



Closed Circuit Television (CCTV) Code of Practice

POLICY OBJECTIVE

The objective of the Closed Circuit Television (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.

LEGISLATIVE PROVISIONS

Workplace Surveillance Act 2005;
Government Information (Public Access) Act 2009;
Privacy and Personal Information Protection Act 1998

POLICY STATEMENT

1. Introduction

Council's CCTV Program is one of several initiatives designed to facilitate greater community safety in reducing and preventing crime. It assists Council and law enforcement agencies 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.

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 spaces, appropriate lighting, natural surveillance, access control and signage.

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

CCTV cameras are installed at locations determined on the basis of advice provided by the NSW Police and include, but are not limited to, areas referred to as crime 'hotspots', licensed premises, ATMs and banking institutions, bus stops, taxi ranks, car parks, railway stations, shopping malls, community facilities, places frequented by potentially at risk groups including the elderly and young people.

Other generally fixed CCTV cameras have also been installed as part of many Council assets including Council buildings, in order to achieve the purposes 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 will comply with the *Workplace Surveillance Act 2005*.

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 licenses 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 Code. Accordingly, all references to CCTV cameras in this Code refer only to cameras operated and monitored by or on behalf of Council.

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

Location	Purpose(s)
Lilac Place	Assist in reducing crime levels by deterring potential offenders Assist in reducing fear of crime Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents Assist in the detection and prosecution of offenders Assist in contributing to a safer environment for those people who live in, work in and visit Goulburn's CBD

Location	Purpose(s)
Ellesmere Street (view to McKell Place)	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist in reducing fear of crime</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in the detection and prosecution of offenders</p> <p>Assist in contributing to a safer environment for those people who live in, work in and visit Goulburn's CBD</p>
Ellesmere Street (view of Ellesmere Street)	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist in reducing fear of crime</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in the detection and prosecution of offenders</p> <p>Assist in contributing to a safer environment for those people who live in, work in and visit Goulburn's CBD</p>
Goldsmith Street (view to Ellesmere Street)	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist in reducing fear of crime</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in the detection and prosecution of offenders</p> <p>Assist in contributing to a safer environment for those people who live in, work in and visit Goulburn's CBD</p>
Belmore Park (locations throughout park)	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist in reducing fear of crime</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in the detection and prosecution of offenders</p> <p>Assist in contributing to a safer environment for those people who live in, work in and visit Goulburn's CBD</p>
Kenmore Cemetery (view of car park and main entrance)	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist in reducing fear of crime</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in the detection and prosecution of offenders</p> <p>Assist in contributing to a safer environment for those people who live in, work in and visit Goulburn's CBD</p>
Aquatic Centre	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist in reducing fear of crime</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in the detection and prosecution of offenders</p> <p>Assist in contributing to a safer environment for those people who visit Goulburn's Aquatic Centre</p> <p>Assist in contributing to a safer work environment for Council staff</p>
Waste Management Centres	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in contributing to a safer work environment for Council staff</p>
Civic Centre	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in contributing to a safer work environment for Council staff</p>
Visitor Information Centre	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist in reducing fear of crime</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in the detection and prosecution of offenders</p> <p>Assist in contributing to a safer work environment for Council staff</p>

Location	Purpose(s)
Goulburn Mulwaree Animal Shelter	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in contributing to a safer work environment for Council staff</p>
Operations Centre Administration Building (including carpark)	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in contributing to a safer work environment for Council staff</p>
Operations Centre Depot Store (including Depot yard)	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in contributing to a safer work environment for Council staff</p>
Veolia Arena (including recreation area carpark)	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist in reducing fear of crime</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in the detection and prosecution of offenders</p> <p>Assist in contributing to a safer environment for those people who visit the Veolia Arena</p> <p>Assist in contributing to a safer work environment for Council staff</p>
Grace Milson Multifunction Centre	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist in reducing fear of crime</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in the detection and prosecution of offenders</p> <p>Assist in contributing to a safer environment for those people who visit the Grace Milson Centre</p> <p>Assist in contributing to a safer work environment for Council staff</p>
56 Clinton Street	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist in reducing fear of crime</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in the detection and prosecution of offenders</p> <p>Assist in contributing to a safer environment for those people who visit Workspace Goulburn</p> <p>Assist in contributing to a safer work environment for Council staff</p>
Auburn Street (Community Service Centre)	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist in reducing fear of crime</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in the detection and prosecution of offenders</p> <p>Assist in contributing to a safer environment for those people who visit the Community Service Centre</p> <p>Assist in contributing to a safer work environment for Council staff</p>
Victoria Park (locations throughout park)	<p>Assist in reducing crime levels by deterring potential offenders</p> <p>Assist in reducing fear of crime</p> <p>Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents</p> <p>Assist in the detection and prosecution of offenders</p>

2. Key Principles

The Code of Practice is based on the following 8 key principles.

Principle 1 – Purpose, Privacy and the Public Interest

The CCTV Program will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code of Practice.

The CCTV Program will be operated with due regard to the privacy and civil liberties of individual members of the public, and particularly with a view to minimising false association.

The public interest in the operation of the CCTV Program will be recognised by ensuring the security and integrity of operational procedures.

- a) The purposes of the CCTV Program are to:
 - Assist in reducing crime levels by deterring potential offenders;
 - Assist in reducing fear of crime;
 - Assist law enforcement agencies to make efficiency improvements in frontline services when responding to critical incidents;
 - Assist in the detection and prosecution of offenders;
 - Assist in contributing to a safer environment for those people who live in, work in and visit Goulburn's CBD and utilise Council facilities;
 - Assist in developing policies, procedures and structures within the local government area of Goulburn Mulwaree which support community safety and address any community concerns about privacy.
- b) The Program is also intended to assist in the prevention of crimes against the person or property including but not limited to malicious damage, graffiti, vandalism, theft and assault.
- c) CCTV cameras installed at Council facilities will be used to assist in the prevention and detection of offences including subsequent enforcement action of which Council is the regulatory authority.
- d) The Code of Practice and Standard Operating Procedures (SOPs) emphasise Council's commitment to ensuring the privacy of individuals is protected, ensuring cameras are used for their designated purpose and the rights of individuals are protected.
- e) Council will use all reasonable efforts to prevent the occurrence of false association arising from the operation or utilisation of the CCTV system.
- f) Where permission has been granted, cameras may be placed on private commercial, business or residential property and technically attached to the Program system to enhance the programs operational efficiency and effectiveness.
- g) It is noted that CCTV cameras are not placed to cover all conceivable areas; rather cameras are installed at 'priority' locations identified as crime "hot spots".
- h) CCTV cameras installed in locations that are later deemed to be non-priority locations, or not assisting Council achieve the objectives identified in this Policy, will be removed.

Principle 2 – Ownership of the Program, Responsibilities and Accountability

Council is responsible for compliance with the objectives of the CCTV Program and the protection of the interests of the public in relation to the Program.

Council is accountable for the effective operation and management of the CCTV Program.

- a) Council is responsible for the Code of Practice and for ensuring compliance with the principles contained within the Code.
- b) Council will provide information to the public on its website about the operation of the CCTV Program and about any proposed major amendment to the program or Code of Practice.
- c) Council will operate the system.

Principle 3 - Police Involvement in the Program

As a partner to Council's CCTV Program, the NSW Police will act in accordance with this Code of Practice, and the Memorandum of Understanding (MOU) between Council and Police.

Contact related to the CCTV Program between Council staff, any delegated contractors and the NSW Police, will be conducted in accordance with the Code of Practice and MOU.

- a) Any involvement in the CCTV Program by NSW Police will be in accordance with this Code of Practice.
- b) NSW Police agree to:
 - Contribute to the program including the identification of crime 'hot spots' and where cameras may be required;
 - Contribute to the Standard Operating Procedures (SOPs) that support this Code of Practice;
 - Develop its own Standard Operating Procedures [SOPs] in relation to the CCTV Program to complement those developed by Council;
 - Following notification through to Local Area Command, determine the level of response to incidents identified on monitoring screens, according to available resources and existing priorities
 - Provide ongoing information and advice to Council on the nature and level of crime in the monitored areas;
 - Participate in the evaluation process for the program.
- c) The NSW Police will not be responsible for the provision of:
 - Direct financial support of the program; or
 - Direct human resources for monitoring of the program.
- d) It is noted that Police will not have the ability to record footage shown on Council's CCTV system. Separate application will need to be made to Council.

Principle 4 – Public Information and Community Consultation

The public will be provided with clear and easily accessible information in relation to the operation of the CCTV Program.

- a) Signs advising that CCTV cameras are operating will be displayed at the perimeter of the area covered by the system and at other key points as determined by Council. These signs will clearly:
 - Inform the public that cameras are in operation in the vicinity;
 - Inform the public that footage is recorded 24 hours a day, 7 days a week;
 - Identify Council as the owner of the CCTV Program;
 - Provide a contact telephone number for inquiries in relation to the CCTV cameras.
- b) The Code of Practice will be made available on Council's website.
- c) Inquiries in relation to Council's CCTV Program and its operation can be made in writing to The General Manager, Goulburn Mulwaree Council, Locked Bag 22, Goulburn NSW 2580 or email council@goulburn.nsw.gov.au.
- d) The proposed installation of CCTV cameras in other locations of the City, or their removal, will be the subject of an initial written crime assessment by Council, followed by community consultation and consultation with the Community Safety and Social Infrastructure Plan Working Party.

Principle 5 – Evaluation of the Program

Evaluation of the CCTV Program will be undertaken to identify whether the purposes of the Program are being complied with.

The evaluation will extend to whether Council's Code of Practice is being adhered to.

- a) Council is responsible for ensuring that the CCTV Program is regularly evaluated to ensure that the program is meeting its aims and objectives.

- b) Council will undertake an evaluation of the CCTV Program every year, to be conducted by the Community Safety and Social Infrastructure Plan Working Party. An Audit will also be undertaken every two years.
- c) The Community Safety and Social Infrastructure Plan Working Party will include:
 - Authorised Council officers;
 - NSW Police Local Area Command representative;
 - Community representatives
- d) The functions of the Community Safety and Social Infrastructure Plan Working Party will include:
 - To provide an independent and continuous review mechanism for the Program;
 - To identify and report any deviations from the Code or SOPs that come to notice;
 - To recommend actions that will safeguard and enhance the CCTV Program.
- e) The Community Safety and Social Infrastructure Plan Working Party will provide a review and report to Council on the program's compliance with Council's Code and standard operating procedures.
- f) The Audit undertaken will assess Council's compliance with the Code and standard operating procedures. This will include but is not limited to complaints received, processes used to receive, assess and process access requests, and whether the systems and processes utilised remain good practice.

Principle 6 – Control and Operation of Cameras

Information recorded will not exceed that necessary to fulfil the purposes of the CCTV Program and will be obtained fairly and in accordance with the privacy provisions in this Code of Practice.

- a) CCTV Cameras may be housed in weather protective domes or cases which will be clearly apparent to the public and not be unduly concealed, other than when used by NSW Police in covert or special operations.
- b) Operators of camera equipment will act in accordance with the highest standards of probity and will control cameras to record subjects or particular places strictly in accordance with the purposes of the CCTV Program, this Code and applicable legislative requirements.
- c) Only personnel with responsibility for using the equipment will have access to operating controls and recording facilities, except in the case of an emergency whereby NSW or other law enforcement agencies may have access with approval from the General Manager.

Principle 7 – Retention of and Access to LIVE and Recorded Material

The retention of, and access to, live and recorded material will be only for the purposes provided by this Code of Practice and will be kept no longer than is necessary for the purposes of the CCTV Program. Recorded material no longer required will be disposed of using approved disposal methods.

- a) A monitor displaying captured images shall only be viewed by authorised Council officers for the purposes of maintenance and for the retrieval of recorded material in response to approved requests for access.
- b) Council will allow NSW Police access to live images in accordance with the MOU.
- c) All requests for access to recorded material, other than by authorised representatives of Council, must be made to Council by means of an Access Application pursuant to the *Government Information (Public Access) Act 2009* (GIPA Act). Access Applications will be determined by Council's Public Officer in accordance with the provisions of the GIPA Act.
- d) Access to recorded material by the NSW Police and other law enforcement agencies must be made to Council by means of an enforcement agency access application and will only be granted:
 - In compliance with the needs of the NSW Police and other law enforcement agencies in the investigation and detection of a crime or suspected crime;
 - For use in Police intelligence gathering;
 - For use in relation to special or covert operations;
 - For providing evidence in actual or possible criminal and/or civil proceedings;
 - For identification of witnesses; and/or
 - For research/development purposes.

- e) Recorded material will be treated according to all relevant and appropriate legislation and standards and will not be sold or used for commercial purposes or the provision of entertainment.
- f) The showing of recorded material to the public will be permitted only in accordance with the needs of the Police in connection with the investigation of crime or in any other circumstances provided by law.
- g) Subject to the concurrence or request of the Police, the release of recorded material to the media may be approved by Council.
- h) Use of recorded material by the media should only occur to gain public information with respect to the identity of a person/s wanted. The recognisable characteristics of other people in the footage shall be obscured.
- i) Any material released to the media will be accompanied by a signed release which clearly states what the material will be used for and sets out the limits on its use.
- j) Appropriate security measures will be taken against unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.
- k) Footage will generally be retained for a minimum of 14 days. After a period of 14 days, footage will be overwritten based on current storage capacity.
- l) Footage identified as containing an incident, required to be retained in relation to the investigation of crime, for Court proceedings notified to Council, or for ongoing intelligence and investigations may be retained.
- m) All images may be recorded and retained for a period less than outlined in (k) above, during times of upgrading, repair or changeover of IT and camera software or hardware, or during periods of maintenance or replacement of equipment or assets.
- n) If in the rare circumstance that IT hardware fails and the current recorded images of up to 14 days are deleted, all reasonable efforts to repair or replace equipment will be made.
- o) Council retains ownership of and has copyright in all recordings, photographs and documentation pertaining to the Program.

3. Amendment to the Code of Practice

- 3.1 Any major amendment to this Code of Practice will be developed in consultation with the NSW Police and Council's Community Safety and Social Infrastructure Plan Working Party. A major amendment is one that will have a major and significant impact on the operation of the Program, for example, a change to the purposes of the Program and/or the key principles of this Code.
- 3.2 Any minor amendment to the CCTV Program or to the Code of Practice may be made with agreement by the Director Corporate & Community Services. A minor amendment is such as may be required for the purposes of an adjustment of the operations of the program or clarification of the CCTV Program or the Code of Practice.

4. Compliance and Breaches of the Code

- 4.1 Responsibility for ensuring the Code of Practice is adhered to rests with Council. This responsibility includes ensuring that breaches of the Code are investigated and remedied to the extent possible under the Code.
- 4.2 Where surveillance is required for the security of employees or Council assets, such surveillance devices will only be used in accordance with the *Workplace Surveillance Act 2005*.
- 4.3 Council, in developing this Code of Practice, referred to the following Acts:
 - *Workplace Surveillance Act 2005*;
 - *Government information (Public Access) Act 2009*;
 - *Privacy and Personal Information Protection Act 1998*
- 4.4 Council, in developing this Code of Practice, referred to the following public documents:
 - NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Places;
 - Code of Practice – City of Sydney Council;

- Code of Practice – Wollongong City Council;
- Code of Practice – Kiama Municipal Council.

5. Complaints

5.1 Complaints in relation to any aspect of the management or operation of the system may be made in writing to:

The General Manager
Goulburn Mulwaree Council
Locked Bag 22
Goulburn NSW 2580
Email: council@goulburn.nsw.gov.au

5.2 Privacy complaints in relation to Goulburn Mulwaree Council CCTV Program may be made to Council in accordance with Council's Privacy Management Policy. A copy of Council's Privacy Management Policy is available on Council's website www.goulburn.nsw.gov.au or can be obtained from Council.

5.3 Privacy complaints may also be made to the Information and Privacy Commission (IPC). The *Privacy and Personal Information Protection Act 1998* authorises the IPC to receive and investigate complaints about alleged violations of privacy. Any member of the public is entitled to lodge a complaint with the IPC. The contact details for the IPC are:

Information and Privacy Commission (IPC)
Level 17, 201 Elizabeth Street Sydney 2000
GPO Box 7011
SYDNEY NSW 2011
Phone: 1800 472 679
Fax: (02) 8114 3756
Email: ipcinfo@ipc.nsw.gov.au

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1	18 October 2016	16/477	25 November 2016	2 December 2016
2	18 July 2017	2017/307	18 July 2017	18 August 2017
3	19 November 2019	2019/476	6 January 2020	7 January 2020
All policies can be reviewed or revoked by resolution of Council at anytime.				

DIRECTORATE: Corporate & Community Services

BUSINESS UNIT: Governance