

CITY OF WEST TORRENS



Council Policy: Mobile Closed Circuit Television

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Applicable Legislation:	<ul style="list-style-type: none"> • <i>Local Government Act 1999</i> • <i>State Records Act 1997</i> • <i>Surveillance Devices Act 2016</i> • <i>Freedom of Information Act 1991</i>
Related Policies or Corporate Documents:	<ul style="list-style-type: none"> • AS 4806-2006 Closed Circuit Television • General Disposal Schedule For Local Government No GDS20 • Disposal Schedule RDS2-17/37
Associated Forms:	
Note:	
Responsible Manager:	Executive
	Date
Endorsed by Executive:	Date 17 February 2021
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COUNCIL POLICY - Mobile Closed Circuit Television

1. Preamble

- 1.1 Council strives to provide a safe and secure environment for residents, visitors and employees. In order to help achieve this, Council owns a mobile Closed Circuit Television (CCTV) trailer named 'Iris'.
- 1.2 Council understands that there are competing obligations between the need for security and public safety and the right to privacy. This policy seeks to outline how data from Iris will be collected, stored, retained, disclosed and disposed.

2. Purpose

- 2.1 This policy guides the application and operation of 'Iris'.
- 2.2 This policy is intended to provide information, direction and guidance for employees, Elected Members and the community about how the City of West Torrens (CWT) will employ visual surveillance throughout West Torrens with a specific aim to:
- Contribute to an increased feeling of community safety and security.
 - Identify, manage, deter and reduce criminal or unlawful behaviour.
 - Protect Council-owned assets.
 - Provide Police and law enforcement agencies with appropriate evidence and information to both prosecute criminal offences and to reduce and manage unlawful behaviour, having had occurred or that may occur.

3. Scope

- 3.1 This policy applies to the application and operation of Iris in the CWT.

4. Definitions

- 4.1 **CCTV** means Closed Circuit Television.
- 4.2 **Data** means all information, including pictures, footage, or sounds relating to a person, place, or thing that is captured, recorded and stored.
- 4.3 **Disclosure of data** means the duplication and/or release of data.
- 4.4 **Incident** means any activity that raises cause for concern that an offence has been, is being, or is about to be committed.
- 4.5 **Iris** means the CWT's mobile CCTV trailer.
- 4.6 **Offence** means an illegal act.
- 4.7 **Priority location** means a location determined by such criteria as the level of pedestrian and traffic flow through an area, where there has been a history of crime or anti-social behaviour, and when a request for deployment of Iris is made.
- 4.8 **Public place** means a public place within the meaning of the *Local Government Act 1999*.

5. Policy Statement

5.1 Operation of Iris

- 5.1.1 Iris will be used to monitor a public place/area where it serves the interest of public good, or when it is deemed in the interest of protecting:
- Public and community safety.
 - Key community areas.
 - Assets and properties.
- 5.1.2 Iris will be positioned at 'priority' locations as determined appropriate by the Chief Executive Officer (CEO), their delegate, or as recommended to Council by a Committee of Council.
- 5.1.3 Iris may be used to monitor community events, whether organised by CWT or not, at the discretion of the CEO, their delegate, or at the request of the event organiser. The CWT reserves the right to approve or refuse any application made by a third party who seeks the deployment of Iris. In order for an application to be considered, it must be submitted via the CWT's 'Application for deployment of mobile CCTV' online form.
- 5.1.4 At all times the CWT will endeavour to ensure the privacy of individuals and ensure that Iris is used for its designated purpose.
- 5.1.5 Data generated by Iris remains the property of the CWT and will not be made available to members of the public unless required under legislation, or is made available via clause 5.3.
- 5.1.7 Iris will record images, but those images, will not be monitored in real time other than when CWT officers or other authorised persons have remote access to Iris and it is required for operational purposes.
- 5.1.8 CWT officers and staff will not be responsible for the monitoring and/or review of Iris or CCTV footage except at the request of the CEO, or their delegate.

5.2 Public Information and Consultation

- 5.2.1 Clearly visible signs that Iris is operating will be displayed in the area covered by Iris and at other key points. These signs will:
- Inform the public that Iris is filming and capturing data.
 - Allow people entering the area to make a reasonable approximation of the area covered by Iris.
 - Inform the public of the time frame for which recording will occur.
 - Identify the City of West Torrens as the owner of Iris.
 - Provide a contact telephone number and email address for inquiries in relation to Iris.
- 5.2.2 Information about Iris's location and activities will also appear on the CWT website and social media.

5.3 Viewing and Disclosure of Recorded Material

- 5.3.1 Access to and/or the release of recorded material will only be permitted for the following reasons:
- To the South Australian Police (SAPOL) for law enforcement and investigation purposes.

- Lawyers / solicitors where a discovery order is served.
- In accordance with an application under the *Freedom of Information Act 1991*.
- When otherwise required or compelled by law.

5.3.2 Council retains ownership of copyright in all recordings and images generated by Iris.

5.4 Retention of Recordings

5.4.1 All CCTV data will be retained for a minimum of 31 days.

5.4.2 Any data downloaded from Iris, i.e. for evidence purposes, will be retained for a minimum of seven (7) years.

5.5 Disposal of Recordings

5.5.1 Any CCTV data that has not been downloaded and is subject to the 31 days retention, will be automatically overwritten and the information will be consequently disposed.

5.2.1 Any data downloaded from the CCTV system, i.e. for evidence purposes, and subsequently retained in CWT's records management system, will be disposed of in accordance with General Disposal Schedule No.40 as established under section 23 of the *States Records Act 1997*.

5.6 Accountability

5.6.1 The previous uses and utilisation of Iris will be taken into account in the future functioning, management and operation of Iris.

5.7 Complaints

5.7.1 All complaints received will be managed in accordance with the *Council Policy - Complaints*.

5.7.2 Complaints in relation to any aspect of the management or operation of Iris should be directed in writing to the attention of the:

If posted, to:

The Chief Executive Officer
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033

If emailed, to:

The Chief Executive Officer
City of West Torrens
csu@wtcc.sa.gov.au