

CAMERA SURVEILLANCE	
Administration Policy	
TRIM Reference	AR20/6115[v2]
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1. POLICY STATEMENT

To improve community safety and address issues such as graffiti, vandalism, antisocial behaviour and unauthorised entry to certain Council facilities, Council has installed CCTV Surveillance. Further, Compliance Officers are issued Body Worn Video Devices to improve officer safety and to ensure consistency and effective investigation of incidents.

2. PURPOSE

2.1 Purpose

This policy outlines the management and capture of Digital Multimedia Evidence from all devices utilised by Council, including but not limited to audio, video, streaming, photographic and their associated metadata.

2.2 Scope

This policy applies to all employees, and outlines how Council will manage and maintain body Worn Video Devices and CCTV infrastructure.

2.3 Strategic Reference

4. Infrastructure

4.2 We have a safe, accessible and well-utilised CBD, public spaces and built environments that reflect the priorities of our community.

5. Governance and Financial Sustainability

5.1 We are inclusive, engaged and open.

5.5 We meet or exceed legislative and accreditation requirements for all relevant programs.

5.6 Council is a great place to work – we attract, develop and retain a skilled workforce to deliver our priorities.

3. PRINCIPLES

3.1 Management of devices will be inclusive of the placement of permanent surveillance notification signs, the retrieval and secure storage of the CCTV and body worn video device imagery, the review of the footage from these devices and the expiation of fines for offences, as required. Council will immediately notify SAPOL if there is evidence of criminal activities (vandalism, theft, assault etc.). Although footage may not always be viewed at the time of an incident, data may be retrieved for referral onto SAPOL upon request and released once approved by the CEO.

3.2 Body Worn Video Devices

3.2.1 All files from Body Worn Video Devices (BWVD) shall be securely downloaded no later than the end of each of the Officer's rostered shift. Each file shall contain information relating the date, body-work camera identifier, and assigned officer and stored in a secure location where only authorised personnel have access.

3.2.2 All files from BWVD's shall be securely stored in the Council's Electronic Records Management System, TRIM within the appropriate file and retained in line with *State Records Act 1997* provisions.

3.2.3 It is not the intent of Council to review digital multimedia evidence for the purpose of general performance review, for routine preparation of performance reports or evaluations.

3.3 CCTV Footage

3.3.1 CCTV Cameras have been strategically located within various public areas of Port Augusta and within Council facilities, including:-

- Central Oval Precinct
- Laurie Wallis Aerodrome Terminal Building
- Australian Arid Lands Botanic Garden
- Civic Centre
- Areas within the CBD
- Wastewater Treatment Plant
- Parts of the Eastside and Westside foreshore

3.3.2 Footage from these cameras will be stored on a secured server with a link to a file reference in HPRM (TRIM) if footage is going to be used for a defined incident.

3.3.3 Council will establish security levels, through Records Department in relation to access by officers to footage that is saved, due to action required to be undertaken relating to the footage.

3.3.4 The purpose of collection is:

- a) identification of incidents of graffiti, vandalism and/or anti-social behaviour
- b) detection of any Council employee and/or public safety issues;
- c) detection and deterrence of theft; and
- d) monitoring any unauthorised access to buildings.

3.3.5 Live streaming and recorded footage is used for the purposes of investigating and providing evidence on any type of incident.

3.4 Disclosure of Footage

3.4.1 Any requests by members of the public, including the media, to view records on incidents must be done through the Freedom of Information process.

3.4.2 Supervisors/Managers may access digital multimedia evidence to assist in complaint investigations, made against compliance officers, if required once approved by a Director.

3.4.3 Access to live streaming or recorded footage for the purposes of viewing, copying or disclosing the footage will be restricted to Council's Chief Executive Officer, Directors and the responsible officer.

3.4.4 Footage of an incident may be disclosed to a third party (upon provision of a SAPOL report number), and copies may be provided on the condition that the third party has an official role in investigating an incident or some other legitimate reason for requiring access to the footage. The Chief Executive Officer must approve any such release of footage.

- 3.4.5** Contractors who have viewing access to the CCTV Camera footage are not authorised to release footage or allow a member of the public to view footage.

3.5 Viewing by SAPOL Officers

- 3.5.1** SAPOL Officers can view footage in real time via Council provided equipment located at the Port Augusta Police Station.
- 3.5.2** Requests for footage of an incident may be disclosed SAPOL, and copies may be provided where SAPOL is formally investigating an incident. Requests can be made through Councils responsible officer or the Chief Executive Officer. The Chief Executive Officer must approve any such release of footage.
- 3.5.3** Business hours requests for footage are managed by the responsible officer or ICT staff footage is released following Chief Executive Officer approval.
- 3.5.4** Out of hours requests for footage requests may only be made by SAPOL Criminal Investigation Branch (CIB) officers and are managed by the responsible officer. SAPOL CIB Officers may be provided with copies of the footage relevant to the investigation of a **Major Indictable Offence**, without Chief Executive Officer approval. This access remains subject to the Chief Executive Officer's discretion.

3.6 Elected Member Viewing

- 3.6.1** Requests from Elected Members for footage from CCTV or Body Worn Video Devices are to be made through the Chief Executive Officer, in line with Section 61(2) of the *Local Government Act 1999*.
- 3.6.2** The Chief Executive Officer will consider any written request from Elected Members and must be satisfied that access to the information is relevant to the performance or discharge of the functions or duties of that Elected Member and ensure that the information does not contain confidential information that the Elected Members would not normally be allowed (e.g. excluded due to conflict of interest, building and/or staff security or as may be directed by SAPOL or other law enforcement agency).
- 3.6.3** If the application is approved, the Elected Member may then view the footage at the Council office or obtain a copy of the requested footage within a timeframe that is both reasonable and appropriate. If viewing at the Council office, an accredited FOI Officer or a staff member delegated by the Chief Executive Officer will be present at all times to operate the viewing equipment.

3.7 Records Management

Captured video footage is classed as an official Council record under the *State Records Act 1997*. Section 23 prohibits the Council from disposing of an official record except 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 currently may only be destroyed six months after the last action is taken in relation to them.

3.8 Complaints

Complaints regarding the CCTV monitoring and/or body worn video devices and its operation must be made in writing in accordance with Council Complaints Policy.

3.9 Legal Considerations

3.9.1 Recording incidents in a public place are legally permitted, however a statement must be made alerting any member of the public present that recording is to occur.

3.9.2 Recording private conversation of third parties, or incidents in a private place are illegal and are to be avoided at all times.

4. RESPONSIBILITY & REVIEW

4.1 Responsible Officer

Director Infrastructure.

4.1.1 General Inspectors and IT section Staff are responsible for the management, storage and capture of files from BWVD and CCTV cameras.

4.1.2 Freedom of Information Officers are responsible for assessing requests for the release of information to a member of the public via a FOI request.

4.1.3 IT section staff are responsible for assisting the above responsible officers, for management, storage, capture, retrieval and release in an appropriate format of data.

4.1.4 The CEO must at all times approve the release of footage from a BWVD or CCTV Camera.

4.2 Availability

This policy will be available on Council's website.

4.3 Review

This policy will be reviewed within 12 months of a General Election for Local Government, or as required to meet other obligations.

5. REFERENCES

5.1 Legislation

Evidence Act 1929
Local Government Act 1999
Surveillance Devices Act 2016
Freedom of Information Act 1991

5.2 Other References

Application for the release of CCTV Extract or Footage
Body Worn Video Device Policy
Complaints Policy
Customer First Service Charter Policy
Privacy Policy