



CCTV Code of Practice

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Part 1 Preliminary

1. Document Authorisation

RESPONSIBLE OFFICER:		Manager Sustainability and Compliance (MSC)			
REVIEWED BY:		Manager Governance, Risk and Corporate Planning (MGRCP) and Management Executive Team (Manex)			
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VERSIONS:	DATE:	RESOLUTION NO:	DESCRIPTION OF AMENDMENTS:	AUTHOR / EDITOR:	APPROVED / ADOPTED BY:
3	22/02/2024	10.02/2024	Amendments include combining the CCTV Code of Practice and Policy into a single document.	MGRCP	Council
2	24/08/2017	14.08/17	Review	Ranger	Council
1	24/08/2015	16.03/15	Adoption	Compliance Officer	Council



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General Manager

27/2/24

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Date

2. Acknowledgement of Country

Glen Innes Severn Council (Council) acknowledges and pays respect to the Ngarabul people as the traditional custodians of this land, their elders past, present and emerging and to Torres Strait Islander people and all First Nations people.

3. Purpose

This Code of Practice (policy) outlines the principles that Council staff will consider when determining the establishment, operation and management of CCTV in public places.

The purpose of this policy is to aid Council in providing a safe and secure environment in the Local Government Area. Council's Closed Circuit Television (**CCTV**) Program is one of several initiatives designed to facilitate greater community safety in aiding in the prevention of crime. It assists Council and the NSW Police to work together to help provide a safer environment, reduce crime levels by deterring potential offenders and aid in crime detection and apprehension of offenders.

CCTV is a cost-effective tool that can be used to assist in the maintenance of the public environment, crime prevention and as a crime deterrent. The objectives of the implementation of the CCTV systems are to:

- promote community safety and crime prevention;
- protect Council's employees, residents and visitors;
- protect Council's assets; and
- protect the built and natural environment.

4. Applicability

This policy applies to the use and management of Council's fixed and portable CCTV systems located and positioned for monitoring within the Glen Innes Severn Local Government Area (LGA).

5. Definitions

Authorised Personnel is any person delegated by Council's General Manager and/or a NSW Police Officer carrying out their duties

CCTV is a video distribution system in which the images generated are not publicly distributed

CCTV Operations includes all aspects of a CCTV system being; surveillance management, use, recording, maintenance and access to recorded images

Private Premises means any area not openly accessible to the public, including semi-public spaces and includes private residences and private or commercial businesses

6. Introduction

Closed Circuit Television (CCTV) has increasingly featured in the community as a safety and crime prevention tool. CCTV can be effective in improving perceptions of safety, deterring antisocial and criminal behaviour, protecting assets and assisting in prosecution. This policy is to be applied to the management of the CCTV system used across the entirety of the LGA.

The CCTV system consists of cameras monitors, control panels, intelligent video software, video recording systems and supporting infrastructure. Council's CCTV system is part of a layered security response that Council utilises with an aim to reduce crime. Other strategies include activating public space, appropriate lighting, natural surveillance, access control and signage.

Temporary CCTV cameras differ from Council's other CCTV cameras only in that they can be rapidly deployed to and from locations to prevent and reduce crime and anti-social behaviour in public space. Temporary CCTV cameras are included in Council's CCTV Program and are covered by Council's CCTV Code of Practice.

It is acknowledged that CCTV cameras installed in public places and as part of Council infrastructure may also capture Council staff performing work tasks. The CCTV Program, the subject of this Code of Practice, is not designed to intentionally provide workplace surveillance.

This Code applies to CCTV established, operated or managed by, or on behalf of Council with Council's express consent.

This Code does not apply to:

- (a) any CCTV installed by a third party, such as a tenant or licensee of Council land and/or facilities;
- (b) mobile cameras including dash cams, safety cams (e.g., on community buses), web cams, drone footage and body worn video cameras that are primarily used for Council activities associated with enforcement by authorised officers of Council in their delegated tasks or for personal safety; or
- (c) cameras capturing still images for the purposes of regulatory compliance.

Although CCTV systems installed by a community-based organisation who lease Council facilities are outside the scope of this Code, these systems will need approval from Council prior to installation. Council staff will consider how the proposed system aligns with the principles (below) prior to approving such a system. If approved, the system will be owned and operated by the organisation in accordance with appropriate legislation and guidelines.

Nothing in this policy authorises or permits in any way the use of facial recognition or any form of biometric technology. Therefore, Council CCTV (or related technology) cannot incorporate or deploy such recognition or biometric technology.

Part 2 Key Principles

Council staff will consider and determine the establishment, operation and management of CCTV in public places by Council, in accordance with applicable guiding principles as required, such as those outlined in the NSW Government CCTV Guidelines.

1. Integrated approach

Council staff will ensure that where CCTV is established, operated and managed for crime prevention and community safety purposes, that the implementation of CCTV will be part of an integrated, multi-agency approach to crime control and community safety.

CCTV will only be considered as one part of a range of crime prevention measures, and not a stand-alone strategy, and that prior to installation, a safety and security audit will be completed. The audit will consider:

- Whether the problem is on-going or the result of a one-off event;
- Whether the perception of crime is supported by evidence and data;

- How the establishment, operation and management of CCTV fits within a broader crime prevention strategy;
- Evidence as to the effectiveness of CCTV in addressing the identified crime;
- The lawfulness of the collection of personal information via CCTV; and
- The costs associated with establishing, operating and managing the CCTV.

2. Public notification

Council staff will erect signs informing the public of CCTV's existence in a public place and will ensure that the signs comply with relevant legislation such as the *Privacy and Personal Information Protection Act 1998* (PPIP Act).

Furthermore, Council staff will maintain a public register of all its CCTV systems and their locations.

3. Consultation

When considering establishing or significantly expanding a public area CCTV system, Council staff will ensure that the relevant concerns of all parties affected are considered through an effective consultation process. People or groups that may be affected by the proposal could include:

- Residents;
- Users of the public space;
- Local businesses;
- Police and other regulatory authorities; and
- Council staff.

Information available through the consultation process will include the potential benefits of the system, possible costs involved, and privacy implications, including people's rights and Council's responsibilities. Consultation with Council staff will ensure compliance with the *Workplace Surveillance Act 2005* and ensure that staff are given due notice prior to the installation of the system.

(a) Consultation with NSW Police

When CCTV is established in a public place for crime prevention purposes, Council staff will consult with NSW Police to ensure that the installation of CCTV fits within a broader crime prevention strategy and will meet its objectives. NSW Police have viewing access to Council's CCTV facilities under an agreed Memorandum of Understanding.

4. Establishing objectives

Council staff will identify the purpose and will develop and document objectives for the establishment, operation and management of CCTV in a public place. CCTV will only be used in accordance with its established objectives and not for any other purpose. Objectives may include:

- To assist in the investigation and/or prosecution of civil and criminal offences in relation to the security of public places and Council's facilities/assets, or crimes against the person;
- Improving public confidence in the safety and security of public places;
- To deter anti-social behaviours in high-risk public places;
- To assist with the safety of Council staff or authorised contractors within public places;
- To assist with the management/operations or maintenance of public places, or monitoring their use; or
- Identifying potential environmental safety risks.

5. Privacy and civil rights

Council staff will ensure that its CCTV systems are open and accountable and operate with due regard for privacy and civil rights of individuals and the community, including that:

- The recording and retention of images is undertaken lawfully;
- The purpose for which the information is being obtained is known;
- The information is not used for any purpose other than that stated;
- People are made aware that they may be subject to CCTV surveillance; and
- The owners of the system are known and accountable for its operation.

6. Evaluation framework

Council staff will develop and implement an evaluation framework for each public place where CCTV is established to determine whether the CCTV is achieving its objectives.

The evaluation framework will provide guidance on appropriate mechanisms to enable Council staff to assess whether the CCTV system is:

- Achieving its objectives (including an assessment of its impact upon crime and community safety, for those systems implemented for crime prevention or community safety purposes);
- Being used in accordance with its established objectives, and not for any other purpose;
- Impacting on any groups;
- Providing an overall benefit (after consideration of the costs involved in operating the system); and
- Requires changes to the extent or location of the cameras, or technology utilised.

7. Complaints Management

Complaints in relation to Council's establishment, management or operation of CCTV may be made through Council's existing customer contact processes (in person at Town Hall or Church Street offices, or via phone, letter or email). Complaints, except for those specified below, will

be managed in accordance with Council's Complaints Management Policy and Procedure (The Policy can be found at www.gisc.nsw.gov.au).

Complaints in relation to Council's handling of a person's personal information may be made and will be managed in accordance with Council's Privacy Management Plan (the Plan can be found at www.gisc.nsw.gov.au).

Complaints in relation to Council's handling of a person's personal information may also be made to the NSW Information and Privacy Commissioner (www.ipc.nsw.gov.au).

8. Review of CCTV systems

Council staff will review its CCTV systems every two years to assess compliance with this policy and any associated management policies and standard operating procedures. The review will examine such matters as:

- Assessment of the system and any technological problems;
- Processes used to receive, access and process footage requests;
- Complaints received and responses provided;
- Compliance with relevant legislation, regulations and Australian Standards; and
- Whether the systems and processes utilised remain good practice.

Part 3 Legislation, Supporting Documents and Review

1. Relevant Legislation, Regulations and Industry Standards include:

- *Privacy and Personal Information Protection Act 1998*
- *Privacy and Personal Information Protection Regulation 2019*
- *Workplace Surveillance Act 2005*
- *Security Industry Act 1997*
- *Security Industry Regulation 2016*
- *NSW Government policy statement and guidelines for the establishment and implementation of closed circuit television (CCTV) in public places*
- *Standards Australia (2006) Closed Circuit television (CCTV) Part 2 Application guidelines (AS 4806.2 – 2006)*
- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulation 2017*
- *Workplace Surveillance Regulation 2017*
- *Crimes Act 1900*
- *Crimes Regulation 2015*
- *State Records Act 1998*
- *State Records Regulations 2015*

- *Surveillance Devices Act 2007*
- *Surveillance Devices Regulation 2014*
- *Surveillance Devices Amendment (Statutory Review) Act 2018*
- *Crimes (Forensic Procedures) Act 2000*
- *Crimes (Forensic Procedures) Regulation 201,*
- *Telecommunications (Interception and Access) (New South Wales) Act 1987*
- *Government Information (Public Access) Act 2009*
- *Government Information (Public Access) Regulation 2018*
- *Protection of the Environment Operations Act 1997*
- *General Disposal Authority 39 for Local Government*

2. Relevant Council Policies and Procedures include:

- Workplace Surveillance Authorised Statement
- Complaints Management Policy and Procedure
- Code of Conduct for Council Staff
- Privacy Management Plan
- Data Breach Policy

3. Variation And Review

The CCTV Code of Practice shall be reviewed every term of Council (four years), or earlier if deemed necessary, to ensure that it meets the requirements of legislation and the needs of Council. The term of the Policy does not expire on the review date, but shall continue in force until superseded, rescinded or varied either by legislation or a new resolution of Council.