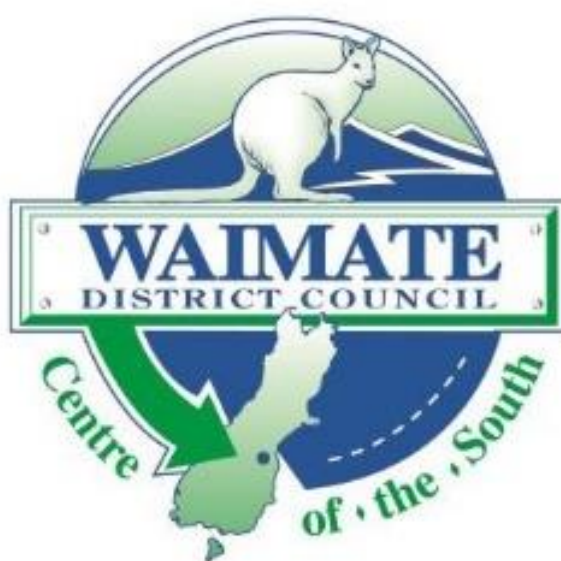


WAIMATE DISTRICT COUNCIL

Security Camera Policy 321



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1. Purpose

- 1.1. Waimate District Council wishes to provide a safe and secure environment to protect its staff, customers and the interests of our ratepayers by using security cameras to:
- Provide protection and improve safety.
 - Deter criminal activity from occurring.
 - Provide evidence if criminal activity has occurred on Council premises and / or property.
 - Enable the provision of a timely response to criminal activity which may have occurred.

2. Background

- 2.1. Waimate District Council operates CCTV cameras in the town of Waimate. Some CCTV camera locations and monitoring are supported by the Waimate Police.
- 2.2. This Policy has been created by Waimate District Council to protect the privacy of its staff, customers and the interests of our ratepayers and complies with its legal obligations under the Privacy Act 1993.
- 2.3. The Policy aims to follow best privacy practice to ensure that any image(s) captured, collected and stored are handled in a confidential manner that protects an individual's privacy at all times.

2.4. SCOPE

This Policy deals with security cameras installed on Council premises (referred to henceforth as "Council Cameras") and those fixed position cameras installed in the town of Waimate in collaboration with Waimate Police in 2018 (henceforth known as "Community Cameras").

Use of the Community Cameras is governed by the NZ Police policy [Crime Prevention Cameras \(CCTV\) in Public Places Policy](#). Council has no control or authority regarding operational use of these cameras.

This Policy does not cover the use of covert cameras which, if used, would be subject to special considerations or legal ruling. In addition, this Policy does not cover those cameras owned by private residents (including businesses) and other government agencies.

2.5. LOCATION OF CAMERAS

The Community Cameras are monitored through Waimate Police station and allow pan, tilt and zoom operation. The location of Community cameras have been determined in collaboration between Police, Council, the community and the specialist vendor.

Council also has Council Cameras at a number of other locations. While these are not monitored in real time, images can be accessed by Council as defined by this policy. The locations of these cameras are provided in Appendix B of this policy.

The remainder of this policy refers to Council Cameras only.

3. Policy

- 3.1. Security camera(s) are operated to provide protection and improve safety for individuals and to prevent crime. The use of recorded images must be carried out in accordance with the Privacy Act.
- 3.2. Any criminal activity detected by security camera(s) will be forwarded to the New Zealand Police for investigation.
- 3.3. The placement of any and all security camera equipment will not unreasonably intrude on the privacy of individuals.
- 3.4. In keeping with the provisions of the Privacy Act 1993, signage advising of security camera equipment will be installed in places to give individuals clear warning before they enter any area covered by such equipment. The signage will also give contact information for any queries regarding the security camera. See Appendix A.
- 3.5. Security Camera footage will only be viewed by authorised personnel who have first sought permission of the Corporate Services Manager or Chief Executive. Footage will be viewed in accordance with the purpose of the cameras as detailed in this policy. Each time the footage is accessed it will be recorded in a log.
- 3.6. Security Camera footage will be recorded/retained on the hard drive for up to four (4) weeks before being overwritten in a continuous recording cycle. Where an incident or suspected incident has been identified, and with the approval of the Corporate Services Manager or Chief Executive, a portion of the footage is to be retained for resolving that incident.
- 3.7. The security cameras are movement activated and will record any movement in the areas covered by individual cameras twenty four (24) hours per day.
- 3.8. A report detailing Security Camera footage accessed in the past six months will be provided to each meeting of Council's Audit & Risk committee. This report will include details of the access requestor, the access authoriser, the reason given for access and the period & location the accessed images covered.

4. Security Camera Footage Access, Storage and Use

- 4.1. The security camera(s) images / recordings will only be used in accordance with the purpose of the security cameras as detailed above and must be carried out in accordance with the Privacy Act.
- 4.2. A request for release of security camera imagery administered by Council should be made formally using the form in Appendix C. The form, once completed by the applicant (and if applicable) the Police, will be assessed by an authorised officer with delegated authority, namely the Corporate Services Manager or Chief Executive.
- 4.3. Requests per 4.2 will be treated as an official information request as defined under Local Government Official Information and Meetings Act 1987 (LGOIMA) and assessed in line with the provisions of the Privacy Act 1993; access will be determined based on whether other people's privacy is being infringed and ease of availability of recording.
- 4.4. If the public want to request images regarding a **crime**, the first step is to log a complaint with the Police. The Police can request the images directly from the Council (if there is any information held on the incident). Council will not release images related to a crime or potential crime directly to the public or private organisations.
- 4.5. Authorised personnel, New Zealand Police, or other public sector agency such as the Privacy Commissioner only may view recorded security camera footage. Authorised personnel are defined as Council staff with permission to view footage as granted by the Corporate Services Manager or Chief Executive.
- 4.6. Footage will be viewed in accordance with the purpose of the security cameras as detailed above.
- 4.7. Each time the footage is accessed it will be recorded in a log.
- 4.8. The storage of images/recordings will be on systems which have access limited to those with the appropriate delegation. Unauthorised personnel will not be able to obtain access to images/recordings.
- 4.9. Images will be held for no longer than necessary. The retention period for recordings and images will be for up to four (4) weeks unless being used for data analysis and programme planning, in which case it may be necessary to keep for five – ten (5-10) years.
- 4.10. Some recordings and images may be retained for the purposes of resolving incidents or to assist in any legal proceedings. Upon resolution of the incident and/or completion of legal proceedings, images will continue to be retained in accordance with 4.9.

- 4.11. After the retention period has expired or the incident satisfactorily resolved, images and recordings will be permanently deleted and recorded on the log.
- 4.12. Placement of security cameras will be reviewed from time to time, and any changes required to ensure effective discharge of this policy may be authorised by the Chief Executive or Corporate Services Manager.

5. Complaints

- 5.1. Any complaint about the security camera(s) will be received in accordance with Councils formal complaints process.
- 5.2. Any complaint is to be forwarded in writing to the Corporate Services Manager.

6. Application

- 6.1. This Policy applies to all employees of Waimate District Council, Mayor, Councillors, Contractors and general public who may enter the areas covered by the security camera(s).

7. Definitions

- 7.1. **Authorised Personnel** means Waimate District Council authorised officers with permission to view footage as granted by the Corporate Services Manager or Chief Executive.
- 7.2. **Community Camera** means a security camera supplied to Waimate Police using Council funding in 2018, controlled and operated by Waimate Police.
- 7.3. **Council** means the Waimate District Council.
- 7.4. **Council Camera** means a security camera owned and operated by Waimate District Council on Council property and is distinct from a Community Camera.
- 7.5. **Criminal Activity** means an act of harm or theft or stealing or dishonesty and without claim of right to an individual or property or premises or legal entity or as provided for in the Crimes Act 1961 or its amendments.
- 7.6. **District** means the area be designated as the Waimate District for which the Waimate District Plan applies.
- 7.7. **Individual** means a natural person, other than a deceased natural person.

- 7.8. **Security Camera** means a camera that records people's activities in order to detect and prevent crime. For clarity, these cameras do not record sound.

8. References

- 8.1. Privacy Act 1993
- 8.2. Local Government Official Information and Meetings Act 1987 (LGOIMA)
- 8.3. Search and Surveillance Act 2012
- 8.4. Ministry of Business Innovation & Employment, Labour Information; Surveillance cameras in the work place – 31 May 2012
(www.dol.govt.nz/workplace/knowledgebase/item/1343)
- 8.5. Privacy and CCTV; A Guide to the Privacy Act for businesses, agencies and organisations (Office of the Privacy Commissioner – 2009)
- 8.6. Privacy at work; A guide to the Privacy Act for employers and employees (Office of the Privacy Commissioner – 2008)
- 8.7. Crimes Act 1961

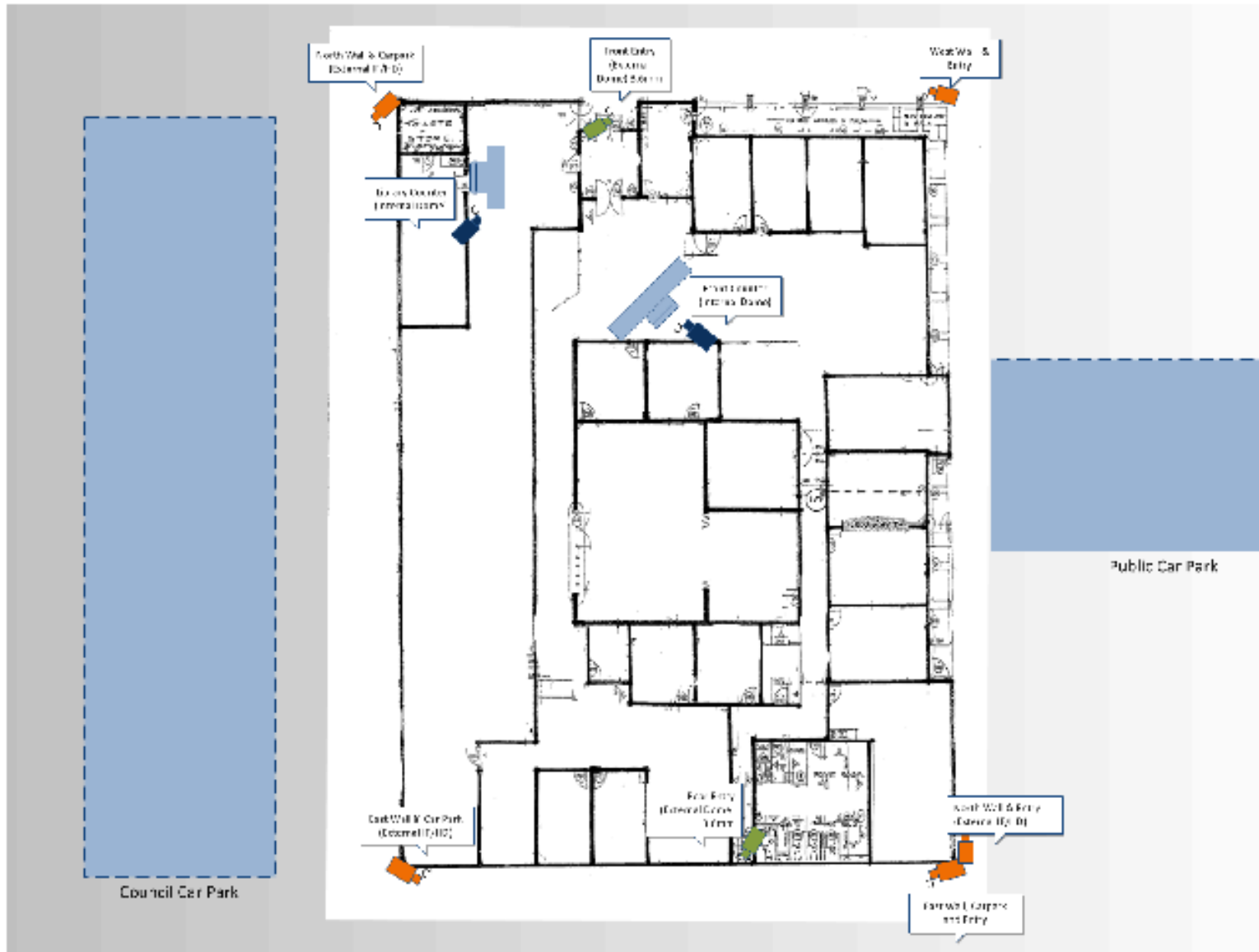
9. Publication Details

All enquiries or suggestions regarding this document should be referred to:	Corporate Services Manager
Revision:	First published version
Revision Dates:	4 December 2014 (was not released) 28 August 2018
Effective Date:	28 August 2018
Minimum Review by:	28 August 2021
Document Owner – Release Signature: Corporate Services Manager	
Chief Executive– Release Signature:	
Policy can only be amended by:	Resolution of Council
Policy filed at:	L:\SUPPORT SERVICES\Policies\300 policy
Policy writer:	Corporate Services Manager

Appendix A – Sample Signage



Appendix B(i) – Council Camera Locations Map – Council Offices



Appendix B(ii) – Council Camera Locations Map – Event Centre



Appendix C – Request & approval for Council Camera Images



CCTV image request

Applicant	Information requested by	
	Name	
	Agency (if applicable)	Position/Rank (if applicable)
	Phone	
	Address	Email
	Request Details	
	Location	
	Date	Time
	Describe the event	
	Declaration - Under the Local Government Official Information and Meeting Act 1987 Section 10, and the Privacy Act 1993 Principle 11, I request information listed above which I believe to be recorded in the form of images held by Waimate District Council.	
Name		
Signature	Date	

Police	Reason for requesting this information	
	Request checked and signed by approved Police Manager	
	Date	File/Job reference
	Reason for request	

Council	Council Use	
	Request Approved / Declined	Name of Council officer completing request
	Action taken / comments	
	Images downloaded by	