

POLICY TITLE CLOSED CIRCUIT TELEVISION POLICY

POLICY NUMBER POL/CORP241

1. PURPOSE

To set out the principles for the installation, use of and access to closed circuit television (CCTV) systems and associated data, in Swan Hill Rural City Council (Council) owned facilities.

2. SCOPE

Council owns and/or operates CCTV Systems installed at fixed locations on land and buildings which are owned or controlled by Council. This policy applies to Council owned and operated CCTV Systems.

This policy excludes the CCTV system currently owned by Council that is operated by Victoria Police.

3. POLICY

Council operates CCTV systems to support the provision and management of Council services, assets and facilities.

Council will not operate CCTV where the primary purpose is enforcement of the criminal law. Enforcement of the criminal law is the responsibility of law enforcement agencies. If such agencies wish to install and operate CCTV systems on Council property, Council will not unreasonably withhold consent.

3.1. Compliance

The System will be operated in accordance with all applicable laws.

Data will only be collected, stored, accessed and disclosed in accordance with this Policy and:

- *Surveillance Devices Act 1999 (Vic)*
- *Privacy and Data Protection Act 2014 (Vic)*
- *Public Records Act 1973 (Vic)*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- other applicable legislation in force from time to time.

3.2. System operation

Signs advising that CCTV cameras are in operation will be displayed at the perimeter of the area covered by the System and at other key points as determined by Council. These signs will:

- advise “Council CCTV cameras operate in this area. You may be recorded in and around this facility”;
- identify Council as the owner of the System; and
- provide a contact telephone number for inquiries in relation to the Systems.

Information about the location and operation of the Systems will be provided upon request.

All cameras send Data back to Council’s networked Digital Video Recorders where it is securely stored for a period of 90 days before it is automatically erased unless a request for access to Data is received, or as otherwise determined in accordance with this Policy.

Data which forms part of an investigation by a law enforcement agency or other government authority notified to Council within the maximum 90 day time period, will not be erased or destroyed, provided that Council is advised in writing of the investigation prior to routine erasure of the Data. Data saved and/or searched for any requested purpose will subsequently be retained in a dedicated folder on the Council network with restricted access rights to authorised personnel, in accordance with Council’s records management obligations.

3.3. Requests to access data

All requests to access Data must be submitted in writing as per the Freedom of Information Policy POL/CORP207. Data may be provided under any conditions which safeguard both Council and the applicant’s interests and the interests of any other party.

Requests to obtain or view a CCTV recording must be addresses to:
Freedom of Information Officer
Swan Hill Rural City Council
PO Box 488
Swan Hill VIC 3585

3.4. Inappropriate use and breach of policy

Any inappropriate use of the CCTV System and other breaches of this Policy will be investigated by Council.

4. RELATED POLICIES/PROCEDURES/DOCUMENTS

CCTV Surveillance Camera Operating Procedures
POL/CORP214 Records Management Policy
POL/CORP207 Freedom of Information

5. RELATED LEGISLATION

Charter of Human Rights and Responsibilities Act 2006

Evidence Act 2008

Freedom of Information Act 1982

Privacy and Data Protection Act 2014

Public Records Act 1973

Surveillance Devices Act 1999

6. DOCUMENT HISTORY

Version Number	Issue Date	Description of Change
1.0	May 2019	Initial release
1.1	October 2020	Review

Signed: John McLinden CEO

Date: 06/10/2020