

FILE NO: PSC2013-02870

TITLE: CLOSED CIRCUIT TELEVISION (CCTV) IN PUBLIC PLACES

OWNER: ASSETS SECTION MANAGER

1. PURPOSE:

1.1 This policy has been developed to provide a framework to assist Council in establishing and operating Closed Circuit Television (CCTV) in response to local community safety concerns in accordance with the aspirations of the Community Strategic Plan.

2. CONTEXT/BACKGROUND:

2.1 CCTV systems are subject to complex legislative requirements, guidelines and standards for their installation, operation and management. In 2000, the NSW Government established guidelines around the installation and use of CCTV in public places. Revised in 2014, these guidelines (NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Places) provide the policy framework and following set of underlying principles to assist agencies considering the use and management of CCTV.

2.2 CCTV can be effective in reducing crime if it is part of a broader crime prevention and community safety strategy. CCTV is not recommended as an isolated response to addressing crime in public place.

2.3 CCTV can bring benefits to the community through reduction in crime, which can lead to enhanced perceptions of safety in a particular area. CCTV programs that have the greatest impact on crime in a local area are those implemented as one of a suite of crime prevention measures as opposed to a stand-alone crime prevention intervention.

3. SCOPE:

3.1 This policy applies to the implementation, operation and management of CCTV installed on Council assets observing public places.

3.2 The implementation, operation and management of CCTV observing non-public places is addressed separately under the Workplace Surveillance Policy of the relevant workplace.

4. DEFINITIONS:

4.1 An outline of the key definitions of terms included in the policy.

CCTV	An initialisation meaning “closed circuit television”. It is a system that transmits images within a closed system to a specific location. The CCTV system is made up of cameras, monitors, recorders, interconnecting hardware, software and support infrastructure.
Law Enforcement Agency	Means any of the following: <ul style="list-style-type: none">• The NSW Police Force or the Police Force of another State or a Territory.• The New South Wales Crime Commission.• The Australian Federal Police.• The Australian Crime Commission.• The Director of Public Prosecutions of New South Wales, of another State or a Territory, or of the Commonwealth.• The Department of Justice.• The Office of the Sheriff of New South Wales.

5. STATEMENT:

- 5.1 Council’s objectives for using CCTV are to reduce crime levels by deterring potential offenders, to reduce fear of crime, to increase perceptions of safety and to assist in the prosecution of offenders by providing Police with recorded material.
- 5.2 The implementation of CCTV must be part of an integrated, multi-agency approach to crime control and community safety.
- 5.3 Council will maintain and operate the CCTV schemes with due regard for the privacy and civil rights of individuals and the community.
- 5.4 Council will consult with communities when considering establishing or significantly expanding a public area CCTV schemes.
- 5.5 Council will develop and review procedures to cooperate and share information with the NSW Police Force.
- 5.6 Council will ensure that any record made as a result of surveillance will not be used or disclosed unless the disclosure is to a member or officer of a law enforcement agency (e.g. Police) for use in connection with the detection, investigation or prosecution of an offence or to avert an imminent threat of serious violence or of substantial damage to property.
- 5.7 Council will manage all complaints relating to CCTV systems in accordance with our Complaint Handling Policy.

6. RESPONSIBILITIES:

- 6.1 The following key positions within Council are responsible for implementing, complying with, monitoring, evaluating, reviewing and providing advice on the policy:

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| Civil Assets Manager & Fleet Management Supervisor | <ul style="list-style-type: none">• CCTV asset class owners, responsible to manage the lifecycle of the asset class.• Ensure staff, contractors and consultants involved with CCTV are adequately trained and inducted into the policies and other applicable policies and procedures.• Arrange compliance audits of public CCTV. |
| Civil Assets Manager, Civil Infrastructure Engineer & Civil Infrastructure Officer | <ul style="list-style-type: none">• Oversee day to day management, maintenance and operation of the CCTV system.• Develop, implement and on-going review of standards and standard operating procedures to ensure compliance.• Responsible for CCTV footage viewing and download requests• Financial budgeting for Public CCTV. |
| Governance Section Manager & Governance Officer | <ul style="list-style-type: none">• Provide advice on any on-going reviews of standards and standard operating procedures to ensure compliance.• Responsible for CCTV GIPA requests.• View footage for the GIPA requests. |
| Strategy & Environment Section Manager | <ul style="list-style-type: none">• Liaise with the NSW Police and the Business Community to determine CCTV needs.• Develop and manage the MOU with the NSW Police. |
| ICT Maintenance & Support Coordinator | <ul style="list-style-type: none">• Assist with CCTV footage viewing and download requests. |

7. RELATED DOCUMENTS:

- 7.1 Port Stephens Council and Local Area Command CCTV Memorandum of Understanding (2021).
- 7.2 Port Stephens Council and Port Stephens Hunter Police District Memorandum of Understanding (2020).
- 7.3 NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) (2005).
- 7.4 Australian Standard AS 4806.1 – 2006, Closed circuit television (CCTV), Part 1: Management and operation.
- 7.5 Workplace Surveillance Policy.
- 7.6 Government Information (Public Access) Act 2009 (NSW).
- 7.7 Local Government Act 1993 (NSW).
- 7.8 Privacy and Personal Information Protection Act 1998 (NSW).

- 7.9 Privacy and Personal Information Protection Regulation 2014 (NSW).
- 7.10 Security Industry Act 1997 (NSW).
- 7.11 Crimes Act 1900 (NSW).
- 7.12 Workplace Surveillance Act 2005 (NSW).
- 7.13 State Records Act 1998 (NSW).

CONTROLLED DOCUMENT INFORMATION:

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1	26 October 2021	Civil Asset Manager	First Version.	287