

## CLOSED CIRCUIT TELEVISION SURVEILLANCE SYSTEM

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RESPONSIBLE DIRECTOR		Corporate Services	

# WAGGA WAGGA CITY COUNCIL CLOSED CIRCUIT TELEVISION (CCTV) STANDARD OPERATING PROCEDURE

### **Legislative Context**

- Privacy and Personal Information Protection Act 1998
- Privacy and Personal Information Regulation 2005
- Surveillance Devices Act 2007
- Government Information (Public Access) Act 2009
- The Workplace Surveillance Act 2005
- Police Act 1990 (NSW)

### **Related Documents**

- NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Places
- Pol058 – Closed Circuit Television (CCTV)
- Closed Circuit Television (CCTV) – Code of Practice
- Closed Circuit Television (CCTV) - Standard Operating Procedure
- Code of Conduct

## 1. Introduction

- 1.1 The Standard Operating Procedure (SOP) has been developed by Council with input from the Police as a requirement of the Code of Practice.
- 1.2 The Police have entered into a Memorandum of Understanding with Council and have endorsed the Standard Operating Procedure.
- 1.3 For ease of reference, a glossary of terms as used in the Standard Operating Procedure is set out below:

<b>Term</b>	<b>Definition</b>
<b>Application Form</b>	The Application Form used by Police to access recorded images. This is a secure electronic request lodged through Council's online services portal.
<b>CCTV</b>	Closed Circuit Television (CCTV)
<b>CCTV Project</b>	The Council's CCTV system to be implemented in the Wagga Wagga Central Business District (CBD).
<b>Code</b>	The Code of Practice developed by Council.
<b>Confidentiality Agreement</b>	The Confidentiality Agreement attached to the Standard Operating Procedure as <b>Appendix 1</b> .
<b>Council</b>	Wagga Wagga City Council
<b>Image Recording Equipment</b>	The computer that records and stores all footage recorded by the CCTV cameras
<b>Image Recording Point</b>	That area of the Wagga Wagga City Council where the Image Recording Equipment is located and which is under Council control
<b>Monitoring Equipment</b>	The monitor and computer from which the live footage can be viewed
<b>Monitoring Point</b>	That area of the Wagga Wagga Police Station where the Monitoring Equipment is located and which is under Police control
<b>MOU</b>	The Memorandum of Understanding entered into between Council and the Police in accordance with the Code
<b>Police</b>	NSW Police Force
<b>Register of Authorised Person</b>	Register maintained by the Police and attached to the Standard Operating Procedure as <b>Appendix 2</b>
<b>Register of Access to CCTV Footage</b>	Register maintained by the Council within its electronic request management system
<b>SOP</b>	Standard Operating Procedure

## **2. Equipment Usage**

### **2.1. Monitoring Equipment**

- 2.1.1. The Monitoring Equipment will be located at the Monitoring Point to enable Police to view the live images generated by the CCTV cameras.
- 2.1.2. The Monitoring Equipment must be positioned so the public are not able to view it.
- 2.1.3. The Police will be able to control the operation of the cameras for viewing purposes.
- 2.1.4. The Monitoring Equipment will only be used for the objectives detailed in Section 5 of the Code.
- 2.1.5. The Monitoring Equipment must only be used by Police in the course of their duties.

### **2.2. Image Recording Equipment**

- 2.2.1. The Image Recording Equipment will be located at the Wagga Wagga City Council Civic Centre, 243 Baylis Street, Wagga Wagga, NSW 2650.
- 2.2.2. The Image Recording Equipment will be operated by Council or Council's contractor. The Police will not have access to the Image Recording Equipment.
- 2.2.3. Recordings will be made to a computer hard drive and may be transferred to a CD when the images are required for further investigation of an incident, for evidence in court or for other lawful reason.
- 2.2.4. The Police will be required to apply to Council for any recorded images using the secure online services portal.
- 2.2.5. Any application, by the Police, for recorded images must be approved by an authorised Police Officer whose details appear on the Register of Authorised Persons (Appendix 2)
  - 2.2.5.1. The role of 'Authorised Police Officer' be delegated to all Commissioned Police Officers attached to the Wagga Wagga Local Command, including Local Area Commander, Duty Officer and Crime Manager, as well as those Officers who are relieving in the role of Duty Officer, Crime Manager and Local Area Commander, being of the Rank of Superintendent, Chief Inspector and/or Inspector.

- 2.2.6. Each authorised person is to be aware of and agree to abide by the Code, MOU and SOP.
- 2.2.7. All authorised persons details must be entered onto the Register of Authorised Persons
- 2.2.8. The Register of Authorised Persons will be used to undertake audits and reviews as detailed in Section 6 of the Code to ensure proper use is being made of the CCTV cameras.

### **3. Access to Recorded Material**

- 3.1. The Council will be solely responsible for allowing access to recorded material in accordance with the Code.
- 3.2. Recordings will be created during normal Council operating hours of 8:30am till 5:00pm.
- 3.3. In the case of an emergency Council staff will be available to create the recording out of normal Council operating hours.
- 3.4. The Wagga Wagga City Council to supply to Police, an on-call number for an approved Officer, that is available to access the recording equipment, when necessity occurs outside of normal business hours. This Officer, upon receipt of a written request from Police for CCTV material, to provide as soon as practicable a recording of the urgent requested footage.
- 3.5. When images are recorded to a CD an entry into the request management system is to be made by Council.

### **4. Use of Recorded Material**

- 4.1. The use of recorded material is detailed in Section 13 of the Code.

### **5. Confidentiality**

- 5.1. Any Council staff or contractors involved in any of the processes described in these SOPs will be required to sign a confidentiality document stating that they will not disclose to anybody, or any organisation, unless otherwise lawfully directed to do so, any information about any image which they observed generated by the CCTV cameras. A sample of the confidentiality agreement is attached as Appendix 1.

**Appendix 1****CONFIDENTIALITY AGREEMENT – OPERATION OF CCTV CAMERAS**

I ..... an employee of  
(Full Name Printed)

.....:

(Print Name of Employer/Organisation)

- 1 will not disclose, unless lawfully directed or as a bona fide part of my employment, any matter or information which comes to my knowledge in relation to or emanating from the operation of the CCTV cameras owned by Wagga Wagga City Council.
- 2 acknowledge that this agreement is not limited to my current period of employment or to any time limit period.
- 3 understand that failure to observe this confidentiality may result in legal action being taken against me and/or employment disciplinary action

.....  
(Signed) (Date)

.....  
(Witness) (Date)

**Appendix 2 Confidential****Register of Authorised Persons – Police**

Name of Authorised Person	Rank of Authorised Person	Date Authorised	Authorised by (Name/Rank)	Date Authorisation removed