

1. Purpose

Warrumbungle Shire Council (Council) has a number of CCTV systems in use, including a street surveillance system. This policy recognises the need to ensure that the CCTV systems are used appropriately and the privacy of residents, workers and visitors is protected.

This policy document outlines:

- the objectives for installing and using CCTV systems;
- the principles utilised to maintain privacy;
- the standards, laws and regulations governing the use of CCTV; and
- the principles under which recorded images will be released.

2. Objectives

Council has a commitment to provide a safe and secure environment in the Local Government Area as a priority of Warrumbungle Shire Council's Community Strategic Plan. CCTV can be utilised as a cost-effective tool to assist in the maintenance of this environment. Therefore, the objectives of the implementation of CCTV systems are to:


- Promote community safety and crime prevention.
- Protect Warrumbungle Shire Council employees, residents and visitors.
- Protect Warrumbungle Shire Council assets.
- Protect the environment.

3. Scope

This document addresses all CCTV systems which are owned or in the control of Council, both in public and in Council controlled areas. The policy outlines the objectives to be met by installing CCTV and the controls that Council will implement.

4. Legislation and Associated Documents

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| <p>ASSOCIATED POLICIES</p> | <ul style="list-style-type: none"> • Workplace Monitoring Policy (staff policy 49-2017) |
| <p>ASSOCIATED LEGISLATION</p> | <ul style="list-style-type: none"> • <i>Crimes Act 1900</i> (NSW) • <i>Crimes Regulation 2015</i> (NSW) • <i>Crimes (Forensic Procedures) Act 2000</i> (NSW) • <i>Crimes (Forensic Procedures) Regulation 2014</i> (NSW) • <i>Freedom of Information Act 1989</i> (NSW) • <i>Government Information (Public Access) Act 2009</i> (NSW) • <i>Privacy and Personal Information Protection Act 1998</i> (NSW) • <i>Protection of the Environment Operations Act 1997</i> (NSW) • <i>Security Industry Act 1997</i> (NSW) • <i>Security Industry Regulation 2016</i> (NSW) • <i>State Records Act 1998</i> (NSW) • <i>State Records Regulations 2015</i> (NSW) • <i>Surveillance Devices Act 2007</i> (NSW) |

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|  | Draft CCTV Protocol Policy |
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| | <ul style="list-style-type: none"> • <i>Surveillance Devices Regulation 2014 (NSW)</i> • <i>Telecommunications (Interception and Access) (New South Wales) Act 1987 (NSW)</i> • <i>Work Health and Safety Act 2011 (NSW)</i> • <i>Work Health and Safety Regulation 2017 (NSW)</i> • <i>Workplace Surveillance Act 2005 (NSW)</i> • <i>Workplace Surveillance Regulation 2017 (NSW)</i> |
| ASSOCIATED DOCUMENTS | <ul style="list-style-type: none"> • <i>NSW Government Policy Statement and Guidelines for the Establishment and Implementation of CCTV</i> • <i>State Records General Retention and Disposal Authority: Local government records (GA39)</i> |

5. Definitions

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| Authorised Personnel | Any delegated person of the Warrumbungle Shire Council's General Manager and NSW Police Commissioner listed in the CCTV Management Registers. |
| CCTV | Or 'Closed Circuit Television' is a video distribution system in which the images generated are not publicly distributed. |
| CCTV Operations | All aspects of CCTV: surveillance management, use, recording, maintenance and access to recorded images. |
| Code of Practice | A guidelines document designed to control implementation of a CCTV system and subsequent use of the system. |
| Council | Warrumbungle Shire Council |
| Memorandum of Understanding | An Agreement between two or more parties outlined in a formal document. It is not legally binding but signals the willingness of the parties to move forward with a contract. |
| Private Premises | Any area not openly accessible to the general public, including semi public spaces and includes private residences and private or commercial businesses. |
| Recorded Image | An image captured and stored on a data drive or server. |

6. POLICY STATEMENT

6.1 Privacy, Code of Practice

Council is committed to the privacy of residents, workers and visitors in the Local Government Area, and undertakes to implement protections and processes which will maintain privacy in accordance with state and federal legislation.

Warrumbungle Shire Council will release footage captured by CCTV to NSW Police upon request made via the online portal. Any member of the public requesting access to CCTV footage will be referred to NSW Police to file a report.

6.2 Records and Data Storage

All recorded images on the system will be overwritten on a 28 day cycle unless a formal application is received.

6.3 Complaints

Complaints will be managed in accordance with Council's Code of Conduct and Complaints Handling Procedures.

7. Responsibilities

Council is responsible for the Street Surveillance System. Responsibility is limited to the images captured.

Council will consult with and provide information to the public about the operation of the Street Surveillance System and about any proposed changes to the system.

Staff shall implement and carry out the actions listed in the Policy, Guidelines and Procedures

8. Getting Help

The staff members who can assist with enquiries about this Policy are:

Position/s: Manager Corporate Services;

Department: Corporate Services within Corporate and Community Services

9. Version Control

Review Date: June 2022

Staff Member responsible for Review: Manager Corporate Services

| Policy Name | Version | Resolution No. | Date |
|---------------|---------|----------------|------|
| CCTV Protocol | Draft | | |
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