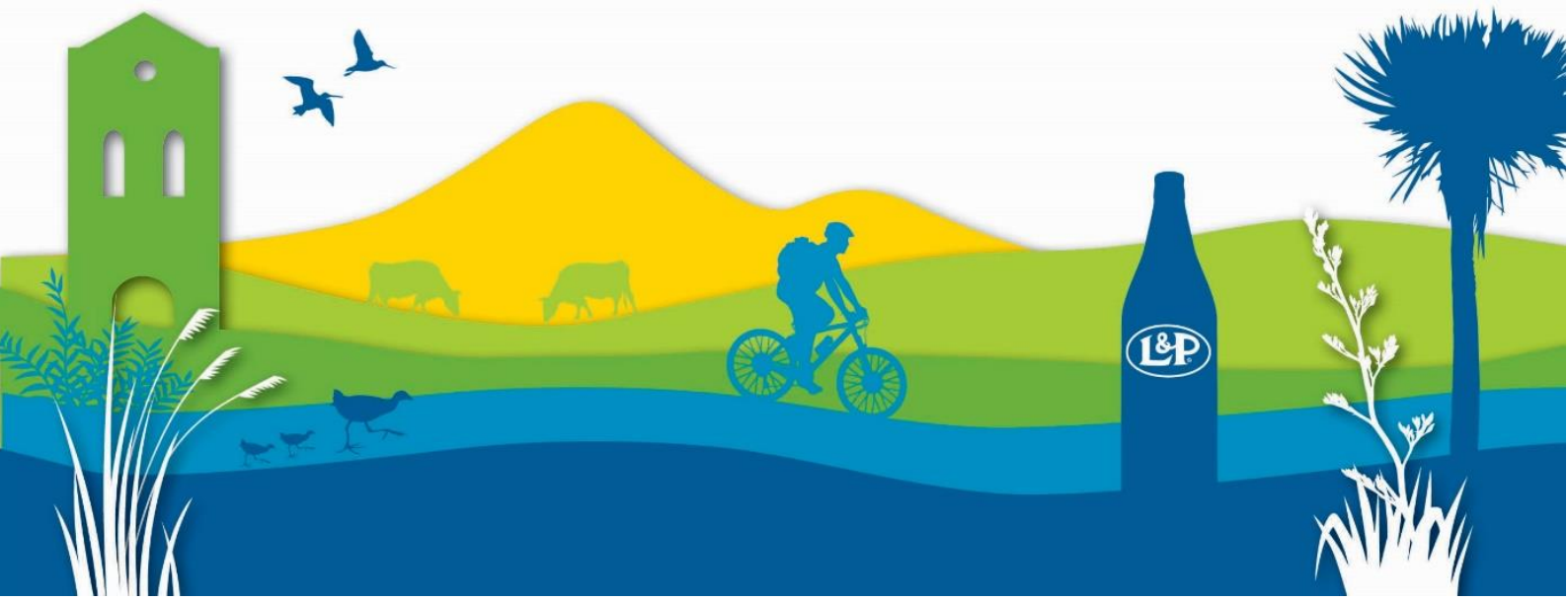




2023 Closed Circuit Television (CCTV) Policy

our home, our future
tō tātou rohe kāinga, tō tatou ao tūroa



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1. Introduction

- 1.1. This Closed Circuit Television (CCTV) policy (policy) sets out the Hauraki District Council's decision on the purpose for collective CCTV footage, how the CCTV system will be operated, and how privacy impacts will be minimised. It is made in accordance with the Privacy Act, 2020 (the Act).
- 1.2. 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 2020.
- 1.3. This policy does not address other visual media, including that of remotely piloted aircraft systems.

2. Objective

- 2.1. The objective of this policy is to provide a consistent framework and guidance on the management and use of the Council's Closed-Circuit Television (CCTV) network to meet legal obligations and to facilitate staff and public safety.
- 2.2. This includes for the purposes of security for community protection, traffic monitoring, and for the internal operations of Council property monitoring, activity operation monitoring and for staff safety.

3. Application

- 3.1. This Policy applies to the CCTV network owned and operated by the Hauraki District 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.
- 3.2. Cameras used for inspection of Hauraki District Council assets, such as inspecting the inside of pipes, and any camera video footage recorded by an HDC employee or contractor, are not considered to be CCTV footage for the purposes of this policy.

4. Policy

- 4.1. This policy permits the collection of CCTV footage through the use of CCTV cameras.

5. Purpose for collection of CCTV footage

- 5.1. The Council operates the CCTV network and collects footage for the following purposes:
 - 5.1.1. To deter criminal activity from occurring in public and semi public spaces, this includes but is not limited to vandalism, theft and anti-social behaviour.

- 5.1.2. To monitor and respond to any activities and/or events which could affect the delivery of the service the Council is providing at that location.
- 5.1.3. To 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.
- 5.1.4. To 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 1991, and the Dog Control Act 1996.
- 5.1.5. To provide evidence to the Police, court or tribunal proceedings, or a public sector agency where it is necessary for them to uphold the law.
- 5.1.6. To 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.

6. CCTV Cameras

6.1. Location of CCTV cameras

- 6.1.1. The Council operates CCTV cameras throughout the District. A list of the general location of CCTV cameras is available on Council's website. The locations are indicative only; the Council should be contacted directly for current information on the location of CCTV cameras.
- 6.1.2. 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.
- 6.1.3. In cases where CCTV cameras record the interior of a building on semi-public premises the owner of the premises will be informed.
- 6.1.4. Covert systems may only be used for Council's internal purposes in exceptional circumstances and with the prior approval of the Chief Executive. Exceptional circumstances may include where there is a strong suspicion of criminal activity or misconduct which breaches Council bylaws, or may give rise to a health and safety risk to any person, or damage to the environment, and which cannot be detected by other means.

6.2. Monitoring of CCTV cameras

- 6.2.1. The recording devices/servers for CCTV cameras are to be installed in a secure location as agreed upon with the CCTV Administrator. Only persons trained and authorised as CCTV Operators are allowed access to recorded CCTV footage stored in this location.
- 6.2.2. Council reserves the right to have remote access to all footage created by Council owned CCTV cameras.
- 6.2.3. Where cameras are monitored via a mobile device (such as a smartphone, tablet or similar device) a CCTV Operator shall ensure that no unauthorised person has the ability to view the device.

6.3. Signage for CCTV cameras

- 6.3.1. 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.
- 6.3.2. Signs will clearly display the message "Surveillance Cameras in Operation" or a similar message and will be of a size and style that makes them readily visible to people entering the area. Where it is impractical to include all the information, the sign will direct the public to the HDC website where this policy can be viewed, alongside the location of cameras.
- 6.3.3. Where CCTV is operated indoors, signage will be displayed at the main entrances to the building to notify people that cameras are operating.

6.4. Operating times of CCTV

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

7. CCTV Cameras – public and semi-public spaces

- 7.1. The Council operates CCTV cameras in public and semi-public spaces such as town main streets, outside libraries, Refuse Transfer Stations, and at parks and reserves. A list of CCTV camera locations is available on Council's website.
- 7.2. The use of CCTV cameras with audio recording capabilities is not permitted in public and semi-public spaces.
- 7.3. The installation of CCTV cameras in public and semi-public spaces will require a Privacy Impact Assessment to be completed and approved by the Group Manager Business Support.

8. CCTV Cameras – public restricted Council facilities

- 8.1. The Council operates CCTV cameras as part of regular business operation at facilities that are not accessible by the public, such as Water and Wastewater Treatment Plants. The Council should be contacted directly for current information on the location of CCTV cameras.
- 8.2. The use of CCTV cameras with audio recording capabilities is permitted at public restricted Council facilities.

9. Automatic Number Plate Recognition

- 9.1. Cameras with automatic number plate recognition capability may be used to meet the broader purposes of the CCTV network.

10. Council Management of CCTV Footage

10.1. User Access

Position	Access	Primary purpose
CCTV Administrator	Full system access to all CCTV camera features and programming	
CCTV high level user	Full system access to all CCTV system features and programming for maintenance purposes	
CCTV Operator - all sites	System access for all CCTV cameras across all sites- live view, playback and export.	
CCTV Operator - public spaces	Live view, playback and export	<p>Community protection cameras:</p> <ul style="list-style-type: none"> In the townships with general view of public areas <p>Traffic monitoring:</p> <ul style="list-style-type: none"> Where primary view is of the roading network
CCTV view user for Council facilities: Includes Council sites and facilities with public spaces e.g. Customer Services areas, Libraries, Refuse Transfer Stations.	Live view, playback (no export)	<ul style="list-style-type: none"> Restricted access to Council staff managing and maintaining the CCTV operations Hauraki District Council property monitoring e.g. Council offices and buildings to check after vandalism or incidents etc. Monitor and review operations, investigate Health and Safety incidents, damage and complaints at or related to Council facilities.

10.2. Security of CCTV footage stored by the Council

10.2.1. All information collected by the Council will be stored securely. Access to the Council's CCTV network is restricted and controlled.

10.2.2. A log of access to CCTV footage will be maintained by CCTV administrators.

10.2.3. 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.

10.2.4. Where an incident has occurred, footage will be captured and provided to the Police, or the Council officer, undertaking an investigation or otherwise managing the incident. This footage may be kept through the investigation of the incident and any subsequent prosecution or action.

10.3. [Access to CCTV footage by Elected Members, Council staff and contractors](#)

10.3.1. Council staff that are authorised to access CCTV footage and the limitations of their access are defined in section 10.1 of this policy and the Delegations Manual. These staff may review any relevant CCTV footage in response to an event, or for monitoring purposes as delegated.

10.3.2. CCTV footage can only be viewed by elected members, council contractors and council staff (that are not authorised staff) 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. CCTV footage will be provided in confidence, by authorised Council staff on the understanding that all Council policy will be followed.

10.3.3. Where an elected member, council staff 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 appropriate senior staff member for investigation.

10.3.4. The manner in which council staff 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.

10.4. [Access to CCTV footage by the New Zealand Police, Courts and public sector agencies](#)

10.4.1. The New Zealand Police will be provided access to CCTV footage as identified in section 10.1 of this policy.

10.4.2. Any known criminal activity captured by the Council's CCTV network will be referred to the New Zealand Police for investigation.

10.4.3. 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.

10.5. [Request to access CCTV footage by other parties](#)

10.5.1. The general public and media shall not have access to any CCTV footage, unless a person is requesting to access footage of themselves. 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. Access can only be refused on one of the grounds set out in sections 27 to 29 of the Privacy Act 2020.

10.5.2. Applications to view footage are treated as a request for personal information. They will be handled in accordance with the Local Government Official Information and Meetings Act 1987 (LGOIMA) and the Privacy Act 2020. 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 LGOIMA. Where the footage requested for viewing only shows the individual who has made the request, the request will be dealt with in accordance to the Privacy Act 2020.

- 10.5.3. If a request to view the footage cannot be granted by authorised council staff officer a written or oral description may be provided of the footage.
- 10.5.4. 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.
- 10.5.5. 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.

11. Enquiries and Complaints

- 11.1. 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 staff member.
- 11.2. All complaints regarding the operation of the Council’s 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.
- 11.3. If the complaint relates to an issue of privacy, a complaint may also be made to the Privacy Commissioner.

12. Related Council policies/strategies or guidelines

- 12.1. This Policy assists in the delivery of two of the Council’s Community Outcomes: our ‘Connected people | Tūhono’ Community Outcome through looking after others and creating a place that we are proud to live in’ and our ‘Vibrant and safe communities | Te Oranga pai o te Hapori’ Community Outcome through helping to provide access to public spaces that are inviting.

13. Glossary

Unless the context requires otherwise, the definitions of words or terms used in this Policy are also those in the Privacy Act 2020.

Criminal activity	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	Data or information in the form of visual representations such as drones, photographs or film footage, but excludes CCTV footage.
Public spaces	Spaces that are completely accessible to the public, such as streets, footpaths and public reserves.

Semi public spaces	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	A member of staff of the Hauraki District Council that has been delegated the responsibilities under section 201 of the Privacy Act 2020.
The Act	The Act means the Privacy Act 2020 (including any subsequent amendments).

14. Review

- 14.1. The policy will be reviewed five yearly to ensure it remains current, aligns with statutory changes and Councils expectations and practices.

15. Document management and control

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Property of Hauraki District Council



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