



# Policies, Procedures and Guidelines

## PUBLIC CCTV CODE OF PRACTICE

CSG055

### BACKGROUND

Lachlan Shire Council (LSC) considers it important to make 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 through 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.

### POLICY

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.

CCTV cameras were installed at locations determined on the basis of advice provided by the NSW Police, Council's Safety in Lachlan Committee Group (in 2013) and other intelligence.

CCTV cameras have also been installed in 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 related incidents, Council's Workplace Surveillance Policy must be complied with.

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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:

- Condobolin Community Centre;
- National Australia Bank;
- Moncrief Stock and Station Agent;
- Condobolin Hotel; and
- Condobolin Ambulance Station.

The cameras have the following purpose:

- 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 in progress;
- Assist in the detection and prosecution of offenders; and
- Help secure a safer environment and protect the community and property from crime.

#### OWNERSHIP OF THE PROGRAM

- Lachlan Shire Council is the owner of the CCTV Program.
- Lachlan Shire Council is responsible for the development and implementation of the CCTV Program.
- Lachlan Shire Council will be responsible for the introduction and implementation of the Code of Practice and all supporting procedures in 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 as well as operator of the system.

#### 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.

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- As Police are the operators of the CCTV program, they are able to view live footage, review recorded footage and to take copies of the recorded footage. They may still from time to time request a copy of recorded footage from council.
- Subject to the provisions of any legislative requirement, all requests for CCTV footage and Police enquiries are to remain confidential and should include the police officer's name, a Police Incident Number, the date and start time of the requested footage, and the date and end time of the requested footage; and
- Requested footage is to be delivered electronically directly to the designated CCTV computer at the police station.

## MEDIA ENQUIRIES

Media enquiries in relation to the CCTV program are to be directed to the General Manager in the first instance and then to the relevant Local Area Commander. Under no circumstances is any information to be provided to the media by Council staff. Any 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; and
- Identify Lachlan Shire Council as the owner of the system and provide a contact phone number for further information.

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 investigation of alleged breaches of the Code 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:

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General Manager  
Lachlan Shire Council  
PO Box 216  
CONDOBOLIN NSW 2877

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

The contact details for Information and Privacy Commission NSW are:

Information and Privacy Commission NSW  
Level 17, 201 Elizabeth Street  
Sydney NSW 2000  
Ph.: 1800 472 679  
Fax: 02 6446 9518  
Email: [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au)

## REVIEW AND/OR CHANGES TO THE CCTV PROGRAM AND CODE

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

Major changes to the CCTV program or to this Code of Practice will take place only after consultation with relevant stakeholders including the Lachlan Area command and with 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.

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

- The following are authorised Lachlan Shire Council Staff:

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- The General Manager (Ultimate authority and decision maker, **GM**);
- The Director of Corporate and Community Services (Authority in lieu of General Manager, **DC&CS**);
- The Information Services Manager (Operator and Manager of CCTV Operations, **ISM**);
- The Technical Officer (Operator - **TO**); and
- The Corporate Support Officer (Operator - **TO**).

## AUTHORISED ACTIONS

- Lachlan Shire Council's Information Services team are responsible for the operation, monitoring and retrieval of recorded footage.
- 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.

## PRIMARY DUTIES

**General Manager** – To provide adjudication and advice to operational Staff.

**Director of Corporate and Community Services** – To provide adjudication and advice to operational staff in lieu of the General Manager.

**Information Services Manager** – To ensure that SOPs are followed and to ensure that this Code of Practice is strictly adhered to.

**Technical Officer & Corporate Support Officer** – To respond to requests from police staff for the provision of recorded footage within an appropriate timeframe.

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 - TO, ISM
- Retrieval of footage and other recorded materials of the CCTV system - TO, ISM
- Respond to requests from Police relating to incidents and recorded material - TO, ISM
- Adherence to policies, rules of conduct and procedures - TO, ISM DC&CS, GM
- Undertaking basic maintenance and housekeeping - TO
- Reporting technical problems affecting the equipment to the nominated maintenance and service contractor appointed by Lachlan Shire Council - TO, ISM

## 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.

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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

### Council

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.

### Police

The monitoring screen, installed at the local police station, is the primary point of viewing real-time (live) video from all CCTV cameras as well as being able to view captured footage and take copies of captured footage.

## 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.

## 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 recorded CCTV footage supplied to police is kept on the CCTV Server for up to 12 months. The server is secured in the Council Server Room.

## RELEASE OF CCTV FOOTAGE AND/OR RECORDED MATERIAL

Access to CCTV footage and materials will only be provided to meet the needs of police in connection with the investigation of a crime and/or if necessary for the purposes of legal proceedings.

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

A request for CCTV Footage Form must be 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 Technical Officer
- Corporate Support Officer

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- Director of Corporate and Community Services
- General Manager

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

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

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 by the General Manager.

### **VIEWING OF CCTV FOOTAGE ON CONTROL MONITOR**

Viewing of CCTV footage on the control monitor, in council, 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 Lachlan Shire Council has been served with a subpoena by the Court.

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 Request for CCTV Footage Form have been included.

All Request for CCTV Footage Forms supplied requesting access to CCTV footage are to be referenced and retained in Content Manager. The time and date of issue is to be included on the Request for CCTV Footage Form by the authorised staff member, who will also sign his/her name as being on duty at the time.

### **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.

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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 any CCTV equipment 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.

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 to criminal or immediate safety issues, staff will instruct the public to call the NSW Police.

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

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The Privacy and Personal Information Protection Act 1998  
Government Information (Public Access) Act 2009 NSW (GIPA Act)  
Government Information (Public Access) Regulation 2018 NSW (GIPA Regulation)  
Government Information (Information Commissioner) Act 2009 NSW (GIIC Act)

**RIGHT TO VARY**

Lachlan Shire Council reserves the right to terminate or vary this policy at anytime.

Greg Tory

**GENERAL MANAGER**

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