will be retained for a retention period of at least 30 days, but no more than 45 days. Copies of downloaded recordings shall be retained for a period of 12 months.

At the conclusion of the retention period, any recordings and / or downloaded images / recordings shall be disposed of in accordance with Information Standard 40 – Retention and Disposal of Public Records.

## **5. RELATED LEGISLATION**

- Crime & Corruption Act 2001
- Information Privacy Act 2009
- Local Government Act 2009
- Public Records Act 2002
- Right to Information Act 2009
- Security Providers Act 1993

## **6. RELATED DOCUMENTS (LOCAL LAWS, POLICIES, DELEGATIONS ETC)**

- Australian Standard Set AS4806 – Closed Circuit Television (CCTV)
- Information Standard 40 – Retention and Disposal of Public Records
- Flinders Shire Council Complaints Management Policy

## **7. ATTACHMENTS**

Nil

## **8. REVIEW TRIGGER**

Policy is to be reviewed every 5 years. Earlier reviews may be undertaken at the Chief Executive Officer's direction.

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## **9. PRIVACY PROVISION**

Council respects and protects people's privacy and collects, stores, uses and discloses personal information responsibly and transparently when delivering Council services and business.

## **10. RESPONSIBILITY**

The Chief Executive Officer is responsible for implementing this policy.

## **11. APPROVAL**

Adopted at the May 2020 Council Meeting - Resolution Number 2860.