

Waikato Regional Council

CCTV Policy



Purpose

Waikato Regional Council (**WRC**) endeavours to provide a safe and secure environment to protect its staff, customers and the interests of our ratepayers using our public transport system. Closed Circuit Television (**CCTV**) cameras and systems (including visual and audio) are installed on most public transport services and operated by public transport operators on behalf of WRC for one or more of the following purposes:

- To facilitate staff and public safety;
- To improve security, monitor patronage and deter criminal activity on public transport and in general;
- To capture information that could be used to investigate crime, a health and safety situation and incidents involving WRC staff, contractors, customers and the general public; and
- To provide information to schools with respect to student's behaviour on public transport.

This policy has been created to ensure that WRC, its employees and contractors (including public transport operators) comply with good practice and with the Privacy Act 1993 (the **Act**) when operating CCTV.

By operating or using public transport, you agree to the terms and conditions of this policy (as may be amended from time to time). This policy may be amended, withdrawn and replaced by publication on WRC's website.

Scope

This policy applies to all employees of WRC, all WRC contractors and the general public who may enter the areas covered by the CCTV system operated by or on behalf of WRC.

Policy

1. Use of Data

WRC may disclose and use CCTV footage and other data collected from CCTV to the third parties below and for the purposes outlined above:

- NZ Police;
- Schools and parents/caregivers (for the purpose of addressing delinquent behaviour of school students); and
- WRC staff and contractors and third-party bus operators.

2. CCTV Locations

CCTV on public transport are to be situated in locations which are clearly linked with the system's specific purpose and recorded in the bus operator's register of CCTV systems.

3. Monitoring

- (a.) The recording devices/servers for CCTV systems are to be installed in secure locations as agreed upon by WRC's nominated CCTV Administrator. Only persons trained and authorised as CCTV Operators are allowed access to recorded CCTV footage stored in these locations.
- (b.) All footage is kept for the duration of the intended purpose as determined by WRC from time to time, and in any event no longer than 20 days. After that time, the data is overwritten as part of the recording process, unless it is exported for evidential purposes as may be required.
- (c.) Live streaming system monitoring may be carried out from time to time to assist with crime detection, deterrence and prevention, and to monitor potential health and safety hazards to WRC employees, contractors or members of the public.
- (d.) WRC reserves the right to have remote access to all footage created by the CCTV systems.
- (e.) Where systems are monitored via a mobile device (such as a smartphone, tablet or laptop) a CCTV Operator shall ensure that no unauthorised person has the ability to view the device.

4. Control and operation of systems

- (a.) Unless Council agree otherwise, CCTV systems will be installed on public transport services owned or operated by WRC or contracted by WRC to third-party contractors.
- (b.) The CCTV systems will operate for the full duration of the time that the public transport is in use.
- (c.) All areas of the public transport service will at some point in time be monitored by the CCTV system, the exceptions being listed below:
 - CCTV coverage will not be directed at private property except unavoidably as part of a wide angle or long shot while panning past.
 - Audio will only be recorded from the driver compartments (to ensure recordings of the driver and passenger interactions).

5. User access

- (a.) WRC shall request that the bus operator provide its employees or contractors who monitor CCTV systems receive appropriate training in the technical, legal and ethical parameters of appropriate camera, audio and data use and understand their responsibilities under the Act.
- (b.) The roles and responsibilities are outlined below:

CCTV Administrator	Full System Access to all CCTV system features and programming	WRC appointed representative
CCTV Operator	Access to all CCTV systems including some programming ability, live view, playback and export or full system access for maintenance purposes.	Public transport operator representative appointed by WRC

- (c.) The **CCTV Administrator** is responsible for:
 - Undertaking an annual review of the use of all CCTV systems; and
 - Referring all public or Police requests for footage to a WRC Privacy Officer and the CCTV Operator.

(d.) CCTV Operators are responsible for:

- Ensuring that CCTV equipment is installed on relevant bus services;
- Organising the training and authorising of staff of the public transport operator in relation to this policy ;
- Ensuring the on-going maintenance and accuracy of the CCTV system;
- Ensuring that footage, audio or other data from the CCTV system requested by the CCTV Administrator or the Police is provided within 24 hours of the receipt of the request and the data released is recorded in the CCTV Access Log;
- The establishment, oversight and maintenance of a record of all released or viewed CCTV footage, audio or data;
- Referring all other requests for data from the CCTV system to the CCTV Administrator;
- Maintaining security of the CCTV system, the monitors and footage (tapes, drives, disks etc);
- Maintaining the CCTV Access Log;
- Ensuring signage is in place on all bus services and in accordance with this policy;
- Organising training of the bus operator's employees and contractors in relation to the CCTV system, this policy and the Act;
- Ensuring the bus operator complies with the Act and this policy in relation to the CCTV system;
- Dealing with any requests for access or correction of data by individuals in accordance with this policy and the Act; and
- Maintaining confidentiality in regard to CCTV data, duties and observations and ensuring that all employee's and contractor's maintain such confidentiality.

6. Use of information collected

As per the Act, and with regard to the listed exceptions in the Act, information collected by the CCTV systems can only be used for the purpose for which it was collected.

7. CCTV information access and the Police

- (a.) The NZ Police may access footage on short notice from those CCTV systems that have been set up for purposes linked with crime detection and prevention.
- (b.) All footage released to the Police at the request of the Police, or when criminal activity is suspected, will be recorded in the CCTV Access Log and filed with the WRC Privacy Officer.

8. CCTV information access by individuals

- (a.) Unless there are good reasons to refuse access in accordance with the Act, members of the public have the right to request access to, and correction of, any personal information held by the CCTV system.
- (b.) A request by the public to view footage that contains information relating to other individuals must be in writing and will be dealt with as either:
 - a matter to be referred to the Police; or
 - a LGOIMA request under the Local Government Official Information and Meetings Act 1987; or
 - where the footage requested for viewing only shows the individual who has made the request, the request will be dealt with in accordance with the Act.
- (c.) Any request to view footage will be limited by the need to protect other persons' privacy. If a request to view the footage is unable to be granted without unreasonably breaching others' privacy, a written description may be provided by the CCTV Operator of what they are doing in the footage. Any such requests will be responded to within 20 working days by the CCTV Operator and are subject to review by a WRC Privacy Officer as per WRC's policies and procedures.

9. CCTV and Operator staff

- (a.) WRC will investigate any suspected breach of the use of the CCTV system by the bus operator's employees or contractors.
- (b.) Any staff incidents or misconduct detected by the CCTV system will be handled in accordance with the contract between WRC and the contractor.

10. CCTV Signage

- (a.) Individual systems and/or camera areas will be clearly signposted to notify the public.
- (b.) Signs will clearly display the message "Surveillance Systems in Operation" or a similar message and 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 WRC website where this policy can be viewed.

Policy Review

The review timeframe of this policy will be annually.