	<p style="text-align: center;"><b>GOVERNANCE POLICY</b></p> <p style="text-align: center;"><b>Closed Circuit Television and Security Cameras</b></p>	Policy Number Version Number Issued Last Review Next Review GDS	G1.37 2 March 2016 March 2022 March 2027 9.63.1.1

## **CLOSED CIRCUIT TELEVISION (CCTV)** **AND** **SECURITY CAMERAS**

### **1. POLICY**

#### **1.1 Introduction**

This Policy guides the operation, management and regulation of the Closed Circuit Television (CCTV) and Security Camera systems of The Flinders Ranges Council ('the Council').

#### **1.2 Purpose**

The primary purposes for utilising CCTV and Security Camera systems are to:

- (a) protect the Council's physical assets from theft and damage;
- (b) ensure the security and safety of Council staff and members of the community;
- (c) discourage the incidence of unlawful activity and enhance the opportunity to investigate and apprehend offenders.

#### **1.3 Objectives:**

This Policy addresses the intended purpose of CCTV and Security Cameras, public notification, information management and access of recordings.

Council values the safety and security of Elected Members, customers, volunteers, contractors, staff and physical assets.

The Council take a proactive, problem solving approach, toward crime reduction and community safety and is committed to providing and undertaking measures to minimise risks.

The Council supports the use of CCTV and Security Cameras in public areas where such systems will further the following aims:


- reducing personal and property crime;
- enhancing community well-being, including reducing the fear of crime;
- providing a workplace environment that is healthy and safe;
- deterring undesirable behaviour;
- detecting and deterring offences from being committed;
- assisting SAPOL with an investigative capability, if appropriate; and
- proactive crime reduction initiatives.

### **2. LEGISLATIVE REQUIREMENTS**

This Policy is made in consideration of the *Surveillance Devices Act 2016*, the *State Records Act 1997* and the *Freedom of Information Act 1991*.

While the primary purpose of CCTV and Security Cameras are to enhance the safety of the community and protect Council property, any video surveillance by Council constitutes an "Official Record" for the purposes of the *State Records Act 1997*.

This means such recordings are subject to Council's record keeping obligations and can only be disposed of in accordance with the General Disposal Schedule 20 (GDS 20). Item 14.76.2 of GDS 20 specifically provides that "video surveillance recordings" are temporary records which may be destroyed six months after the last action taken in relation to them.

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The *Freedom of Information Act 1991* gives a legally enforceable right of access by members of the public (subject to certain restrictions) to records held by government agencies and council's. Official Records of Council may be accessible to an applicant under the *Freedom of Information Act 1991*.

Where appropriate, if an activity which is deemed to be of a criminal nature (such as the marking of graffiti, vandalism, illegal dumping etc) is recorded by CCTV or Security Cameras, and identified by Council staff, the matter will be referred to the South Australian Police (SAPOL) or any other appropriate enforcement agency, for appropriate follow up.

This Policy should also be read in conjunction with Council Policy G1.7 Information Privacy v2.

### 3. DEFINITIONS

For the purpose of this Policy:

"*Australian Standards*" is a reference to the standards documents published by Standards Australia setting out specifications and procedures designed to ensure products, services and systems are safe, reliable and consistently perform the way they were intended to.

"*Closed Circuit Television (CCTV)*" is a system used for video surveillance using video cameras and transmitting the recorded data to a recording device or monitor(s).

"*General Disposal Schedule (GDS) 20*" is a systematic listing of records created by a local government organisation. The GDS includes retention periods that are to be applied to official records.

"*Information Management*" is the collection and management of captured CCTV recordings and information.

"*Officers*" are members of staff with the responsibility of managing, monitoring or extracting CCTV recordings.

"*Official Record*" means a written, graphic, disk, tape, film or other object that contains information or from which information may be reproduced (with or without the aid of another object or device) made or received by Council in the conduct of its business.

"*Security Cameras*" is the camera part of a system used for video surveillance using video cameras and transmitting the recorded data to a recording device or monitor(s).

"*The Council*" refers to The Flinders Ranges Council


### 4. RESPONSIBILITIES

The Chief Executive Officer (CEO) will be responsible for the management and maintenance of any CCTV or Security Cameras system located on Council property. Maintenance and installation of CCTV and Security Cameras will be undertaken by an appropriately qualified technician or security person.

The CCTV and Security Cameras will be installed in accordance with appropriate Australian Standards and placed in visible locations. The location, type of camera and recording resolution will be determined by Council to ensure they are appropriate and meet requirements. The impact on heritage buildings and streetscapes will be considered and impact minimised.

All persons involved in the operation of the systems are to exercise care to prevent improper disclosure of material.

The recordings collected by the CCTV or security Cameras will be managed by Chief Executive Officer and kept on-site in a secure area and destroyed in accordance with the requirements of the *State Records Act 1997*.

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#### 4.1 Information Management

The CEO responsible for the management of recordings from CCTV or Security Cameras is to exercise care to prevent improper access to or disclosure of material.

Any approved access to CCTV or Security Camera recordings for monitoring, maintenance and/or investigative purposes must be recorded and approved.

Any captured recordings from the CCTV or Security Cameras must be maintained in accordance with the *State Records Act 1997*.

#### 4.2 Public Notification

CCTV and Security Cameras will be installed by qualified technicians in accordance with appropriate Australian Standards and placed in visible locations.

Council will clearly display signs at key entry points of facilities equipped with CCTV and Security Cameras to notify visitors that such devices are in operation.

Council will clearly display signs at key entry points to inform visitors to the Council facilities at which CCTV and Security Cameras are in operation within the Council.

### 5. ACCESS TO CCTV AND SECURITY CAMERA RECORDINGS

#### 5.1 Public Access to Recordings

Members of the public can apply to view any official records kept by the Council. As the recordings from CCTV and Security Cameras are an official record, access to these recordings is to be requested through the Freedom of Information (FOI) process under the *Freedom of Information Act 1991*.

Any application received under the *Freedom of Information Act 1991* must be determined by an accredited Freedom of Information Officer. If the application is approved, a member of the public may then view the recording at the either the Council Office, or obtain a copy of the requested recording within a timeframe that is reasonable and appropriate.

If viewing at the Council Office, an accredited Freedom of Information Officer, or a staff member delegated by the CEO, will be present at all times to operate the viewing equipment.

#### 5.2 Elected Member Access to Recordings

Section 61(1) of the *Local Government Act 1999* provides that a member of the Council is entitled at any reasonable time, in the connection with the performance or discharge of the functions or duties of the member (whether under this or another Act), without charge, to have access to any relevant Council document.


Section 61(2) of the *Local Government Act 1999* requires any request for access to be directed to the CEO of the Council, or such other officers as the CEO has specified.

If the application is approved, the Elected Member may then view the recording at the Council Office, or obtain a copy of the requested recording within a timeframe that is reasonable and appropriate.

If viewing at the Council Office, an accredited Freedom of Information Officer, or a staff member delegated by the CEO, will be present at all times to operate the viewing equipment.

#### 5.3 By the Media

*Electronic version on the Central Server Computer System is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.*

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The Council views the rights of the media to gain access to CCTV or Security Camera recordings to be the same as that of a member of the public. That is, an application will need to be made under the *Freedom of Information Act 1991* and the provisions of that Act will apply.

#### **5.4 Staff and Investigative Access to Recordings**

Any staff request to access CCTV or Security Camera recordings for administrative purposes must be directed to the CEO, or such other Officers as the CEO has specified.

Council staff must adhere to the Information Management clauses detailed in Section 4.1 of this Policy.

Any investigative requests by the SAPOL, Australian Federal Police, the Ombudsman or the Independent Commissioner Against Corruption into possible criminal or corrupt activity must be directed to the CEO, or such other Officers as the CEO has specified.

In the event that access to a CCTV or security Camera recording is requested by any of these agencies for the purpose of conducting an investigation into possible criminal activity, Council will provide access to, or a copy of, the recording as requested, as soon as practicable after receiving the request.

### **6. PRIVACY**

Council will comply with the privacy provisions in the *Freedom of Information Act 1991* as well as any privacy legislation applicable to Local Government.

Council will not make use of information collected in the conduct of its business for purposes other than those for which that information was collected.

The CEO responsible for the management of CCTV and Security Camera recordings is to exercise care to prevent improper disclosure of material.

The Council recognises that CCTV and Security Cameras in public places should operate with respect for people's privacy.

In accordance with the Councils Information Privacy Policy (G1.7), the Council will not disclose personal information for a purpose that is not relevant or incidental to or connected with that purpose unless:


- the use of the personal information is required and authorised by law; or
- the use of the personal information for that other purpose is reasonably necessary for the enforcement of the criminal law or law imposing a pecuniary penalty.

### **7. REVIEW**

To be reviewed within 12 months after a General Election, in line with legislation and any legislative changes or by resolution of Council.

### **8. COMPLAINTS**

Any person who has any concerns regarding how the Council handles personal information, or requires further information, should contact the customer service staff at Council in the first instance.

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If customer service staff cannot satisfy the residents and/or ratepayers concerns, the person may lodge a formal complaint. Complaints should be made in writing to:

Chief Executive Officer  
The Flinders Ranges Council  
PO Box 43  
QUORN SA 5433

## 9. RESPONSIBILITIES

The Chief Executive Officer is accountable for ensuring the proper operation of this Policy.

## 10. LEGISLATION

*Local Government Act 1999*  
*Freedom of Information Act 1991*  
*State Records Act 1997*  
*Privacy Act 1988 (Cth)*

## 11. REFERENCES

Information Privacy Policy G1.7  
Information Privacy Principles Instruction (SA Government)

## 12. AVAILABILITY OF POLICY

This Policy will be available for inspection at the Council Offices during ordinary business hours at no charge and a copy may be purchased for a fee as set annually by the Council.

Copies of this policy will also be available from the Council's website [www.frc.sa.gov.au](http://www.frc.sa.gov.au)

## 13. REVIEW

To be reviewed within 12 months after a General Election, in line with any legislation changes or by resolution of Council.

Adopted by Council      15 March 2016  
Resolution 102/2016

Review Date	Version Number	Change	Resolution
15 March 2016	1	Nil	102/2016
19 April 2022	2	Minor formatting changes only	65/2022