



BOULIA SHIRE COUNCIL

Security Access Card and CCTV Policy

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Summary:	This policy is designed to give guidance for Council's security access card system and the viewing and release of Council CCTV footage within the relevant legislation.
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Related documents:	Boulia Shire Council Deed of Confidentiality Boulia Shire Council Code of Conduct Boulia Shire Council Privacy Plan Policy 127 Complaints Management Policy and Process Form 88 CCTV Viewing Request & Approval Form Right to Information and Information Privacy Access Application Form
Responsible Section:	Executive
Responsible Officer:	Chief Executive Officer
Legislation:	Information Privacy Act 2009 Local Government Act 2009 Right to Information Act 2009 Aviation Security Regulations

OBJECTIVE

Boulia Shire Council has an integrated security system covering most Council owned and operated buildings and/or structures. The systems are comprised of security access control equipment (security door access readers, security access cards, door alarms) and Closed Circuit Television Systems (CCTV) operations that are used in Council areas and publicly accessible areas.

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

This document aims to provide a framework for the establishment and operation of Council's security systems to ensure they are managed in accordance with relevant legislation. It applies to all of Council's security systems and CCTV systems installed or being established in public spaces by Council and within Council owned or controlled facilities and land and must be followed by all Council employees and Contractors engaged by Council to provide services in relation to them.

DEFINITIONS

To assist in interpretation, the following definitions apply:

Access	The act of viewing, or requesting copies of CCTV footage.
Closed Circuit Television (CCTV)	The use of video cameras to transmit images to a specific site where it can be monitored by authorised personnel for surveillance in public spaces or the protection of assets.
Contractor	A person, organisation or entity that performs a specific act or acts including the provision of services and/or materials to another person, organisation or entity under an agreement enforceable by law.
Council	Boulia Shire Council
Data Subject	An individual who is a subject of personal information (i.e. an individual making an access request for CCTV footage about themselves).
Decision Maker	Employee with delegated decision making powers under the Right to Information Act 2009 and the Information Privacy Act 2009.
Employee	Local government employee: (a) the Chief Executive Officer; or (b) a person holding an appointment under section 196 of the Local Government Act 2009.
Law Enforcement Agency	A body of the Commonwealth or a State or Territory with responsibility for imposing law or sanctions.
Personal Information	Information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

Regulatory Body	A government body formed or mandated under the terms of a legislative Act to ensure compliance with the provisions of the Act.
Secure Area	Area containing the CCTV recording system, which is only accessible by authorised employees or contractor employees.
Security Access Card	An individual electronically chipped card that identifies a person and allows full or partial access to a secured Council owned/operated site.
Security Profile	An individual profile that allows persons to enter/exit, arm/disarm, nominated buildings/doors or areas within specified days/hours.
System	Council's CCTV surveillance system including CCTV cameras and Council's Security Access Card system.

SECURITY ACCESS CARD PROCEDURES

Security Access Card systems are used as a tool to control, monitor and restrict the flow of persons to certain areas of buildings.

Security Access Cards are issued to Council employees, visitors and approved contractors who access buildings or premises that Council owns or operates. The cards, when swiped (badged) across an electronic reader will allow and/or decline access to enter/exit security operated doors as per the card holders approved security profile.

All security access cards remain the property of Council and must be returned to the Council Administration building at the completion of facility hire, work or termination of employment.

Cards can be voided by authorised Council personnel 24/7 upon request by a Manager/Director if cards are believed to be misused or used inappropriately. Managers are then responsible for making a request to have the card reactivated, if necessary.

Contractors engaged by Council for the service or maintenance of the Security Access Card system must also comply with the details of this policy and the *Information Privacy Act 2009*.

CCTV PROCEDURES

Procedures for the use of CCTV footage are designed to guide the operation of Council's CCTV systems to ensure:

- Compliance with the *Information Privacy Act 2009* and other uses intended for those purposes, and
- Use is only for the intended purposes of preventing and detecting crime, managing response, recovery and investigation activities for incidents, accidents and emergencies to promote public safety and enhance the security of Council Operations and Assets, as outlined in this policy.

Council operates CCTV systems at selected sites to assist in protecting the safety and security of its assets, employees and the community. Council will operate its CCTV systems in accordance with the following principles:

Purpose

CCTV systems will be operated within applicable legislation and only for the purposes for which it was intended:

- To assist in the protection of assets and employees;
- To act as a deterrent for anti-social behaviour and crime in public spaces to create a safer environment for the community;
- To assist law enforcement agencies with early identification and more rapid response to unacceptable behaviour, suspicious activity and crime;
- To assist in the investigation and prosecution of crimes against a person, civil and criminal offences in relation to the security of public spaces and Council infrastructure.

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:

- Development of standard operating procedures that recognise privacy, security and integrity in the viewing and use of all images recorded;
- Appropriate signage in place to inform the public that a CCTV system is operating;
- Informing authorised employees and contractors 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

- Use of CCTV equipment must be restricted to authorised employees and contractors only in accordance with standard operating procedures;
- Employees and contractors who have access to CCTV systems must be subject to a criminal history check;
- Employees and contractors must seek approval to view any images or footage;
- Measures must be taken to protect against unauthorised access, alteration, dissemination, disclosure, loss or destruction of recorded material;
- Equipment must be maintained to ensure its effective operation; and
- Relevant record keeping practices must be applied.
- The CCTV system is protected with appropriate technology to prevent corruption or unauthorised access.

Systems

The control of CCTV systems remains with Council. This includes the maintenance and operation of the CCTV system, compliance with this Policy and compliance with relevant legislation. This also includes the management of the people and software involved in the collection, storage, retention, disclosure and disposal of information. The Chief Executive Officer will take steps to ensure that all authorised persons dealing with personal information are trained or otherwise informed of their obligations under the relevant legislation.

CCTV equipment and the location of each camera will be chosen to meet the quality and image capture standards necessary to achieve Council's purpose for operating the system, taking into account the field of vision of the camera, light levels and other environmental conditions, and the desire to minimise the capture of images not relevant to Council's purposes.

While every reasonable effort will be made to ensure maximum effectiveness, it is not possible to guarantee the system will detect every incident taking place within the areas of coverage.

Systems will be operated on a continuous basis recording images/footage 24 hours a day. CCTV cameras will be configured to record images/footage only, with any sound recording facilities (if available) switched off or disabled unless required and authorised for lawful operational purposes.

Appropriate signage will be installed to inform the public and employees:

- That a CCTV system is operating in the area;
- The purposes for processing the CCTV images; and
- That Council is the agency responsible for processing the images.

To ensure privacy, wherever practicable the CCTV cameras will not be focused directly on domestic or residential accommodation.

CCTV equipment will be maintained and tested in accordance with a regular schedule to ensure optimum operation and image quality fit for purpose. Impediments such as the growth of foliage or other factors that may obscure images will be identified and addressed, and the accuracy of date and time stamps confirmed.

Recording and Storage of Images/Footage

Images/footage captured will be recorded on digital equipment located in secure areas within Council owned or controlled buildings. Images/footage will be stored for a fixed period of time usually determined by the system's storage capacity and business needs, after which time they will be automatically erased.

Access to this secure area will be controlled and limited to Council authorised employees or contractors only, for the purposes of monitoring images/footage or maintenance of equipment. Any access to CCTV monitors for viewing or downloading of images/footage will be documented in the CCTV Footage Access Log maintained at the Council Administration Building.

Recording media used for the monitoring and capture of images/footage remains Council property.

Monitoring of Images/Footage

This section outlines the monitoring of images/footage only and does not allow the downloading of images/footage by authorised employees, contractors or the Queensland Police Service (QPS). The downloading of images/footage is subject to a request to Council.

Only the Chief Executive Officer can authorise employees or contractors to be involved in the monitoring of images/footage within any building. The Chief Executive Officer must ensure authorised personnel have undertaken a criminal history check and are fully briefed and trained with respect to all operational and administrative requirements relating to the operation of CCTV, including training in the data security requirements and the *Information Privacy Act 2009*.

Requests for Viewing or Copies of Images/Footage

Access to and disclosure of images/footage is restricted and carefully controlled, not only to ensure that the rights of individuals are preserved but also to ensure that the chain of evidence remains intact should the images/footage be required for evidential purposes. These aspects of this procedure reflect Information Privacy Principles 2 and 4 of the *Information Privacy Act 2009*.

All requests for CCTV footage are to be directed to the Chief Executive Officer for consideration.

Internal Requests

Requests for viewing or copies of recorded images/footage for Council purposes will be made on the relevant Form 88 CCTV Viewing Request & Approval Form signed by the section manager requesting the information. Access will be restricted to images/footage required in relation to investigation of incidents pertaining to work, health and safety; unlawful, suspicious, inappropriate or unauthorised activity; aviation safety and security; public safety; or serious allegations about conduct or behaviour. Any images/footage supplied will only be viewed by employees or Council contractors authorised by the Chief Executive Officer.

Requests from Law Enforcement Agencies or Regulatory Bodies

Requests from QPS (Queensland Police Service) for recorded images/footage in relation to the investigation of an alleged offence will be made on the Form 88 CCTV Viewing Request & Approval Form and be authorised by the Chief Executive Officer.

Requests from regulatory bodies for recorded images/footage in relation to the investigation of an alleged offence will be made on the Form 88 CCTV Viewing Request & Approval Form and be authorised by the Chief Executive Officer.

Other External Requests

All other requests by persons or organisations external to Council for obtaining recorded images/footage must be made using the Right to Information and Information Privacy Access Application Form.

Access will not be granted unless the decision maker is satisfied that this is consistent with Council's obligations under the *Right to Information Act 2009* or the *Information Privacy Act 2009*.

Third parties wishing to access recorded images/footage in relation to an alleged offence should be directed to report to the QPS for investigation. QPS may request a copy of the recorded images/footage in accordance with the *Requests from Law Enforcement Agencies or Regulatory Bodies* section noted above.

Requests by individuals for their own images/footage captured on CCTV will be dealt with in accordance with the section below titled *Access by Data Subjects*.

Request to view for Emergency and Operational Situations

In the event of an emergency situation, please contact the Chief Executive Officer directly to view CCTV footage.

To obtain a recording of any CCTV footage, please refer to the following section (*Recording of Supplied Images/Footage*).

Recording of Supplied Images/Footage

Images/footage requested for police investigations must be supplied directly to QPS, not to any third party, and a QPS receipt obtained when the recordings are collected. This receipt will be registered in Council's electronic records system.

Where images/footage are released to a third party (including QPS), under the provisions contained in the *Right to Information Act 2009* or *Information Privacy Act 2009*, or retained for any other purpose in accordance with this procedure, these images/footage will be transferred to a digital medium format.

Where applicable, any recording medium will be cleaned before re-use to ensure images/footage are not recorded over images/footage previously recorded.

Copies will be retained by Council in a secure location on Council's electronic record system. Files will be given a unique reference number by the employee creating the file and a record made in the CCTV Footage Log.

Copies of recordings will be securely destroyed at the end of their lifespans as determined in accordance with the General Retention and Disposal Schedule and Aviation Security Regulations.

Access by Data Subjects

Council must comply with Information Privacy Principle 2, by placing signage that informs individuals that images/footage are being recorded by the CCTV surveillance system.

Individuals whose images/footage are recorded have a right to request to view the images/footage of themselves or be provided with a copy of the images/footage. Applications must be made using the Right to Information and Information Privacy Access Application Form.

The person requesting needs to provide enough information to enable location of the images/footage. The requestor must provide the following information:

- Date, time and location;
- An accurate description of the incident and anyone else who may have been involved (for example, police, ambulance); and
- Proof of identity, containing a photograph (for example, driver's licence or passport).

Following assessment of the request a written decision will be provided to the applicant in accordance with the requirements of the *Information Privacy Act 2009*.

In responding to a data subject access request, Council employees will use redaction tools to obscure images of other individuals in cases where releasing the unredacted images would involve an unfair intrusion into the privacy of the third parties concerned. Where Council is unable to comply with a request without disclosing information relating to another individual who can be identified from that information, Council is not obliged to comply with the request unless that individual has consented to the disclosure or it is reasonable, in the circumstances, to comply without the individual's consent.

Complaints/Breaches

Breaches of this procedure by Council employees or contractor employees may constitute misconduct under the Code of Conduct. Disciplinary action may apply to Council employees.

It is recognised that there may be concerns or complaints in respect to the operation of a CCTV surveillance system. Any concerns or complaints will be managed in accordance with Council's Complaints Management Policy and Process.