

# **CODE OF PRACTICE CLOSED CIRCUIT TELEVISION SYSTEMS**

Operated by the Community Law & Safety Department

City of Greater Geraldton

Dated: xxxx 2012

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### **1. INTRODUCTION**

**1.1.** This document details the Code of Practice that will be applied to the management of the close circuit television system (CCTV) to be established and implemented within the Central Business District (CBD) and new Town Foreshore of the City of Greater Geraldton (CGG). The introduction of the system is viewed as being an integral element in maintaining the high standard of public safety that should be expected if the City is to be a place for families, lifestyle and business.

**1.2.** The CCTV system will be managed in accordance with all relevant external regulations and standards and City of Greater Geraldton and Geraldton Police policies. The conditions applied to the use of the system, including the storage, disposal and access to images and the storage of information, are detailed within this Code of Practice.

**1.3.** Manager Community Law and Safety has executive responsibility for the system and is also responsible for managing adherence with the conditions laid down in the Code of Practice and is the only officer authorised to approve amendments to the conditions of the Code. Any changes or extensions to the Code will only take place after consultation and review by relevant CGG and Geraldton Police Officers.

**1.4.** The Manager may authorise minor changes to the system and to this Code, where appropriate. Minor changes are those that do not have a significant impact on the intent of the Code or the procedures established to monitor adherence with its provisions.

## **2. STATEMENT OF PURPOSE**

**2.1.** As indicated in the previous section, the CCTV system is intended to provide an increased level of security in the CBD/Foreshore area for the benefit of those who work, live in, or visit that area. Subject to this Code of Practice the System will not be used to invade the privacy of any individual.

**2.2.** The system will only be used for the following purposes and within this Code of Practice at all times:

1. To reduce the fear of crime and to reassure the public;
2. To prevent, deter and detect crime, criminal damage and public disorder;
3. To identify, apprehend and prosecute offenders in relation to crime, criminal damage, public disorder, road traffic accidents involving serious injury and all forms of harassment;
4. To provide the Police with record evidence to support investigations and prosecutions by Police in relation to offences within the City;
5. To facilitate a timely response to public safety issues, undesired behaviour and crimes within the City;
6. To assist with management of public spaces; and
7. To assist in determining the suitability of CCTV as an effective prevention strategy throughout the City of Greater Geraldton.

**2.3.** The City of Greater Geraldton will be the owner of the CCTV System and will be fully responsible for the capital costs for the implementation of the System and the ongoing costs, maintenance and replacement of the equipment and associated hardware. The City of Greater Geraldton will install and maintain a monitoring station within the Geraldton Police Station general duties operations room.

**2.4.** Any use of this system or materials produced which is frivolous, or for private purposes, or is otherwise inconsistent with the objectives and procedures outlined within this Code will be considered gross misconduct. Any CGG and Police staff member involved in incidents of this type will face appropriate disciplinary action in

accordance with the relevant policies of both organisations.

**2.5.** As community confidence in the system is essential, all cameras will be operational. An appropriate maintenance program will be established and under no circumstances will "dummy" cameras be used.

### **3. SYSTEM USE**

**3.1.** The system will be used to respond to the following key objectives, which will be subject to annual assessment and reports:

1. To detect, prevent or reduce the incidence of property crime and offences against the person;
2. To reduce the theft of cars and theft from cars both on streets and in car parks;
3. To improve general security monitoring in the lighted path areas of the Foreshore area, both in terms of personal security and security of CGG infrastructure assets;
4. To make the CBD area a more attractive and safe area to shop or work in;
5. To reduce graffiti (particularly offensive graffiti), vandalism and other criminal damage to improve the environment and reduce costs;
6. To prevent and respond effectively to all forms of harassment and public disorder;
7. To improve communications and the operational response of Police & Security patrols in and around the areas of the CBD/Foreshore and Nightclub Precinct where CCTV operates; and
8. Provide emergency service assistance.

### **4. SYSTEM DETAILS**

**4.1.** The CCTV System will consist of a number of CCTV cameras situated on both Council, Government & Private properties, which continuously record activities in that area. The proposed locations of cameras are detailed in Appendix 1.

**4.2.** The Control Room housing all major software and hardware will be established within our Information Services Division located in the main Administrative Offices of the City. As previously stated, a monitoring facility will be set up at the operations room of the Geraldton Police Station.

### **5. DATA PROTECTION - PRIVACY**

**5.1.** All data collected using this system, including images, will be managed in accordance with the provisions of the Commonwealth Privacy Act 1988 and the relevant CGG and Geraldton Police policies relating to the control of private information.

**5.2.** All persons involved in the operation of the system are to exercise care to prevent improper disclosure of material.

## **6. MANAGEMENT OF THE SYSTEM**

**6.1.** The Manager of Community Law and Safety Division of the City is responsible for compliance with this Code of Practice and Operational Manual.

**6.2.** The Division is responsible for managing compliance with this Code, including compliance by staff and contractors employed to work on the system or in the Control Room.

**6.3.** The Manager of Community Law and Safety shall be responsible for the day-to-day management of the system and associated processes. In particular, the Manager will be responsible for Police liaison, compliance with the Code of Practice and Operational Manual by staff, contractors or any other authorised person, staff training, the preparation reports and the evaluation of the system performance.

**6.4.** Information Services will be responsible for managing the Control Room, ensuring that only authorised personnel are given access. A record will be kept of all personnel entering the control room.

## **7. EXTENSION OF THE SYSTEM**

**7.1.** Where an agreement is reached to extend the System, the parties (that is the CGG, Geraldton Police and relevant stakeholders agree to take the following actions:

1. At the outset, they will identify and agree on primary aims and associated issues that must be addressed to achieve those aims.
2. They will identify and plan for resource implications, including deciding the commitment levels of resourcing that will be provided by each participant.
3. They will agree to the extent of involvement and respective responsibilities of each party.
4. They will identify any issues that can only be resolved by agreement of all parties participating at that stage of the System (including a decision to change operating priorities to extend the technical capacity of the system).
5. They will establish protocols to govern the process for decision making both in establishing the system within the area and for the ongoing management of the system.

6. They will review operational procedures and memorandum of understanding for the management and operations of the system and, as appropriate, implement revised protocols for monitoring and auditing of the System.
7. They will draft and sign an agreement outlining the responsibilities of the parties, and in particular, acknowledging the requirement for all parties to comply with the provisions of this Code, including the enforcement of sanctions detailed within the Code.

**7.2.** Prior to any extension of the System being approved the following actions will be completed:

1. The Community Law & Safety Division will conduct a needs assessment and prioritisation of risk management objectives.
2. Actions are aligned to the Safety Camera Management Plan and are agreed to and supported by relevant parties and stakeholders.
3. Council approval to extend.

## **8. ACCOUNTABILITY**

**8.1.** The City acknowledges the importance of accountability in the management of the system. With that in mind, the following steps will be taken to ensure the community is informed and regular updated:

1. Copies of the Code of Practice will be available to the public via the CGG web page.
2. An annual report on the operation of the system will be prepared by the Director of Creative Communities or designated officer and published on the CGG webpage. This report will provide information on any extensions to the system (that is, additional cameras) and changes to the Code of Practice. Where appropriate, the report will provide an analysis of the performance of the system, where that information does not contravene the privacy of individuals or undermine any possible criminal proceedings.

**8.2.** Parties (Geraldton Police & CGG) will jointly review the Policies, Procedures, Standing Orders and Memorandum of Understanding to ensure that the agreements' strategic aims are being achieved.

**8.3.** Parties agree that they will as far as practicable, act in accordance with the Policies and Procedures in the support and development of the Safety Camera Strategy.

## **9. PUBLIC INFORMATION**

**9.1.** Cameras will not be hidden and as far as possible will be placed in public view.

**9.2.** Signs that CCTV cameras are operating will be displayed at all locations.

**9.3.** Promote public consultation through development of information strategies that form part of the CGG overall Communication & Marketing Plan.

## **10. COOPERATION WITHIN A COMMUNITY ENVIRONMENT**

**10.1.** The System will operate in a manner that is sensitive to the privacy of people living, visiting and working in the area.

**10.2.** Staff involved in the operations of the System will receive training in the degrees of privacy afforded within a public arena.

## **11. ASSESSMENT OF THE SYSTEM AND CODE OF PRACTICE**

**11.1.** The Community Law & Safety Division is responsible for ensuring that the System is evaluated by the City or designated agent according to an established evaluation framework.

**11.2.** Evaluation will be conducted according to the criteria established within the framework:

**11.3.** Ongoing monitoring of the System will be conducted by the Manager Community Law & Safety, who will also take all reasonable measures to ensure that all relevant parties are complying with the provisions of this Code.

## **12. OPERATING STAFF**

**12.1.** This section applies to both CGG & Police staff and contractors employed to work on the system. Staff and contractors will comply with the following conditions:

1. The employment of staff will comply with all relevant CGG & Police policies. Contractors will ensure that staff are employed in accordance with relevant industrial awards and legislation, including equal opportunity and occupational health and safety. Contractors will ensure that the selection process provides for thorough validation of the suitability of candidates to work in this environment.
2. Contract staff must be qualified at a suitable level to complete the required duties of the contract work.
3. CGG & Police staff will be subject to the respective disciplinary procedures in the event of actions that do not comply with the conditions of this Code. Where it is proved that contract staff have breached any of the conditions of this Code, these staff will not be permitted to continue working either with the CGG and/or Geraldton Police. In appropriate circumstances, the CGG and Geraldton Police reserve the right to terminate a contract where a breach of this Code is proved. These conditions will be detailed in all contracts let for

services relating to the System.

4. The Manager Community Law & Safety will ensure that all CGG staff will be briefed on their responsibilities under this Code. The Contractor will ensure all contract staff are briefed regarding the requirements of this Code. Where appropriate, the Community Law & Safety Division will undertake briefings on the conditions of this Code in the Contractor Induction Program run by the Division.
5. Procedural use of the CCTV by Police will be in accordance with WA Police Ethical Standards and Code of Conduct Policy.
6. A requirement of confidentiality, which can be enforced during and after termination of employment.
7. CGG and Geraldton Police management will establish systems of monitoring and supervision that will ensure compliance with the Code of Practice and operational guidelines.

**12.2.** All CGG, Police and contract staff must be briefed on the conditions of the Code of Practice and Operational Manual before commencing work on the system or within the Control Room area.

### **13. COMPLAINTS**

**13.1.** The Manager Community Law & Safety must ensure that an effective complaints mechanism is implemented so that the community can be assured that privacy complaints, investigations and subsequent outcomes will be dealt with appropriately and in accordance with existing CGG customer service protocols.

### **14. BREACHES OF THE CODE INCLUDING THOSE OF SECURITY**

**14.1.** Breaches of the Code of Practice and of security must be subject to proper investigation by, in the first instance, the person appointed by the Director to conduct an investigation. This person shall be responsible for making recommendations to the Director to remedy any breach which is proved or evidenced. Breaches occurring within the Geraldton Police Station will be referred and investigated according to existing Police protocols for their own operations.

**14.2.** The CGG reserves the right to apply disciplinary sanctions for breaches, up to and including referring the breach to the Police.

### **15. CONTROL AND OPERATION OF THE CAMERAS**

**15.1.** Control Room equipment and the remote control of cameras will only be operated by Community Law & Safety, Information Services, Control Room and Police Staff and persons/staff under training and the level of access will be controlled

according to each persons role and responsibility. All these people will act with the utmost probity.

**15.2.** All use of cameras and recording equipment will accord with the purposes and key objectives of the System, as developed in training and specific operational instructions to staff, and shall comply with this Code of Practice.

**15.3.** Cameras will not be used to look into private property. Operational procedures shall be adopted to ensure restraints upon the use of cameras in connection with private premises.

**15.4.** System Operators will be subject to supervisory procedures to ensure compliance with this aspect of the Code.

**15.5.** System Operators are aware that recordings are subject to routine audit and that they may be required to justify their interest in a member of the public or premises.

**15.6.** The Manager Community Law & Safety and the Officer in Charge Geraldton Police will decide on how incidents are reported and logged. It is recognised that the decision as to what level of response is deployed is a matter entirely for the Police.

**15.7.** The Operations Manual will provide guidance on the method of operation of cameras.

**15.8.** A record will be maintained as defined by the Manager Community Law & Safety and the Officer in Charge Geraldton Police of all monitored:

1. Passive Nuisances
2. Active Nuisances
3. Suspicious Person or Vehicle
4. Assaults
5. Crime in Progress including Escapes
6. Road Traffic Accidents involving Serious Injury
7. Traffic Management Matters
8. Illegal Street Trading
9. Other Approved Purposes

**15.9.** This record will be included as part of the means of establishing effective evaluation and targeting of key objectives.

## **16. ACCESS TO AND SECURITY OF THE MONITORS/CONTROL ROOM**

**16.1.** Access to view monitors, whether to operate the equipment or view the images is strictly limited to staff with that role and responsibility.



**16.2.** A Control Room Main Log will contain details of all recordings made in relation to 15.8 above. Details of any visitors authorised by this Code, including times of arrival and departure and details of any telephone calls, will be recorded separately.

**16.3.** The Control Room will remain locked at all times. A coded door lock will strictly control access with a key override. Access will be strictly limited. All occupants will be identified prior to access. Routine access will only be granted to certain Managers, Operators, Police Officers, Maintenance Staff and those under training.

**16.4.** Public access to or the demonstration of monitors will not be permitted except for lawful and proper reasons.

**16.5.** Security procedures will be the subject of audits.

## **17. RECORDED MATERIAL**

**17.1.** Recorded material will be used only for purposes defined in this Code of Practice and stored on a designated Storage Attach Network (SAN). Access to recorded material will only take place as defined in the Code of Practice. The showing of recorded material to the public will only be allowed in accordance with the law, either in compliance with the needs of the Police in connection with the investigation of crime, which will be conducted in accordance with the provisions of any relevant police and criminal procedures or in any other circumstances provided by law. Any showing of the material will protect the rights of innocent parties.

**17.2.** Ownership and copy right of all recorded material vests in the City of Greater Geraldton.

**17.3.** Police will have direct access to the recorded material stored on the SAN and will be able to download and store onto disc for evidential purposes. Data will be held on SAN for a period of 31 days.

**17.4.** Discs for evidential purposes will be regarded as exhibits. Disc copying procedures will be agreed with prosecuting authorities and detailed in the Operational Manual. As far as possible certified copies, rather than the original, should be used for investigation purposes.

**17.5.** Access to discs may be obtained in connection with civil disputes by Court Orders or be extended to lawyers acting for defendants or victims in criminal proceedings in consultation with the Police. In cases where Police must provide discs as per disclosure, the responsibility to provide copies of these discs rely on the Police.

**17.6.** No other access will be allowed unless approved by the Director or agent. Approvals will only be granted for reasons which fall within the purposes and objectives of the scheme and in accordance with this Code of Practice.

**17.7.** Should a party other than the City of Greater Geraldton or WA Police request copies of footage. This request is to be made through the Freedom of Information Act. The City of Greater Geraldton will consider that request and may provide that footage to that party at a cost (Set by the Council fees and charges) per request. This scheduled fee will be for up to one hour of officer time to locate footage. For every further hour an additional fee (Set by the Council fees and charges) per hour may be charged. This fee may be waived under exceptional circumstances as authorized by the Chief Executive Officer of the City of Greater Geraldton.

## **18. PHOTOGRAPHS**

**18.1.** Still photographs from live incidents will only be taken at the request of the Manager Community Law and Safety or the Police Officer in charge of the scene. A written record of the request including details of the requesting officer, time and date of the request and the reasons will be made. This record will be held by the Manager, Community Law & Safety.

**18.2.** All still photographs will remain the property of the CGG and will be filed in numerical sequence.

**18.3.** Photographs will be kept in a locked cabinet in accordance with the City of Greater Geraldton record keeping policy.

## **19. DEALING WITH INCIDENTS**

**19.1.** The level of Police response to incidents occurring will be determined by the Police and will be subject to the various priorities at the time the incident is reported. The CGG has no control over the priority allocated by the Police.

**19.2.** The Control Room operators are authorised to report relevant matters to the Police and other emergency services, as appropriate. A written record of any reports will be made at the time and will include details of the incident, date and time of the report and details of the Police or other services officer taking the report. Where appropriate, the Control Room operator may elect to have the CGG Security Patrol attend the incident before making a formal report to the Police or emergency services.

## **20. POLICE CONTACTS**

**20.1.** For the day-to-day purposes, the CCG contact liaison officer with the Police will be the OIC.

**20.2.** Approval for the police use of the system in any manner will be subject to their agreement to comply with these Codes of Practice.

**20.3.** There will be remote control facility at the Police Operations Room with access to download recorded material stored on the SAN.

**20.4.** Should a request from the Police arise for use of the system in any manner that is not provided for by the Code of Practice, this request must be agreed between the Manager Community Law and Safety and the Geraldton Police Station OIC concerned. This approval process cannot be devolved to an agent.

## **21. COMPLIANCE AUDIT**

**21.1** Compliance by CGG staff (specifically Law & Safety and IT officers) and any contract staff will be subject to audit. These audits will be conducted as required and at least once per year. The Chief Executive Officer will direct the Manager Governance and Risk or agent to undertake the internal audit.

### **NOTES**

For Manager Community Law & Safety read also Ranger Coordinator or any other Officer so appointed by The Director Creative Communities.

#### **Definitions:**

*Agent:* An officer authorised by the Responsible Officer to act on his/her behalf under this Code of Practice.

*Contractor:* Contractor employed by the CGG to work on the CCTV system or in the Control Room or Police Operations Room

*Operations Manual:* Any authorised manual detailing standard operating procedures for activities undertaken or systems managed by Community Law & Safety

*Police:* Geraldton Police

*Register:* Transmittal register used to record the transmission, archiving or disposal of tape media containing visual images recorded using the CGG CCTV system.

*Security Officer:* CGG Security/Ranger Officer

*Staff member:* CGG staff member