



Policies, Procedures and Guidelines

PUBLIC CCTV CODE OF PRACTICE

CSG055

BACKGROUND

Lachlan Shire Council (LSC) considers it important to take efforts to reduce crime. It is recognised however, that crime will never entirely be prevented. Closed circuit television (CCTV) can bring benefits to the community and assist in reducing crime which can lead to enhanced public safety in particular locations or in a particular area.

Council's CCTV Program is one of several initiatives designed to facilitate greater community safety in reducing and preventing crime. It assists Council and the NSW Police to work together to help provide a safer environment, reduce crime levels by deterring potential offenders and aid in crime detection and apprehension of offenders.

OBJECTIVE

The objective of the CCTV Program is to reduce personal and property crime, in association with a range of other crime prevention strategies. The Code of Practice contains standards to guide the operation of Council's CCTV Program and is supplemented by Council's Standard Operating Procedures (SOPs) which provide instructions on the day to day operation of the CCTV system

POLICY

It is recognised that crime is an important factor impacting on the actual and concerns about safety of certain areas. It is recognised however, that crime will never totally be prevented. CCTV cameras may bring benefits to the community, such as a reduction in crime, which can lead to enhanced community safety in a particular area.

CCTV is only one of a range of strategies that Council utilises with an aim to reduce crime. Other strategies include activating public space, appropriate lighting, natural surveillance, access control and signage.

This Council Policy, which is designed to operate as a Code of Practice, contains the basic standards in accordance with which Council's CCTV Program will be operated. It is supplemented by confidential Standard Operating Procedures (SOPs) which provide instructions on aspects of the day to day operation of the Program.

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CCTV cameras are installed at locations determined on the basis of advice provided by the NSW Police, Council's Safety in Lachlan Committee Group and other intelligence and include risk areas in the Condobolin CBD.

CCTV cameras have also been installed as part of many Council assets, including Council buildings, in order to achieve the objectives listed below.

It is acknowledged that CCTV cameras installed in public place locations and as part of Council infrastructure may also capture Council staff performing work tasks. The CCTV Program the subject of this Code of Practice is not designed to intentionally provide workplace surveillance. Where the purpose is to provide workplace surveillance and/or a record of accidents or other non-crime incidents, Council's Workplace Surveillance Policy must be complied with.

CCTV cameras are also installed from time to time by tenants or licensees of Council land or buildings in accordance with terms of leases and/or licences with Council, or as a separate safety measure by the tenant or licensee. Except in relation to key sites identified in the table below, where the vision is recorded and held by Council, such cameras lie outside the scope of this Policy. Accordingly, all references to CCTV cameras in this Policy refer only to cameras operated and monitored by Council.

CCTV cameras have been installed in the following locations and for the purpose(s) identified below:

Condobolin Community Centre	<ul style="list-style-type: none"> • Assist in reducing personal and property crime levels by deterring potential offenders • Assist in reducing the public's fear of crime • Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress • Assist in the detection and prosecution of offenders • Help secure a safer environment and protect the community and property from crime
National Australia Bank	<ul style="list-style-type: none"> • Assist in reducing personal and property crime levels by deterring potential offenders

	<ul style="list-style-type: none"> • Assist in reducing the public's fear of crime • Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress • Assist in the detection and prosecution of offenders • Help secure a safer environment and protect the community and property from crime
Moncrief Stock and Station Agent	<ul style="list-style-type: none"> • Assist in reducing personal and property crime levels by deterring potential offenders • Assist in reducing the public's fear of crime • Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress • Assist in the detection and prosecution of offenders Help secure a safer environment and protect the community and property from crime
Condobobolin Hotel	<ul style="list-style-type: none"> • Assist in reducing personal and property crime levels by deterring potential offenders • Assist in reducing the public's fear of crime • Assist Police in determining the appropriate allocation of resources in situations where the commission of a crime is imminent or is in progress • Assist in the detection and prosecution of offenders • Help secure a safer environment and protect the community and property from crime
Condobolin Ambulance Station	<ul style="list-style-type: none"> • Assist in reducing personal and property crime levels by deterring potential offenders • Assist in reducing the public's fear of crime • Assist Police in determining the appropriate

	<p>allocation of resources in situations where the commission of a crime is imminent or is in progress</p> <ul style="list-style-type: none"> • Assist in the detection and prosecution of offenders Help secure a safer environment and protect the community and property from crime
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OWNERSHIP OF THE PROGRAM

- Lachlan Shire Council is the owner of the CCTV Program
- Lachlan Shire Council is responsible for the development, implementation, monitoring and auditing of the CCTV Program as part of its broader safety program
- Lachlan Shire council retains ownership of and has copyright in all equipment, footage, images and documentation pertaining to the Program.
- Lachlan Shire Council will be responsible for the introduction and implementation of the Code of Practice and all supporting procedures relation to the Program
- Lachlan Shire Council will consult with and provide relevant information to the public about the operation of the CCTV Program and about any proposed changes to the Code of Practice
- The NSW Police Force is a key partner in the CCTV Program. A local Area Agreement will be developed and entered into by Lachlan Shire Council and Lachlan Local Area Commands of NSW Police Force outlining the respective roles of each party in relation to the CCTV Program.

CONFIDENTIALITY

The confidentiality and integrity of images captured on CCTV will be managed by the following guidelines:

- Under no circumstances is any technical information relating to the CCTV program including camera capability, police procedures etc to be provided to unauthorised persons
- All authorised staff are to refrain from offering opinions, recommendations or remarks, especially 'off the record', in relation to images captured to any third person unless authorised by Lachlan Shire Council
- Subject to the provisions of any legislative requirement, all requests for CCTV footage and Police enquiries are to remain confidential.

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MEDIA ENQUIRIES

Media enquiries in relation to the CCTV program are to be directed to authorised Council staff. Under no circumstances is any information to be provided to the media by unauthorised staff. Any media enquires relating directly to Police matters should be directed to the relevant Local Area Commander.

PUBLIC INFORMATION

Lachlan Shire council will ensure that appropriate signage is posted in all areas where CCTV cameras are operational. Signs will be displayed on the perimeter of the area covered by the system and at other key points.

These signs will:

- Inform the public that there are cameras in operation
- Allow people entering the area to make a reasonable approximation of the area covered by the cameras.
- Identify Lachlan Shire Council as the owner of the system and provide a contact phone number for further information be required

Inquiries in relation to the Lachlan Shire Council's CCTV Program and its operation can be made in writing to:

The General Manager
Lachlan Shire Council
PO Box 216
CONDOBOLIN NSW 2877

BREACHES OF THE CODE OR STANDARD OPERATING PROCEDURES

The primary responsibility for ensuring adherence to this Code and any associated documents rests with Lachlan Shire Council. This responsibility includes any breaches of the Code are investigate and remedied to the extent that breaches are within Council's capacity to remedy.

Complaints relating to Lachlan Shire Council's breach of this Code or Council's Standard Operating Procedures should be made in accordance with Council's Complaints Management Policy, Complaints can be made in writing to:

General Manager

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Lachlan Shire Council
 PO Box 216
 CONDOBOLIN NSW 2877

The Privacy and Personal Information Act 1998 authorise Privacy NSW to receive and investigate complaints about alleged violations of privacy. Any member of the public is entitled to lodge a complaint with Privacy NSW. Lachlan Shire Council will cooperate with the investigation of any complaint by Privacy NSW.

The contact details for Privacy NSW are:

Privacy NSW, GPO Box 7011, Sydney NSW 2001
 Level 11, 1 Castlereagh St
 Sydney NSW 2000
 Ph: (02) 8019 1600
 Fax: (02) 8114 3755
 Email: privacyinfo@privacy.nsw.gov.au

REVIEW AND/OR CHANGES TO THE CCTV PROGRAM AND CODE

The CCTV program is to be reviewed on an annual basis. This Code of Practice and other associated documents should be reviewed alongside the program itself.

The review will be carried out by Lachlan Shire Council in conjunction with appropriate staff and with the input of the Lachlan Area command and other relevant stakeholders.

Major changes to the CCTV program or to this Code of Practice will take place only after consultation with relevant stakeholders and upon the agreement of Lachlan Shire Council. For major changes to the operation of the program a report will be made to Council. A major change will be considered to be one that will have a significant impact on the operation of the system or to this Code E.g. a change to the aims of the program

SYSTEM INFORMATION

The CCTV Program involves a number of cameras installed at a number of locations throughout the Condobolin CBD.

Live and/or recorded footage is able to be retrieved by authorised Lachlan Shire Council staff. All recorded footage is retained for 28 days unless required in relation to the investigation of a crime or for court proceedings.

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Cameras are installed in areas within the public areas of Condobolin that have been identified as being subject to a high incidence of crime and/or antisocial behaviour. These locations are determined on the basis of crime statistics provided by the NSW Police Force and other statistical data. Social, environmental and commercial considerations are also taken into account.

AUTHORITY

- Staff authorised for the operation, monitoring and retrieval of recorded footage and materials of the CCTV Program shall undertake their duties under the authority of Lachlan Shire Council.
- Procedures will be put in place to ensure that access to the CCTV monitoring equipment is restricted to authorised operating staff and that equipment is protected from unauthorised access.
- Operators of camera equipment will act in accordance with the highest levels of probity.
- The circumstances in which Police or other authorised persons are able to access recorded materials and footage will be carefully controlled and outlined in the Standard Operating Procedures (SOPs).

PRIMARY DUTIES

A set of Standard Operating Procedures supplement this Code of Practice, and provide clear instructions for authorised staff on all aspects of the operation of the program including duties, responsibilities and procedures. These Standard Operating Procedures s will be based on the Code of Practice, to ensure adherence to the principles and purposes on which the CCTV Program is based.

Authorised Lachlan Shire Council Staff will be responsible for the retrieval and management of the CCTV program.

The prime duties and responsibilities of authorised staff are, but not limited to:

- Operation and maintenance of the CCTV equipment and software;
- Retrieval of footage and other recorded materials of the CCTV system;
- Respond to requests from Police relating to incidents and recorded material/footage in accordance with the Local Area Agreement;
- Adherence to policies, rules of conduct and procedures;
- Undertaking basic maintenance and housekeeping;

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- Reporting technical problems affecting the equipment to the nominated maintenance and service contractor appointed by Lachlan Shire Council.

USE OF EQUIPMENT

Authorised staff shall use or maintain all equipment in an acceptable manner at all times and shall report immediately any damage, deficiency or deformity discovered.

Equipment used for the CCTV Program shall be used in accordance with the Code of Practice and SOP.

Authorised staff shall maintain the highest level of protection and care whilst using the equipment and property and shall take all prudent and reasonable actions necessary to protect the system against deterioration, abuse, misuse, negligence, malicious damage and vandalism.

MONITORING SCREEN

The monitoring screen is the primary point for viewing and retrieval of footage and performing CCTV system checks.

The monitoring screen shall only be accessed and utilised by authorised staff. Access to unauthorised persons will be restricted.

EQUIPMENT OPERATING MANUALS

Equipment operating manuals are for the use of authorised staff and maintenance staff only. The manual must not be copied or released to any third party.

IN CASE OF AN EVENT OR CRIMINAL INCIDENT

In the event that an authorised staff member observes footage and/or recorded materials which are considered to be unsafe or suspicious, the staff member will:

- Commence real time recording of the event (if not already being recorded in real time);
- Refer the incident as soon as possible to their supervisor;
- Notify the Police as to the circumstances of any criminal event;
- Ensure footage is secured, saved and marked appropriately in the event that it is required for legal purposes;.
- Complete an Incident Report Form.

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For the purposes of definition, a criminal incident is one which involves, but is not limited to, one or more of the following:

- An assault;
- A brawl;
- All criminal events such as drug trafficking, break enter and steal offences, malicious damage to property;
- Motor Vehicle accident;
- Immediate safety hazards or risks;
- Any observations of any dangerous activities undertaken by any person;

Where the authorised staff member has requested the assistance of the Police or reported a safety hazard or risk, an Incident Report is to be submitted to the relevant Supervisor / Manager

Incident Reports are also to be submitted where due to circumstances the authorised staff member is of the opinion that such events may be of significance or should be brought to the relevant Supervisor / Manager.

Incident Reports should also be submitted where due to circumstances the staff member is of the opinion that such events may be of significance or should be brought to the attention of the relevant Supervisor / Manager. Incident Reports must be submitted using the Incident Report Form and include the exact location, time, date, and any other relevant information pertaining to the event. The Incident Report should also detail the actions taken by authorised staff member including notification to the Police and other emergency service (if applicable)

Incident Report Forms must be filed and saved into TRIM.

STORAGE & SECURITY OF CCTV FOOTAGE

All recorded CCTV footage will be kept for a maximum of twenty-eight (28) days (recording cycle). After this period, footage will be overwritten. Each authorised officer shall complete the necessary paperwork in the CCTV footage log each time a copy is made to disk from the hard drive.

All disks of recorded CCTV footage are to be kept in a securely locked cupboard, with access restricted to authorised personnel.

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RELEASE OF CCTV FOOTAGE AND/OR RECORDED MATERIAL

Access to CCTV footage and materials will only take place in compliance with the needs of police in connection with the investigation of crime and/or if necessary for the purposes of legal proceedings.

CCTV footage and/or recorded materials shall only be released to authorised persons of the Lachlan Shire Council or New South Wales Police Force where there is a specific requirement to verify an incident or event that has occurred.

Where any other organisation or individual makes a request for CCTV footage (either verbally or in writing) the authorised staff member shall record all particulars in relation to the request and complete an Incident Form.

All requests for CCTV footage shall be recorded in the "Request for CCTV Footage Log Book" and all relevant information completed. A copy of the requested footage is only to be released whereby a Request for CCTV Footage Form has been completed and submitted by the Local Area Commander or a NSW Police Officer who has been given delegated authority by the Local Area Commander to request CCTV footage, and approved by an authorised Council officer. Authorised Council staff are:

- Information Services Manager
- Information Services Cadet
- Director Community Services & Governance
- General Manager

Where a request has been made for the holding of any footage for possible evidentiary purposes has been approved, the authorised staff member shall comply ensuring that appropriate forms are completed.

Prior to release of any requested CCTV footage, the authorised staff member shall ensure that all particulars required in the Request for CCTV Footage Form have been included. Completing all details, the authorised staff member shall make one (1) copy of relevant footage requested and clearly label the disk as "on hold for collection". The disk shall be securely stored.

Requests for CCTV footage must be made within twenty-eight (28) days of the event/incident. Police should advise Council of an approximate timeframe that footage will be collected and of any delays in collecting the footage should they arise. A copy will be retained for Lachlan Shire Council records.

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Upon collection of requested CCTV footage, authorised staff member shall ensure that all particulars pertaining to the footage record log have been entered and the authorised person has signed for the acceptance of such footage. Where there is insufficient information contained within the Request for CCTV Footage Form, the authorised staff member shall not release such CCTV footage until such information has been provided.

Where a dispute arises, the authorised staff member shall make immediate contact with the Lachlan Shire Council Information Services Manager.

Where a request for CCTV footage is made by way of a formal access application under the Government Information (Public Access) Act 2009, the application will be assessed on its merits.

VIEWING OF CCTV FOOTAGE ON CONTROL MONITOR

Viewing of CCTV footage on the control monitor is restricted to authorised staff only. Under no circumstances are unauthorised persons allowed to view CCTV footage from the control monitor. Prior to allowing an authorised person to view CCTV footage the staff member shall record the person(s) identity, department, contact details and reasons for viewing the footage in the CCTV record log.

RELEASE AND SECURITY OF CCTV HARD DRIVE

The CCTV hard drive of the CCTV system can only be released where a court subpoena has been issued on Lachlan Shire Council.

An authorised officer from Lachlan Shire Council will notify the General Manager that a subpoena has been received for the hard drive as a 'master copy' of CCTV footage.

The request will be recorded on a 'Request for CCTV Footage Form'.

REQUEST FOR CCTV FOOTAGE FORMS

Prior to release of any requested CCTV footage, the authorised staff member shall ensure that all particulars required in the Requisition Form have been included.

All Request for CCTV Footage Forms supplied requesting access to CCTV footage are to be referenced and retained in TRIM. The time and date of issue is to be included on the Request for

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CCTV Footage Form by the authorised staff member, who will also sign his/her name as being on duty at the time.

DESTRUCTION OF RECORDED CCTV FOOTAGE

Disks of recorded CCTV footage may only be destroyed when authorised by the General Manager, in writing.

Any CCTV footage authorised to be destroyed shall be contained within a sealed security bag and be destroyed in the presence of an authorised officer of Lachlan Shire Council.

LOSS OR DAMAGE OF RECORDED CCTV FOOTAGE

In the event that disks and/or records of footage become damaged or lost for whatever reason, the authorised staff member shall immediately inform the General Manager, Lachlan Shire Council.

The authorised staff member shall, in addition to informing the General Manager, submit an Incident Report Form as soon as possible setting out all details as to the cause and nature of such damage or loss.

EQUIPMENT FAILURE

Where any item of CCTV equipment is found to be defective, has failed, or is not working in accordance with its intended purpose, in addition to submitting an Incident Report Form, the General Manager is to be contacted immediately, whether or not the failure is deemed to be of an urgent nature or not.

Where such failure or repair is deemed to be of an urgent nature, in the absence of the General Manager, the authorised repairer/contractor shall be contacted immediately.

MAINTENANCE OF CCTV EQUIPMENT

CCTV equipment will be maintained by the authorised contracted company. The appointed contractor will work under the direct supervision of an authorised Council Officer.

All field visits by maintenance staff must be approved in advance by an authorised Council Officer. Staff shall never authorise the undertaking or request of work without written consent of the General Manager.

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At any time that works are performed upon the system, including minor works, authorised staff are to perform a quality control check of all recording and camera equipment on completion of the works.

COMPLAINTS RECEIVED BY THE PUBLIC

An Incident Report Form shall be completed by staff upon receiving a complaint from a member of the public regarding any aspect of the CCTV Program. Persons making a complaint to Council regarding the CCTV Program should be advised that they can lodge an official complaint to Council in writing.

When receiving a complaint via telephone, it is essential that relevant information is obtained, including the name, contact telephone number, address and description of the issue/incident.

Where the telephone call relates criminal or immediate safety issues, staff shall ensure that relevant authorities have been notified and that the date and time of notification is recorded.

Council will investigate all official complaints by the public in relation to the CCTV Program and will provide a timely response to all enquiries in accordance with Council policy.

RELATED DOCUMENTS

NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television in Public Places

GENERAL MANAGER

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