

CLOSED CIRCUIT TELEVISION (CCTV) POLICY

INTENT

The intention of this policy is to outline how Cook Shire Council (Council) will manage its obligations to the public when installing, operating and managing the use of CCTV systems in public places.

The policy provides a broad framework for the collection and management of personal information associated with the installation and use of CCTV systems and for ensuring access to, and requests for footage are managed in accordance with the relevant legislation.

Council's primary reason for the installation and use of CCTV systems is to discourage and identify unlawful behaviour in and around Council property and in identified high-risk public spaces thereby enhancing the safety and security of the Shire's community and assets.

SCOPE

This policy applies to Council controlled and managed CCTV systems installed within its premises and in public spaces. The policy applies to all Council employees and contractors and other parties involved with the installation, management and maintenance of Council's CCTV cameras, and who may access footage from time to time.

DEFINITIONS

The following definitions apply to this policy:

Term	Definition
Access	The act of viewing and copying, with approval, CCTV footage.
CCTV footage or footage	Video, still images and data captured by Council's CCTV systems.
Information Privacy Principles	Principles that have been adopted by the Queensland government from the Commonwealth Privacy Act 1988 that have the same force and effect as sections in legislation.
Legislation	As itemised in this policy and as applicable to the management of CCTV systems.

Term	Definition
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 and can include still images or video footage of an individual.
Premises and public spaces.	Any location where a CCTV system is installed and includes any place the public may access right or by invitation, whether express or implied and whether or not a charge is made for admission to the place. Premises and public spaces include public streets, public parks, public halls, museums, galleries, aquatic centres, sports grounds, and libraries.
Shire assets	Assets refer to assets and infrastructure owned or controlled by Council.

POLICY STATEMENT

Council endeavours to protect the Shire's assets, employees and the community with a range of initiatives including the installation of CCTV systems in public spaces.

Purpose

CCTV systems controlled by Council will be installed and managed in accordance with applicable legislation and only for the following purposes:

1. The identification, management and deterrence of criminal or unlawful behaviour.
2. The identification of appropriate evidence for the investigation and prosecution of criminal offences.
3. Investigation into matters relating to asset damage or work health and safety incidents.
4. The identification of risk to the public, assets and Council employees.
5. The protection of Council's assets.

System Management

In managing the CCTV system, Council will:

1. Ensure the management of each CCTV system is consistent with the purpose of the system;
2. Manage each CCTV system in accordance with Australian legislative requirements and standards;
3. Securely retain footage in digital format within the CCTV software/hardware.

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Authorised By:			
Date Authorised:	December 2020		
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Collection and Management of Personal Information

When operating its CCTV systems, Council may capture (record) personal information. In accordance with the *Information Privacy Act 2009*, Council will comply with Information Privacy Principles that set out how personal information must be collected and managed in the public sector.

Access to CCTV Footage

Access to footage is guided by the Information Privacy Act 2009 and the Right to Information Act 2009.

For general members of the public, access to CCTV data must be made through a formal written order issued by a body with administrative or judicial jurisdiction for example court orders, warrants, prerogative writs and subpoenas.

Applications to view Council's CCTV data may be made by the police and statutory bodies with powers to prosecute for the purpose of:

1. Providing evidence in criminal proceedings
2. Providing evidence in civil proceedings
3. The prevention and reduction of crime and disorder
4. The investigation and detection of crime (including identification of offenders)
5. Identification of witnesses.

KEY RESPONSIBILITIES

Responsible Party	Responsibilities
Chief Executive Officer	Responsible for the overall management and administration of Council's CCTV systems.
Council Employees	Familiarising themselves with this policy and understanding their obligations with reference to Council's CCTV systems.
Governance	Applications for access to footage received under the <i>Right to Information Act 2009</i> ; and Policy review and dissemination.
Information and Communications Technology (ICT)	CCTV system management; The provision of ICT infrastructure appropriate for Council's CCTV systems; Providing approved access to footage, CCTV hardware and software security; and Digital storage of captured footage.
Records Management	Responsible for the retention, classification, security and disposal of lawfully accessed footage in accordance with the <i>Public Records Act 2009</i> .

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AUTHORITIES, REFERENCES, LEGISLATION AND GUIDELINES

Queensland *Local Government Act 2009* and *Local Government Regulation 2012*

Queensland *Public Records Act 2009*

Queensland *Right to Information Act 2009*

Queensland *Information Privacy Act 2009*

Commonwealth *Privacy Act 1988*

IMPLEMENTATION AND COMMUNICATION

Once adopted, this policy will be:

1. Published on Council's website;
2. Made available to all Councillors and employees through various communication channels;
3. Distributed to relevant State Agencies as required; and
4. Provided to all parties who apply for access to footage.

POLICY ADOPTION AND REVIEW

Responsible Director:	Director Organisational Business Services
Officer Responsible for Review:	Manager Governance
Adoption Date:	December 2020
Resolution Number:	
Review Date:	December 2023

THIS POLICY IS TO REMAIN IN FORCE UNTIL OTHERWISE DETERMINED BY COUNCIL

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