

# CLOSED CIRCUIT TELEVISION (CCTV) OPERATIONS POLICY

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PREPARED BY:

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SUTHERLAND SHIRE

# CLOSED CIRCUIT TELEVISION (CCTV) OPERATIONS POLICY



## 1. PURPOSE

The Closed Circuit Television (CCTV) Operations Policy is part of an integrated community safety strategy aimed at protecting persons and property and reducing the potential for crime and anti-social behaviour in the Sutherland Shire Local Government Area (LGA) by achievement of the following objectives:

- To reduce the level and fear of crime by deterring potential offenders;
- To assist Police and other regulatory agencies in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress;
- To assist Police and other regulatory agencies in the detection and prosecution of offenders;
- To help secure a safer environment for all people who live in, work in, and visit the Sutherland Shire as part of an integrated community safety strategy.

## 2. APPLICATION

This Policy applies to all CCTV owned and managed by Council within the Sutherland Shire LGA.

## 3. PRINCIPLES

### 3.1 Application of Principles

No one principle should be applied to the detriment of another. Principles must be collectively considered and applied to the extent that is reasonable and practicable in the circumstances.

### 3.2 Ethical and Responsible Use of CCTV

All CCTV owned and managed by Council in the Sutherland Shire LGA will be operated ethically and responsibly, within the bounds of all applicable legislation, and only for the purposes for which it has been established or which are subsequently agreed to in accordance with this CCTV Operations Policy.

### 3.3 Public Interest

All CCTV operations will be conducted with due regard to the privacy and civil liberties of individual members of the public.

### 3.4 Accountability

Council will be accountable to the public for ensuring the security, integrity and effectiveness of all CCTV. Accountability will be maintained through regular monitoring and evaluation of CCTV operations and the availability to all stakeholders of accurate, clear and accessible information.

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## **3.5 CCTV Operations**

Council is responsible for ensuring compliance of all CCTV operations with the CCTV Operations Policy. Council is also responsible for the maintenance, management and security of all Council owned and managed CCTV, as well as the protection of the rights and interests of members of the public in relation to CCTV operations.

## **3.6 Partners**

All contact related to CCTV operations between Council, CCTV control room operators, contractors, the NSW Police Force and any other stakeholders will be conducted strictly in accordance with the parameters established in this Policy.

## **3.7 Probity**

All staff employed to work in the CCTV control room will meet the highest standards of probity. The control room and all its contents will be protected from unauthorised access.

## **3.8 Recording of Material**

Material will only be recorded and retained for the purposes provided in this Policy and in accordance with the privacy conditions outlined in all applicable legislation.

# **4. RESPONSIBILITIES**

## **4.1 Responsible Officer**

The Team Leader, Crime Prevention & Security is the Responsible Officer for this policy and is responsible for keeping this policy current.

## **4.2 Chief Executive Officer**

Council has delegated the Chief Executive Officer the authority to exercise the responsibilities detailed in this Policy.

## **4.3 Directors**

Directors are responsible for ensuring their Division adheres to the requirements of this Policy.

## **4.4 Employees**

Employees must adhere to the requirements of this Policy and operate within its authorities.

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## 5. POLICY COMPLIANCE

The CCTV Operations Audit Team will meet annually, or as required by legislative change, to review monitoring arrangements for CCTV Operations.

The Manager, Public Safety and Lifeguards will have responsibility for the reporting of breaches relating to this Policy to the Chief Executive Officer.

## 6. RECORD KEEPING, CONFIDENTIALITY AND PRIVACY

Council adheres to and complies with the NSW State Records Act 1998 and Privacy and Personal Information Protection Act 1998 through its Access to Information Policy and Privacy Management Plan.

Footage will only be released in accordance with the specifications outlined in this Policy. All footage will be kept in a secure location that cannot be accessed by the public and will be destroyed after 31 days.

## 7. BREACHES OF POLICY

Breaches of this Policy will be dealt with in accordance with normal disciplinary procedures and will be advised to the Chief Executive Officer and / or Director Shire Services, via the Manager Public Safety & Lifeguards where appropriate.

## 8. RELATED DOCUMENTS

- Sutherland Shire Council Codes of Conduct
- Access to Information Policy
- Privacy Management Plan
- Sutherland Shire Crime Prevention Plan

## 9. RELEVANT LEGISLATION AND REGULATIONS

- Local Government Act 1993 (NSW)
- Privacy and Personal Information Protection Act 1998 (NSW)
- Workplace Surveillance Act 2005
- Government Information (Public Access) Act 2009

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## 10. DEFINITION OF TERMS

Term	Meaning
CCTV	Closed Circuit Television
Council	Sutherland Shire Council
LGA	Local Government Area

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<b>Document Name:</b> Closed Circuit Television (CCTV) Operations Policy		<b>Policy Accountability:</b> Manager Public Safety & Lifeguards	
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## SCHEDULE A – SPECIFICS OF CCTV MANAGEMENT

### 1. Public Interest

Where CCTV is in operation, signs advising that CCTV is in operation will be displayed in the area. These signs will:

- Allow members of the public entering the area to make a reasonable approximation of the area covered by the CCTV;
- Identify Council as the owner of the CCTV and provide a contact number should further information be required.

Use of all CCTV will accord with the aims and objectives articulated within the Policy.

Use of CCTV to observe a private and/or commercial premise is prohibited and all reasonable efforts will be employed to limit such access through camera programming and placement.

“Dummy” cameras will not be used.

This Policy is available to the public on Council’s website.

### 2. Accountability

#### 2.1. Site Evaluation

Prior to the installation of any CCTV at a designated location, Council will undertake a preliminary evaluation of the level of crime in the area in order to establish a baseline against which CCTV operations can be evaluated. That evaluation will include but is not limited to:

- Crime statistics;
- Local police reports and advice;
- Public safety coastal risk assessment concerns;
- Internal crime assessment and recommendations of that assessment;
- Evidence from standalone rapid deployment cameras to ascertain the level and nature of the criminal activity or anti-social behaviour (these cameras would be installed in compliance with this policy), and
- Feasibility and cost of installing CCTV within current operating expenditure.

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## 2.2. Audit

CCTV operations will undergo an annual random compliance audit that will be conducted by two Council staff of which one will be an independent team member from outside the Crime Prevention & Security team. The aim of these audits is to provide an independent assurance that the images being viewed and recorded are appropriate and in compliance with the aims and objectives of this policy.

The functions of the Audit Team are:

- To provide an independent review and cross-check mechanism for compliance with this Policy;
- To promote public confidence in all of Council's CCTV operations by ensuring that they are transparent and consistently reviewed;
- To recommend actions that will safeguard the CCTV system from damage and/or misuse;
- To identify and report on any deviations from the appropriate use of all footage as defined by this Policy;
- To review the use, dissemination and destruction of all footage and ensure each is done in compliance with this Policy.

The Audit Team will not:

- Determine whether or not CCTV operations are meeting the objectives outlined in this Policy;
- Review any operational aspects of the program; and
- Review the day-to-day management of the program

All audit reports will be sent to Council and will be made available to the public.

## 3. CCTV Operations

Council will be responsible for:

- The day-to-day management of CCTV operations;
- The installation, maintenance and replacement of all CCTV and related equipment in accordance with budgetary requirements;
- The provision of training to all Council staff involved in the operation of CCTV and related equipment;
- The monitoring, review, auditing and evaluation processes;
- Consulting members of the public in relation to CCTV operations and any proposed changes;
- Promoting awareness of CCTV operations and providing information to the public and other agencies about the operation of Council's CCTV network.

## 4. Partners

Police officers will not be permitted to remove any recorded material, operate recording equipment, or have contact with any recorded material at any time unless under the terms of this Policy or subject to the execution of a search warrant or for other relevant legal purposes.

Any amendment in existing arrangements for Police contact with and use of the system would amount to a significant change in CCTV operations and must be agreed to in accordance with the relevant provisions of this Policy before being implemented.

Any involvement in CCTV operations by the Police will be recorded by monitoring staff and will be subject to audit.

The NSW Police Force will be required to supply a Letter of Compliance to Council advising the organisation of their adherence to this Policy on an annual basis.

## 5. Probity

The following procedures govern the operations of the control room:

- Systems of recruitment and selection of staff which include measures to ensure that the selection process provides for thorough validation of the suitability of candidates and regular review of the suitability of employed staff.
- A requirement that all staff are qualified at a suitable level on appointment and are capable of meeting in-service training requirements.
- Monitoring procedures to ensure staff are complying with any licensing or other requirements for the performance of their duties as per the Security Licensing Registrar.
- A disciplinary procedure to be employed if staff are found to have breached any of the provisions of this Policy or Council's Codes of Conduct.
- A requirement of confidentiality which can be enforced during and after termination of employment.
- Systems of monitoring and supervision that ensure compliance with this Policy.
- Only trained monitoring staff will have access to the CCTV operating controls, except in the case of an emergency when Police may have access, subject to relevant approvals.
- Operators of all CCTV equipment must act in accordance with the highest standards of probity or be subject to disciplinary action.
- Procedures have been implemented in order to ensure that access to the control room is restricted to operating staff and their managers and that the control room is adequately protected from unauthorised access.



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- The circumstances in which Police or other visitors are able to access the control room will be carefully controlled.
- A register will be kept detailing all instances of access to the control room.
- All staff, including contractors, involved in the implementation, monitoring and management of Council's CCTV operations are also required to adhere to all Policies and Procedures adopted by Council, in particular Council's Code of Conduct.

## 6. Recording of Material

Control room staff will be made aware that recordings are subject to random audit and that they may be required to justify their interest in particular members of the public or premises.

Access to and use of recorded material will only take place:

- In compliance with the needs of Police in connection with the investigation of a crime; If necessary for the purposes of legal proceedings as ordered by a court of law; Internal review in the investigation of breaches of Council's Code of Conduct; Investigation of Council's liability for public damages or injuries; Investigation of damage to Council properties.
- Before access is granted to recorded footage, the appropriate request form is to be completed and authorised. Additionally any member of the public can make a request to view CCTV footage by lodging an application under the Government Information (Public Access) Act (GIPA) with Council.
- Use of recorded material by the media will only occur after approval by the Chief Executive Officer, Sutherland Shire Council and in keeping with Council's policies and procedures.
- Appropriate security measures will be implemented to protect against unauthorised access to, alteration, disclosure, loss, or destruction of recorded material.
- Recorded material will be treated according to all relevant or appropriate legislation and standards, to provide continuity of evidence and to avoid contamination of evidence.
- Recorded information will be kept by Council for no longer than 31 days.
- All recorded material will be subject to random inspection by the audit team.

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