

POLICY	STATUS	AT	DATE	DOC ID
<i>CCTV Policy</i>	<i>Adopted</i>	<i>Ordinary Council Meeting</i>	<i>22 August 2017</i>	<i>A121349</i>



OPOTIKI DISTRICT COUNCIL

CLOSED CIRCUIT TELEVISION (CCTV) POLICY

BACKGROUND

Ōpōtiki District Council seeks to provide a safe and secure district where members of the community feel safe and protected. In partnership with the Ōpōtiki Police, Closed Circuit Television (CCTV) cameras are installed and operated in areas with higher rates of criminal activity, such as the Central Business District (CBD).

While Council owns all CCTV cameras and equipment, the Opotiki Police administer and monitor the network and subsequent information. The CCTV system is stored and operated from the Opotiki Police Station.

There are approximately 10 cameras located in the CBD with the view to increase this number in conjunction with local businesses.

PURPOSE

The purpose of this policy is to outline how Ōpōtiki District Council will operate its CCTV network and comply with good practice, transparency and accountability and in line with the requirements of the Privacy Act 1993.

POLICY

1. Purpose of CCTV Network

The Opotiki District Council, in conjunction with the NZ Police, operates a CCTV network and collects information for the following purposes:

- To enhance protection and improve safety for the community and members of the public
- Deter criminal activity from occurring in public and semi-public spaces, this includes but is not limited to vandalism, theft and violent behaviour
- Monitor and respond to any activities and/or events which could affect the delivery of the service the Council is providing at that location
- Monitor and respond to health and safety situations, including but not limited to safety at Council owned assets and facilities, traffic incidents and civil defence situations
- Monitor compliance with Council regulations or bylaws and/or central government legislation
- Provide evidence to the Police, court or tribunal proceedings, or a public sector agency where it is necessary for them to uphold the law

2. Use of Information Collected

In line with the Privacy Act 1993, information collected by the CCTV cameras will only be used for the purpose for which it was collected.

Information collected by the CCTV cameras will be used for:

- Deterrence or immediate detection of criminal offences which occur in view of the cameras
- May be used, with the prior approval of a member of the Police of the rank of senior sergeant or above for the following related purposes:
 - to assist in the collection of evidence after the fact;
 - inquiries relating to an investigation and prosecution of other criminal offences
 - Training police and persons authorised by the camera officer or equivalent
 - Authorised research e.g. into the nature of the street offence (for example, into the nature of particular offences, foot or vehicle traffic use and patterns, or the evaluation of the operation of camera equipment)
- Will be used to monitor Council assets and facilities to support asset management and to inform decision-making by monitoring use and demand.

3. Roles and Responsibilities

3.1 Ōpōtiki District Council

Council owns the cameras, software, hardware and infrastructure of the CCTV system and any other items purchased by the Council. In addition, Council is responsible for:

- The capital outlay, installation, maintenance and line costs of the cameras in all monitored areas
- Installation and placement of cameras in public places
- Expansion proposals and improvements to the system
- Erecting and maintaining all signage and provide relevant public notification in the media
- Liaising with the media in relation to the installation and maintenance of cameras

3.2 Ōpōtiki Police

The CCTV electronic monitoring and recording equipment will be housed at the Ōpōtiki Police Station at 29 King Street, Ōpōtiki. The Police will have access to all CCTV footage and be responsible for the day to day operations, including regular data monitoring. The Police will also be responsible for the data recorded on the CCTV system and thereby responsible for its safe storage and dissemination to authorised persons.

The Police will also be responsible for notifying the Council if there are any faults or performance issues with any of the cameras.

The Police will also provide guidance on improving the functionality and expansion of the camera network.

4. CCTV Cameras

4.1 Location of Cameras

There are approximately 12 CCTV cameras located within the Ōpōtiki CBD. The cameras are in locations determined by Council and the Ōpōtiki Police and clearly linked with the purpose of the CCTV system outline in section 1 of this policy. Camera locations are outlined in Appendix 1.

4.2 Signage of Cameras

Public signs identifying a surveillance area will be clearly displayed within the vicinity of the cameras to notify the public that a camera is or may be in operation and to act as a crime deterrent. The erection and maintenance of the signs is the responsibility of the Opotiki District Council.

Public notices will be placed in local newspapers at the time the system is about to start operating and at regular intervals during the life of the system to ensure that the public is aware that CCTV is operating. Public notices will also be issued in local newspapers to inform the public of any changes to the CCTV system.

4.3 Camera Coverage

All Council facilities, premises and areas may at some point in time be monitored by the CCTV network, the exceptions being listed below:

- CCTV coverage will not include private areas within public spaces and facilities (e.g. changing rooms)
- CCTV coverage will not be directed at private property except unavoidably as part of a wide angle or long shot while panning past

Generally, unless there is sufficient justification for doing so (e.g. reasonable suspicion that an offence is taking place) cameras will not:

- Track or zoom in on any member of the public

- Be focused on entranceways to buildings or be directed to look through windows into buildings
- View into private spaces that lie alongside the public or semi-public spaces under surveillance by the system (except as part of a wide angle or long shot or while panning past them).

4.4 Monitoring

Monitoring of the CCTV cameras is the responsibility of the NZ Police and further details regarding the operation of the cameras can be found in the Crime Prevention Cameras (CCTV) in Public Places Policy on the New Zealand Police website.

A central operational monitoring control room is set up in the designated area of the Opotiki Police station. The cameras are active and recording 24/7 however monitoring activity is confined to peak activities within the public areas under surveillance which in turn is dependent on availability of resources. Live streaming camera monitoring is restricted to locations where it is necessary, depending on the purpose of the camera.

4.5 Storage of CCTV Footage

All information collected through the CCTV system will be stored securely by the Ōpōtiki Police.

All footage is kept for up to two months and then the data is overwritten as part of the recording process, unless it is required for evidential purposes.

4.6 Access to CCTV Information

The Ōpōtiki District Council reserves all rights to access the Monitoring room and CCTV equipment located at the Ōpōtiki Police Station when required and only for the purpose of one or more of its responsibilities outlined in this policy. Visits of the monitoring control room can be arranged at a mutually convenient time through the duty Senior Sergeant. A record of such visits will be held by the Police.

All access to the CCTV system and footage, whether by a Council staff member, member of public or other individual will be controlled and administered through the NZ Police in line with the Privacy Act 1993 and any other statutory controls around the use of CCTV information.

4.7 Expansion of CCTV Network

Requests and proposals for the expansion of the current CCTV system are to be directed to the Ōpōtiki District Council. The following shall be considered when assessing any request or proposal for expansion of the current system:

- Alignment with the purpose of the CCTV Network as outlined in this policy
- The crime statistics and proposed benefits for locating a camera at the proposed area
- How well the existing system is working and whether there is a need for review or audit of the system
- Costs involved in extending the system
- Potential funding options
- The priority of installation
- The council's LTP and budget implications
- The Privacy Act 1993

Before making a decision Council will also consider any affected parties to the application and undertake necessary consultation to gather all views to make a robust decision.

Ultimately Council having received all the information, including any cost benefit analysis, may approve, decline or approve in part the proposal.

Evaluation of the usefulness of the CCTV system will be undertaken conjointly between Council and Police using crime statistics and operational analysis. This analysis will be reported within standard Police reports to Council. Appropriate reports, statistics and discussion on the CCTV system will also take place at the Council/Police liaison meetings.

4.8 Audit and Evaluation

Crime statistics and operational use of the CCTV system will be analysed and reported by the Police to the Ōpōtiki District Council at the request of the Council.

The collection of statistics will assist with assessment of the strengths and weaknesses of the CCTV system and in particular will assist with the determination of whether the system is helping to achieve the purpose of the system, as set out in this policy.

The Council and the Police will be responsible for ensuring the CCTV system is implemented and operated in accordance with this policy. Regular internal audits of equipment, operation, storage and use of information will be conducted periodically to ensure the effectiveness of the system and its continued viability. The Council and the Police will remain vigilant to ensure that the system is operated in accordance with legislation, including but not limited to, the Privacy Act 1993, Council policy and best practice principles.

The Office of the Privacy Commissioner shall have the right to review the need for, and the use of, crime prevention camera operation in Opotiki. The Office of the Privacy Commissioner shall be supplied with the following information:

- Any proposal to install new cameras or to expand an existing scheme, including a justification for the installation of the cameras;
- Following installation copies of all relevant policies and guidelines, including information about signs and public notices.

4.9 Complaint Procedures

Any group or individual who wishes to make a complaint regarding this policy or the operation or use of the CCTV cameras may address their concerns by:

- (a) Contacting the Council in the first instance either in writing or via Customer Services; or
- (b) Making a complaint to the senior member of Police working at the time; or
- (c) Making a complaint to the Police Complaints Authority; or
- (d) Making a complaint to the Opotiki District Council; or
- (e) If the complaint relates to an issue of privacy, a complaint may be made to the Privacy Commissioner.

RELEVANT LEGISLATION

Privacy Act 1993

Local Government Act 2002

REVIEW

This Policy will be reviewed annually or as required by legislative or industry practice changes. Refer to policy index for policy owner.