



Hauraki District Council

Closed Circuit Television (CCTV) Policy

2016

**Including the collection of other visual
media**



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1. INTRODUCTION

This Policy sets out the purpose for collecting Closed Circuit Television (CCTV) footage, how the CCTV system will be operated, and how privacy impacts will be minimised. This Policy also sets out the purpose for the collection of personal information in other visual media by the Council, for example images collected by cameras on Council drones, and how privacy impacts will be minimised. The Policy follows best privacy practice to ensure that any image captured, collected and stored is handled in an appropriate and confidential manner that protects an individual's right to privacy in accordance with the Privacy Act 1993 (the Act).

2. APPLICATION OF THE POLICY

This Policy applies to the CCTV network owned and operated by the Hauraki District Council and to the collection of 'other visual media' by the Council. The Policy applies to all employees, councillors and contractors of the Council and the general public who may enter the areas where CCTV is in operation or where other visual media is being collected by the Council.

3. STRATEGIC ALIGNMENT

This Policy assists in the delivery of two of the Council's core priorities as set out in its Long Term Plan - 'Lifestyle Hauraki' and 'Interactive Hauraki'. In particular, the operation of the CCTV network supports community safety which is a key priority for the Council. The Council also uses images and footage of the District to promote Hauraki as a great place to live, work and play.

4. PURPOSE FOR COLLECTION OF CCTV FOOTAGE

The Council operates the CCTV network and collects footage for the following purposes:

- i. Deter criminal activity from occurring in public and semi public spaces, this includes but is not limited to vandalism, theft and anti-social behaviour.
- ii. Monitor and respond to any activities and/or events which could affect the delivery of the service the Council is providing at that location.
- iii. Monitor and respond to health and safety situations, including but not limited to safety at Council owned assets and facilities, traffic incidents and civil defence situations.
- iv. Provide evidence of non-compliance with Council regulations or bylaws and/or central government legislation, including but not limited to the Building Act 2004, the Resource Management Act 2002, and the Dog Control Act 1996.
- v. Provide evidence to the Police, court or tribunal proceedings, or a public sector agency where it is necessary for them to uphold the law.
- vi. Monitor actions of Council staff, including but not limited to situations where there is suspicion that a breach of the Council's workplace standards has occurred.

5. CCTV CAMERAS

The Council operates CCTV cameras throughout the District. A list of the general location of CCTV cameras is attached as Schedule One to this Policy. The locations are indicative only; the Council should be contacted directly for current information on the location of CCTV cameras.

5.1 Location of CCTV cameras

- i. In accordance with the Act the Council's CCTV cameras are/will be positioned to observe public spaces and semi-public spaces (privately owned spaces open to the public during opening hours) but will not unreasonably intrude on a person's privacy.
- ii. In cases where CCTV cameras record the interior of a building on semi-public premises the owner of the premises will be informed.

5.2 Signage for CCTV cameras

- i. Where CCTV is operated at outdoor locations signage will be displayed at the main access points of the perimeter of the CCTV system's range to notify people that cameras are operating.
- ii. Where CCTV is operated indoors signage will be displayed at the main entrances to the building to notify people that cameras are operating.

5.3 Operating times of CCTV

- i. The Council CCTV is in operation on a continuous basis.

6. COUNCIL MANAGEMENT OF CCTV FOOTAGE

6.1 Security of CCTV footage stored by the Council

- i. All information collected by the Council will be stored securely. Access to the Council's CCTV network is protected by a password.
- ii. A log of access to CCTV footage will be maintained by authorised council officers.
- iii. All footage will be deleted by an automated erasing process after a maximum of forty days unless it is required for evidential or administrative purposes, or if the footage must be retained as an archive in accordance with the Public Records Act 2005.

6.2 Access to CCTV footage by Elected Members, Council staff and contractors

- i. Only authorised council officers have direct access to the Council's CCTV network and CCTV footage. Authorised council officers are specific officers that have been

granted access to the CCTV network and footage through delegations by the Chief Executive Officer of the Council. These delegations are contained in the Council's Delegations Manual.

- ii. An authorised council officer may review any relevant CCTV footage for monitoring purposes or in response to an event/incident.
- iii. CCTV footage can only be viewed by elected members, council contractors and council staff (that are not authorised council officers) if viewing that footage is relevant to their role within the Council and is in accordance with the purpose/s for the operation of the CCTV network.
- iv. Where an elected member, council employee or a council contractor has concerns about health and safety matters or compliance with Council regulations which may have been captured by a camera, they should in the first instance report the matter to the Council for authorised council officers to investigate.
- v. The manner in which council officers access CCTV footage will be audited to ensure CCTV footage is only being used for its intended purposes. Any confirmed breach of access to the Council's CCTV footage will be treated as non-compliance with the Council's workplace standards and subject to disciplinary action.

6.3 Access to CCTV footage by the New Zealand Police, Courts and public sector agencies

- i. The New Zealand Police will be provided access to CCTV footage.
- ii. Any criminal activity captured by the Council's CCTV network will be forwarded by authorised officers to the New Zealand Police for investigation.
- iii. In accordance with the Act any CCTV footage will be made available to the Police, a court or tribunal proceeding, or a public sector agency where it is necessary to uphold the law.

6.4 Request to access CCTV footage by other parties

- i. The general public and media shall not have access to any CCTV footage, unless a person is requesting to access footage of themselves.
- ii. Any person may request to access CCTV footage of themselves, but this request will be assessed in accordance with the Act. In particular the request will be assessed in relation to the ability to readily retrieve the footage and to maintain the privacy of any other identifiable individual in the footage.
- iii. The Council will respond to requests for footage as soon as reasonably practicable, and in any case within twenty (20) working days unless an extension of time is provided for as per the Local Government Official Information and Meetings Act 1987.
- iv. If a request to view the footage cannot be granted by an authorised council officer a written or oral description may be provided of the footage.

- v. Where a member of the public believes a crime has been committed which may have been captured by a camera, they should in the first instance report the matter to the Police.
- vi. Where a member of the public has concerns about health and safety matters or compliance with Council regulations which may have been captured by a camera, they should in the first instance report the matter to the Council for authorised council officers to investigate.

7. OTHER VISUAL MEDIA

The Council may collect personal information in the form of other visual media, for the following purposes:

- i. For use in various documents of the Council and on the Council's website, including but not limited to planning documents, maps and promotional material.
- ii. To monitor the state of Council assets and facilities.
- iii. To monitor and respond to civil defence emergencies and health and safety situations at Council owned assets and facilities.
- iv. To monitor compliance with Council regulations and central government legislation, including but not limited to the Building Act 2004, the Resource Management Act 2002, and the Dog Control Act 1996.

8. COUNCIL MANAGEMENT OF OTHER VISUAL MEDIA

- i. Where an individual is clearly identifiable in other visual media (excluding CCTV footage) collected by the Council the council officer will endeavour, where practicable, to seek permission of the individual to collect that footage/image.
- ii. The general public and the media shall not have access to any visual media held by the Council, unless a person is requesting to access footage of themselves. These requests will be handled in accordance with section 6.4 of this Policy.
- iii. Other visual media will be stored in the Council's document management system which can only be accessed by employees of the Council.

9. ENQUIRIES AND COMPLAINTS

- i. Any person, who has queries about this Policy or the operation of CCTV cameras, should in the first instance contact the Council's Customer Services department to be directed to the appropriate officer of the Council.
- ii. All complaints regarding the operation of the Council CCTV network or collection of other visual media are to be directed to the Privacy Officer and will be investigated through the Council's complaints procedure.

- iii. If the complaint relates to an issue of privacy, a complaint may also be made to the Privacy Commissioner.

10. GLOSSARY

Unless the context requires otherwise, the definitions of words or terms used in this Policy are also those in the Privacy Act 1993.

AUTHORISED COUNCIL OFFICER means a member of staff of the Hauraki District Council, who has been delegated authority to monitor and have direct access to the CCTV system and has been made aware of their obligations under the Privacy Act 1993 regarding the confidentiality and appropriate use of CCTV footage. The Privacy Officer is considered to be an authorised council officer.

CRIMINAL ACTIVITY means any violation of the law where a person is liable to punishment for a criminal offence. A criminal act often threatens and harms public safety, property and/or welfare.

OTHER VISUAL MEDIA means data or information in the form of visual representations such as photographs or film footage, but excludes CCTV footage.

PUBLIC SPACES means spaces that are completely accessible to the public, such as streets, footpaths and public reserves.

SEMI PUBLIC SPACES means spaces that (even if privately owned) are accessible to the public during opening hours, or sometimes even when the business is closed e.g. a petrol station forecourt.

PRIVACY OFFICER means a member of staff of the Hauraki District Council that has been delegated the responsibilities under section 23 of the Privacy Act 1993.

THE ACT means the Privacy Act 1993 (including any subsequent amendments).

11. REVIEW

The policy will be reviewed:

- i. at intervals not more than five years, or
- ii. at the request of the Council.

12. DOCUMENT MANAGEMENT AND CONTROL

	Title:	<i>Closed Circuit Television (CCTV) Policy, including the collection of other visual media.</i>		
	Sponsor:	<i>Strategic Planning</i>		Approved By:
				<i>Hauraki District Council</i>
	Adopted:	Review Date:	Version:	File Ref:
	<i>June 2016</i>	<i>2021</i>	<i>Final</i>	<i>1500599-v4</i>
	Property of Hauraki District Council			

13. **SCHEDULE ONE:**

Indicative location of CCTV cameras in the Hauraki District as at May 2016

Paeroa Ward – External CCTV Cameras
Location
Paeroa Town Centre
Paeroa Domain
Railway Reserve, Paeroa
Karangahake Recreation Reserve

Plains Ward – External CCTV Cameras
Location
Hauraki District Council Service Centre, Ngatea
Hugh Hayward Domain, Ngatea
War Memorial Hall, Ngatea

Waihi Ward – External CCTV Cameras
Location
Waihi Town Centre
Whiritoa Beach Road, Whiritoa

Internal CCTV Cameras
Location
Hauraki House, Paeroa
Hauraki District Council Ngatea Service Centre
Hauraki District Council Waihi Service Centre