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## SURVEILLANCE IN PUBLIC SPACES

### APPROVALS

|                      |                        |                          |         |
|----------------------|------------------------|--------------------------|---------|
| <b>POLICY NUMBER</b> | CORP-POL-032           | <b>DOC.ID</b>            | 3611509 |
| <b>CATEGORY</b>      | Community              |                          |         |
| <b>POLICY OWNER</b>  | Information Technology |                          |         |
| <b>APPROVAL DATE</b> | 30 March 2022          | <b>RESOLUTION NUMBER</b> | 7765    |

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## OBJECTIVE

To provide a framework for the establishment and operation of Council's surveillance systems in public spaces to ensure they are managed in accordance with relevant legislation.

Council is committed to improving the safety and welfare of members of the public using its public spaces, as well as the protection and preservation of Isaac's quality of life and the regions community assets.

## SCOPE

This policy applies to Isaac Regional Council's surveillance systems installed or being established in public spaces by Council and within Council's owned or controlled facilities and land.

Policy does not apply to asset conditioning inspections, where surveillance/CCTV equipment is contained to only take images of infrastructure. The principles of Information Privacy will be followed at all times.

## DEFINITIONS

### TERM / ACRONYM

### MEANING

|                                                            |                                                                                                                                                                                                             |
|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CEO                                                        | Chief Executive Officer.                                                                                                                                                                                    |
| Surveillance systems /<br>Closed Circuit Television (CCTV) | The use of video cameras to transmit images to a specific site where it can be monitored by authorised personnel for surveillance in public spaces or the protection of assets.                             |
| Contractor                                                 | A person, organisation or entity that performs a specific act or acts including the provision of services and/or materials to another person, organisation or entity under an agreement enforceable by law. |
| Council                                                    | Isaac Regional Council.                                                                                                                                                                                     |
| Employee/s                                                 | Local government employee:<br>a. the chief executive officer; or<br>b. a person holding an appointment under section 196 of the <i>Local Government Act 2009</i> .                                          |
| Law Enforcement Agency(ies)                                | A body of the Commonwealth or a State or Territory with responsibility for imposing law or sanctions.                                                                                                       |

## POLICY STATEMENT

Council endeavours to protect the safety of its assets, employees and the community with a range of initiatives including the installation of surveillance cameras in public spaces and other Council controlled facilities and land.

It will operate its surveillance systems in accordance with the following principles:

## **Purpose**

Surveillance systems will be operated within applicable legislation and only for the purposes for which it was intended:

- To assist in the protection of assets and employees;
- To act as a deterrent for anti-social behaviour and crime in public spaces to create a safer environment for the community;
- To assist law enforcement agencies with early identification and more rapid response to unacceptable behaviour, suspicious activity and crime;
- To assist in the investigation and prosecution of crimes against a person, civil and criminal offences in relation to the security of public spaces and Council infrastructure.

## **Public Interest**

Surveillance systems will be operated with due regard to the privacy and civil liberties of members of the public, employees and contractors by:

- Development of standard operating procedures that recognise privacy, security and integrity in the viewing and use of all images recorded;
- Appropriate signage in place to inform the public that a surveillance system is operating;
- Informing authorised employees and contractors involved in the recording, observation and capture of images of the standard operating procedures and their responsibility to act in an ethical and lawful manner as required by legislation.

## **Security of Surveillance Equipment and Images**

- Use of surveillance equipment must be restricted to authorised employees and contractors only in accordance with standard operating procedures;
- Council will maintain a Register of surveillance equipment;
- Employees and contractors who have access to surveillance systems must be subject to a criminal history check;
- Employees and contractors must seek approval by the CEO to view any images or footage by completing the Footage Release Request Form (Internal);
- Measures must be taken to protect against unauthorised access, alteration, dissemination, disclosure, loss or destruction of recorded material;
- Equipment must be maintained to ensure its effective operation; and
- Relevant recordkeeping practices must be applied.

## Access to Images/data/records

- Access to the images/data/records will be subject to the provisions of the *Information Privacy Act 2009* and *Right to Information Act 2009*.
- Council will work closely and collaboratively with Law Enforcement Agencies, in line with the provisions of the *Information Privacy Act 2009* and *Right to Information Act 2009*.
- Requests for access to images/data by external parties must have the appropriate authority and submit a Footage Release Request Form (External Regulatory Body/QPS).

## LEGISLATIONS AND RELATED GUIDELINES

- *Anti-Discrimination Act 1991*
- *Crime and Corruption Act 2001*
- *Human Rights Act 2019*
- *Information Privacy Act 2009*
- *Liquor Act 1992*
- *Local Government Act 2009*
- *Public Records Act 2002*
- *Right to Information Act 2009*
- *Security Providers Act 1993*

## REFERENCES

| ID           | NAME                                                        |
|--------------|-------------------------------------------------------------|
| CORP-POL-079 | Code of Conduct                                             |
| CORP-POL-026 | Recordkeeping Policy                                        |
| POL-006      | Access to Isaac Regional Council Electronic Data            |
| CORP-PRO-014 | Surveillance in Public Places Procedure                     |
| CORP-FRM-105 | Footage Release Request Form (External Regulatory Body/QPS) |
| CORP-FRM-106 | Footage Release Request Form (Internal)                     |
| Register     | Surveillance Camera Register                                |