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| <b>Policy:</b>           | <b>CCTV Cameras</b>       |
| <b>Department:</b>       | <b>Corporate Services</b> |
| <b>Approved by:</b>      | <b>Council</b>            |
| <b>Effective date:</b>   | <b>February 2024</b>      |
| <b>Next review date:</b> | <b>February 2027</b>      |
| <b>Document Number:</b>  | <b>D23/43983</b>          |

## 1. Purpose

This Policy governs the collection, use and disclosure of personal information collected through Stratford District Council owned and operated (Closed Circuit Television) CCTV cameras. This policy has been prepared in accordance with Council obligations set out in the Privacy Act 2020 and is compliant with Section 47(1) of the Search and Surveillance Act 2012.

## 2. Scope

This policy relates to:

- 2.1 The CCTV system installed at the Centennial Rest Rooms.
- 2.2 The CCTV system installed at the Dog Pound.
- 2.3 The CCTV system installed at the Miranda St Admin Building.
- 2.4 The CCTV system installed at the Kopuatama Cemetery.
- 2.5 The CCTV system installed at the Percy Thomson Art Gallery.
- 2.6 The CCTV system installed at the Stratford Library and iSite.
- 2.7 The CCTV system installed at the Transfer Station.
- 2.8 The CCTV system installed at the Wai o Rua Aquatic Centre.
- 2.9 The CCTV system installed at the Esk Road Waste Discharge Site.
- 2.10 Associated computer hardware, software, electrical equipment and signage.
- 2.11 Wearable cameras, mobile cameras worn by Enforcement Officers
- 2.12 And any other locations where CCTV cameras are installed subsequent to the adoption of this policy.

## 3. Objectives

The objectives of this Policy are to:

- 3.1 Specify council CCTV camera locations and provide guidance for operational oversight.
- 3.2 Regulate the collection, use, retention, access to and disposal of information.
- 3.3 Ensure Council staff members are aware of the relevant privacy and other legal implications when using camera recordings .
- 3.4 Regularly review the need to use cameras and other recording devices.

## 4. Background

- 4.1 Council has installed CCTV cameras in Council workplaces to deter crime and disorder, so employees and customers feel safe, and to reduce incidences of damage to, or loss of, Council assets. Council is responsible for camera placement, operation, and maintenance, and data storage and retrieval.
- 4.2 While Council has no legal obligation to maintain or ensure the cameras are operating in any of the above-named areas, Council will still take reasonable steps to ensure the CCTV cameras are properly maintained and in good working order.
- 4.3 CCTV cameras located at the Centennial Rest Rooms, Dog Pound, Miranda St Administration Building, Kopuatama Cemetery, Library Hub, Transfer Station, Wai o Rua Stratford Aquatic Centre and the Esk Road Waste Discharge Site are checked monthly by IT staff to ensure they are functioning correctly. The checks are to be documented in the CCTV Access Register.
- 4.4 Council staff (generally enforcement officers) may wear cameras or mobile recording devices while carrying out their duties under legislation and Council bylaws. The visible, wearable cameras and recording devices are a mitigation tool for reducing the risk of harm to Council staff that deal with the public regularly outside of Council workplaces.

## 5. Purpose of CCTV Cameras

- 5.1 Footage from the CCTV cameras installed at council locations may be used by Stratford District Council (SDC) for any of the reasons as outlined below:

- Staff safety
- Public safety
- Protection of council assets from staff or the public
- Assistance in police investigations
- Assistance in internal investigations as authorised by the Chief Executive
- Training improvements for health and safety purposes

- 5.2 The below cameras have additional purposes:

### CCTV cameras located at Esk Road Waste Discharge Site

Footage from these cameras is used to ensure the discharge of septic tank waste is charged out correctly, for revenue generating purposes, and to provide evidence of unlawful use of the facility.

### Wearable cameras

Wearable cameras and mobile recording devices are used to:

- Minimise the risk of personal harm to Council staff members and members of the public
- Assist staff members to lawfully carry out their duties

Wearable cameras will be worn by authorised staff members exercising their powers under legislation and/or Council bylaws and may be used in public places and on private property.

Where practicable the authorised staff member will advise the customer(s) prior to activating the camera, that the camera is being activated, or as soon as possible after activating it.

The authorised staff member must keep the camera on his/her person so it records only what s/he can hear and/or see.

Information collected by the wearable cameras will be used for any of the reasons below:

- Staff safety
- Assistance in legal investigations
- Gathering evidence

## **6. Awareness of Cameras**

- 6.1 The locations of CCTV cameras must be clearly signposted at the public entrance of the building, to notify the public that a camera is or may be in operation. The signs also serve as a general crime deterrent.
- 6.2 Whenever an authorised staff member has a wearable camera on her/his person the camera will be in plain view.
- 6.3 Staff must be made aware of all cameras in the workplace.

## **7. Access – Council Staff**

- 7.1 Access to the recordings of the CCTV camera systems must follow the process as outlined in this policy.
- 7.2 Any request must be made through a Director or the Chief Executive (particularly for internal investigations) to the Privacy Officer by email to [privacyofficer@stratford.govt.nz](mailto:privacyofficer@stratford.govt.nz). The request should include the following information:
  - Date and time range to be viewed,
  - Brief explanation of the incident and how viewing the cameras aligns with section 5 of this policy.
  - Who will participate in viewing the footage.
  - The urgency of the request.
  - If there is anything specific that needs to be identified in the footage.
  - Confirmation that the Director or Chief Executive has approved the request.

The Privacy Officer will check that the request is in line with section 5 of this policy, and will also consider the following factors:

- The time range length and the cost of staff time involved in viewing the cameras.
- To what extent viewing the cameras will enable council to meet one of the purposes in section 5 of this policy.
- Whether privacy will be breached, and to what extent this would result in harm to any individual.
- Whether any further information is required.

Once approved, the request will be forwarded to IT Support, who will arrange a suitable time with other staff (as per the request), to view the camera footage.

Despite the above, the following are exceptions to the above access:

- The cameras at Esk Road may be freely accessed by staff in the Wastewater department.
- Some customer service locations have live camera screens which may be viewed in real time by staff, to provide for extra security and monitoring.

All approved access to CCTV footage must be documented by IT Support in the CCTV Access Register.

- 7.3 Members of the Information and Technology team will from time to time access cameras at the Centennial Rest Rooms, Dog Pound, Miranda St Administration Building, Kopuatama Cemetery, Stratford Library and iSite, Transfer Station, Wai o Rua Aquatic Centre and the Esk Road Waste Discharge Site for the purpose of undertaking maintenance on the cameras.

## **8. Access – Other Parties**

- 8.1 Access by organisations or individuals to council owned and operated CCTV cameras must still meet the criteria as outlined in section 5 of this policy.
- 8.2 In accordance with the Privacy Act, an individual whose activities have been recorded by cameras has the right to access that footage, providing it is available. Requests for viewing of

CCTV footage must be made in writing to the Privacy Officer and include a form of photo identification sufficient to enable the Privacy Officer to verify that the individual making the request appears in the footage.

- 8.3 Any request from an individual to view footage that relates to a criminal investigation must not be granted without prior Chief Executive approval.
- 8.4 Public request to access footage of an individual must not result in access to images of other individuals. Images of other individuals may be disguised before the footage can be accessed by the individual making the request. If this is not possible, the individual concerned will be supplied with a written description of their activities in the footage. This may incur a cost as per council's fees and charges schedule.
- 8.5 The Privacy Officer must respond to a request for access within 10 working days of receiving the request. However, requests from the Police should be dealt with as soon as possible.

**Privacy Officer details:**

Privacy Officer  
Email address:           privacyofficer@stratford.govt.nz  
Address:                   61-63 Miranda Street, STRATFORD 4332  
Postal Address:         PO Box 320 STRATFORD 4352

**9. Use of Collected Information**

- 9.1 Images or recordings collected by the CCTV cameras installed at the Centennial Rest Rooms, Dog Pound, Miranda St Administration Building, Kopuatama Cemetery, Percy Thomson Art Gallery, Stratford Library and iSite, Transfer Station, Wai o Rua Aquatic Centre and the Waste Discharge Site, wearable or mobile cameras, will be used only for the purposes for which they were collected, or may, in accordance with Principle 10 of the Privacy Act be used by other parties for the following purposes or circumstances, provided the procedures in this policy are followed:
  - Court or tribunal proceedings
  - Enquiries relating to the investigation and prosecution of other offences
  - To prevent or lessen a serious and imminent threat to public health and safety or the life and health of an individual
  - The individuals filmed have consented to its use or disclosure
- 9.2 The collected information must not be used for any other purposes or released for public viewing. Only the Police may release footage to the public to assist in solving a crime.

**10. Security and Retention of Information**

- 10.1 Footage from the CCTV cameras installed at the Centennial Rest Rooms, Dog Pound, Miranda St Administration Building, Kopuatama Cemetery, Percy Thomson Art Gallery, Stratford Library and iSite, Transfer Station, Wai o Rua Aquatic Centre and the Esk Road Waste Discharge Site is securely stored on site and retained for up to 3 months. It is automatically erased when the storage device reaches its full capacity unless it is required for evidential purposes. In the event that footage is identified as significant, the information will be backed up to USB or a secure network location by the IT Team and will be retained until it is no longer administratively required.
- 10.2 Footage recorded by a wearable camera is stored on the device until uploaded to a secure server in the Council's Information Technology Department. The staff member who recorded the footage is responsible for its security until it is uploaded. Once uploaded, the recordings must be erased from the recording device. Uploading and deletion from the device must occur within two working days of being recorded.
- 10.3 Footage recorded by wearable cameras can be viewed by staff with the approval of a director or the Chief Executive. Any footage not immediately required for evidential purposes will be erased six months after the recorded event.

## 11. Appendices

### Legislation

Privacy Act 2020 no 31 (as at 01 July 2023), Public Act contents – New Zealand legislation. (n.d.). New Zealand Legislation. <https://www.legislation.govt.nz/act/public/2020/0031/latest/LMS23223.html>

Search and Surveillance Act 2012 no 24 (as at 05 October 2023), Public Act contents – New Zealand legislation. (n.d.). New Zealand Legislation. <https://legislation.govt.nz/act/public/2012/0024/latest/DLM2136536.html>

### Guidelines

Privacy and CCTV, A guide to the Privacy Act for businesses, agencies and organisations. (n.d.). Privacy Commissioner. <https://www.privacy.org.nz/assets/New-order/Resources-/Privacy-and-CCTV/Privacy-and-CCTV-A-guide-October-2009.pdf>

Privacy and CCTV: A guide to the Privacy Act for businesses, agencies and organisations - Summary of guidelines and checklist. (n.d.). Privacy Commissioner. <https://www.privacy.org.nz/assets/New-order/Resources-/Privacy-and-CCTV/CCTV-guidelines-summary.pdf>

### Related Policies

Privacy Policy: D16/16748 v3