



Baw Baw Shire Council

Public Place CCTV Network

Code of Practice

August 2022

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1. Introduction

This document details the management of the CCTV network in Baw Baw Shire owned by Council and monitored by Victoria Police. This code of practice acts as a framework for the management and integration of CCTV systems in public places within the Baw Baw Shire.

The CCTV network comprises of:

- Two Cameras in Rawson, locations identified in Appendix 1
- Seven Cameras in Warragul CBD, Locations identified in Appendix 2
- Five Cameras in Drouin CDB, locations identified in Appendix 3
- Cameras in Trafalgar Skate Park, locations identified in Appendix 4
- Cameras in Rokeby Trail Car Park, locations identified in Appendix 5

2. Statement of Purpose

The Baw Baw Shire Council CCTV Safety Program aims to help in the reduction and prevention of crime in various areas of the Shire by monitoring and targeting the areas through CCTV surveillance of 'hot spots', high pedestrian traffic locations, congregation 'areas, and entrances to shops, fast food outlets, bars, train stations and open spaces.

The Program is used for a combination of passive and active monitoring. Active monitoring of the Program may occur during peak periods, during events and for police operations.

The Program aims to:

- Reduce the fear of crime and enhance public perceptions of safety
- Deter and detect crime, criminal damage, and public disorder
- Identify, apprehend, and prosecute offenders in relation to crime, criminal damage, public disorder, road traffic offences and all forms of harassment
- Provide evidence upon which to take criminal and civil actions in the Courts
- Monitor and assist traffic management issues
- Assist other emergency services

3. Data Protection – Privacy

Cameras will not be used to look into private residential property or to impinge on an individual's reasonable expectation of privacy.

All data collected using the Program will be managed in accordance with the Baw Baw Shire Council /Victoria Police Memorandum of Understanding (MoU) for the operation of CCTV Cameras and this code of conduct.

And the following legislation:

- Privacy and Data Protection Act 2014
- Surveillance Devices Act 1999
- Charter of Human Rights and Responsibilities Act 2000
- Public Records Act 1973
- Freedom of Information Act 1982
- Evidence Act 2008

And the following guidelines:

- Victorian Ombudsman Closed Circuit Television in Public Places Guidelines (2012)

4. Management of the Program

Baw Baw Shire's Program Manager is responsible for:

- Managing the contract for all installation, servicing, maintenance, and replacement of all CCTV equipment.
- Day to day management of the Program.
- Stakeholder consultation with regard to the implementation and on-going operation of the program.
- Overseeing monitoring by Victoria Police, review, auditing, and evaluation of the Program.
- Promoting the Program and providing information to the public and other agencies about the operations of the Program.
- Working with Victoria Police and contractors to ensure all responsible officers are adequately trained for monitoring purposes; and
- Developing and monitoring all policies, protocols, and grievance procedures in relation to the Program and Baw Baw Shires responsibilities.
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The Police Manager is the Police representative responsible for Victoria Police staff and their use of the system, and is responsible for:

- Maintaining close liaison with the Program Manager.
- Day to day management and oversight of the footage
- Ensuring that use of the system by Victoria Police staff is professional and in accordance with the CCTV protocols, Victoria Police Manual and Code of Conduct.
- Providing ongoing training to all relevant Victoria Police personnel around the operation of the CCTV system
- Management and storage of Law Enforcement Data
- Notifying Council of any damage or fault with the system; and
- In partnership with the Program Manager, agreeing to any proposed alterations to the CCTV Program protocols.

Council's contractor is authorised to provide camera equipment, information technology and maintenance for the camera network.

The Program Manager and Police Manager will ensure that the CCTV protocols are complied with and have day to day responsibility for the management of the CCTV Program.

5. Extension of the Scheme

The CCTV network has the capacity to be expanded, if required, and following consultation with the community and partner agencies.

Council has developed an evaluation framework and criteria to help assess requests for additional CCTV cameras.

6. Public Information

Location of the cameras is not hidden to the public.

Council will install signs that will be clearly visible, distinctive and located in areas with good lighting, placed within normal eye range and large enough so that any text can be read easily. The signs will be displayed at key locations where cameras are operating to:

- Inform the public that CCTV cameras are operating 24/7
- Identify Baw Baw Shire Council as the owner of the Program

- Provide contact details for further information

Information about the CCTV program including the location of cameras and management of the system is available on Council's website.

7. Management of Control Rooms

Only personnel trained and authorised by the Police Manager will operate any of the equipment associated with the CCTV system.

Authorised and trained officers of Victoria Police will be responsible for monitoring and operating the CCTV cameras and will act with the utmost probity as per their codes of conduct.

Use of the cameras will accord with the purposes and key objectives of the system and shall be in compliance with the CCTV protocols.

Every individual with any responsibility under the terms of the CCTV protocols will be subject to the Council and/or Victoria Police discipline procedures. Any breach of the CCTV protocols or of any aspect of confidentiality will be dealt with in accordance with those procedures.

8. Control and Operation of the Cameras

Neither Victoria Police nor any of its members will, or are under any obligation to, continually monitor the CCTV system.

Use of the cameras will be in accordance with Baw Baw Shire Council Community Safety CCTV Program policies, protocols, and Code of Practice.

Operation of the CCTV system will be in accordance with Standard Operating Procedures (SOPs) and internal policies.

Cameras will not intentionally be used to look into adjacent or nearby private residential property, unless it is explicitly for the purpose of following (in real time) alleged participants in a crime, which originated in the public domain. Any misuse will be treated as a breach to this Code.

Authorised Victoria Police members with authority to access and operate the system will have access to the controls.

Operators of the system will act in accordance with the highest standards of probity and in accordance with the CCTV protocols, the Victoria Police Manual and Code of Conduct.

Control room operators will be made aware that all recordings are subject to routine audit and may need to justify their interest in a particular member of the public or premises.

'Dummy' cameras will not be used.

9. Access to and security of the control room

The CCTV System Control rooms are located within designated Victoria Police Stations and access to the control room/s will be restricted and protected from all unauthorised access.

The media shall not have access to the CCTV System or Monitoring Room under any circumstances at any time.

Only authorised personnel will be present within the control room. In the event of the control room having to be evacuated for safety or security reasons, the provisions of the relevant Police Station Evacuation Plan will be complied with.

10. Recorded Material

Recorded material will be held for a period no longer than 31 days as outlined in the standard operating procedures.

Access to the use of recorded material will only take place:

- In compliance with the needs of Victoria Police in connection with the investigation of a crime
- If necessary, for the purpose of legal proceedings
- When required by a duly authorised subpoena
- Under the provisions of the Freedom of Information Act 1982
- As otherwise required or permitted by law

Any incident or data downloaded from the CCTV System by Victoria Police will be managed in accordance with the Privacy and Data Protection Act 2014 and the Victoria Police Manual.

Recorded material will not be sold or used for commercial purposes or the provision of entertainment.

All requests for information regarding the CCTV System operations must be referred to the Network Manager and/or the Police Manager, as appropriate.

Requests from the public relating to criminal matters will be considered by the Police Manager, who will advise the applicant of the appropriate process.

Monitoring Officers will not provide any information involving camera network operations to the media or to any person not authorised to receive it.

Security measures will be taken against unauthorised access to, alteration, disclosure, accidental loss, or destruction of recorded material.

All recorded material will be treated according to legislation and standards, to provide continuity of evidence and to avoid contamination of evidence.

Council staff involved in the Program are required to adhere to Baw Baw Shire Council's internal policies and Code of Conduct.

Recorded information will be kept on hard drive for a minimum period of 31 days.

Footage removed under application may be kept for as long as required and will be disposed of in accordance with obligations imposed by the Public Records Act 1973.

11. Accountability

Baw Baw Shire Council has established a CCTV Steering Committee which meets periodically to monitor the operation and effectiveness of the Program and identify opportunities for improvement.

An annual audit will be undertaken to provide public reassurance that the camera network is operated transparently and ethically, and that self-regulatory codes and protocols are being observed.

12. Assessment of the Program

The CCTV Steering Committee will monitor the CCTV program and determine whether the purposes of the system are being complied and the objectives are being achieved.

The results of the annual review may be taken into account in the future functioning, management, and operation of the CCTV Program.

13. Compliance Audit

The camera network will be audited to ensure it is compliant with the policies of Council and the Victoria Police and will:

- Review the CCTV Program and report any divergence from the Code of Practice, Protocols and MOUs.
- Identify any further improvements and recommend actions to safeguard the Program from misuse.
- Request steps are undertaken by any party involved in the Program to rectify divergences from, or breaches to, the Code of Practice, protocols, or MOUs.

14. Complaints

All matters of public complaint regarding the CCTV system must be referred to the Program Manager in the first instance for investigation who will decide whether the complaint should be brought to the attention of the Freedom of Information Officer or the Police Manager.

15. Breaches of the Code

Baw Baw Shire Council has responsibility for ensuring that the Code of Practice is adhered to. Responsibility includes insuring that breaches of the

Code are investigated and remedied to the extent to which the breaches are within the ambit of Baw Baw Shire’s power to remedy.

All personnel involved in the Program have responsibility to adhere to the Code of Practice.

Complaints in relation to any aspect of the management, operation or monitoring of the Program may be made in writing to:

CCTV Program Manager
Baw Baw Shire Council
PO Box 304
Warragul
Vic, 3820
Phone: 1300 229 229
Email: bawbaw@bawbawshire.vic.gov.au

The *Privacy and Data Protection Act 2014* authorises the Victorian Information Commissioner to receive and investigate complaints about alleged violations of privacy. Any member of the public is entitled to lodge a complaint with:

Office of the Victorian Information Commissioner
PO Box 24274
Melbourne
VIC 3001
Email: enquiries@ovic.vic.gov.au

Baw Baw Shire Council will cooperate with the investigation of any complaint by the Information Commissioner.

16. Definitions

CCTV Audit	Annual audit of the Community Safety Camera Program
CSCP	The camera network and all its components including policies, protocols, codes of

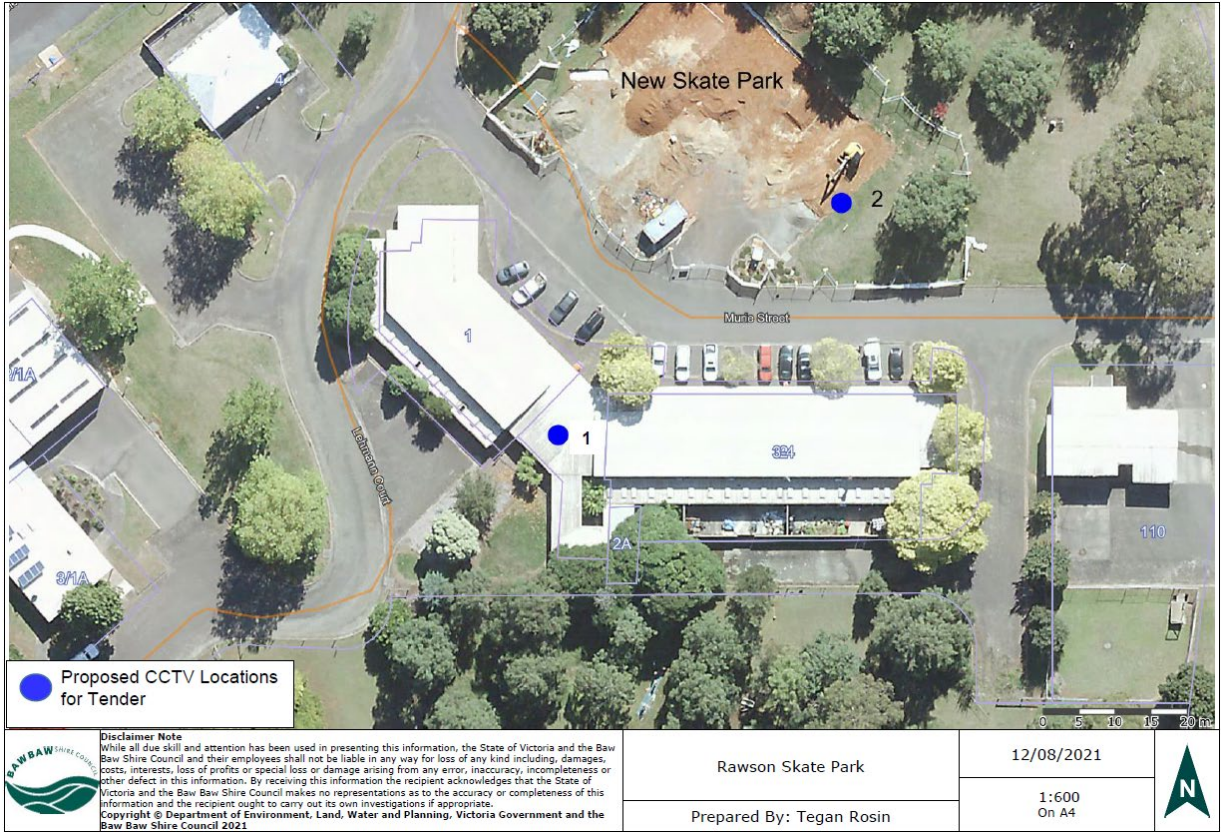
	practice, standard operating procedures, and management arrangements.
CCTV System	The physical camera network including CCTV cameras, antennas, monitoring, recording equipment and data management equipment.
Control/Monitoring Room/s	Section Sergeant's Office at Warragul Police Station
Council	Baw Baw Shire Council (owner and manager of the CCTVSP)
Monitoring Officer	A member of Victoria Police trained and authorised to have unsupervised access to the camera network
Network Manager	Council's representative responsible for the overall operation and integrity of the network
Police Manager	Victoria Police representative who is the senior supervisor of the police facility hosting any part of the camera network including monitors, and/or digital recording equipment
Program Contractor	An authorised agent engaged by Council to provide, install, and maintain cameras, wireless equipment, servers, recording equipment and associated technology
Steering Committee	Committee comprised of key stakeholders established to monitor and review the day-to-day operations of the program.

17. Acronyms

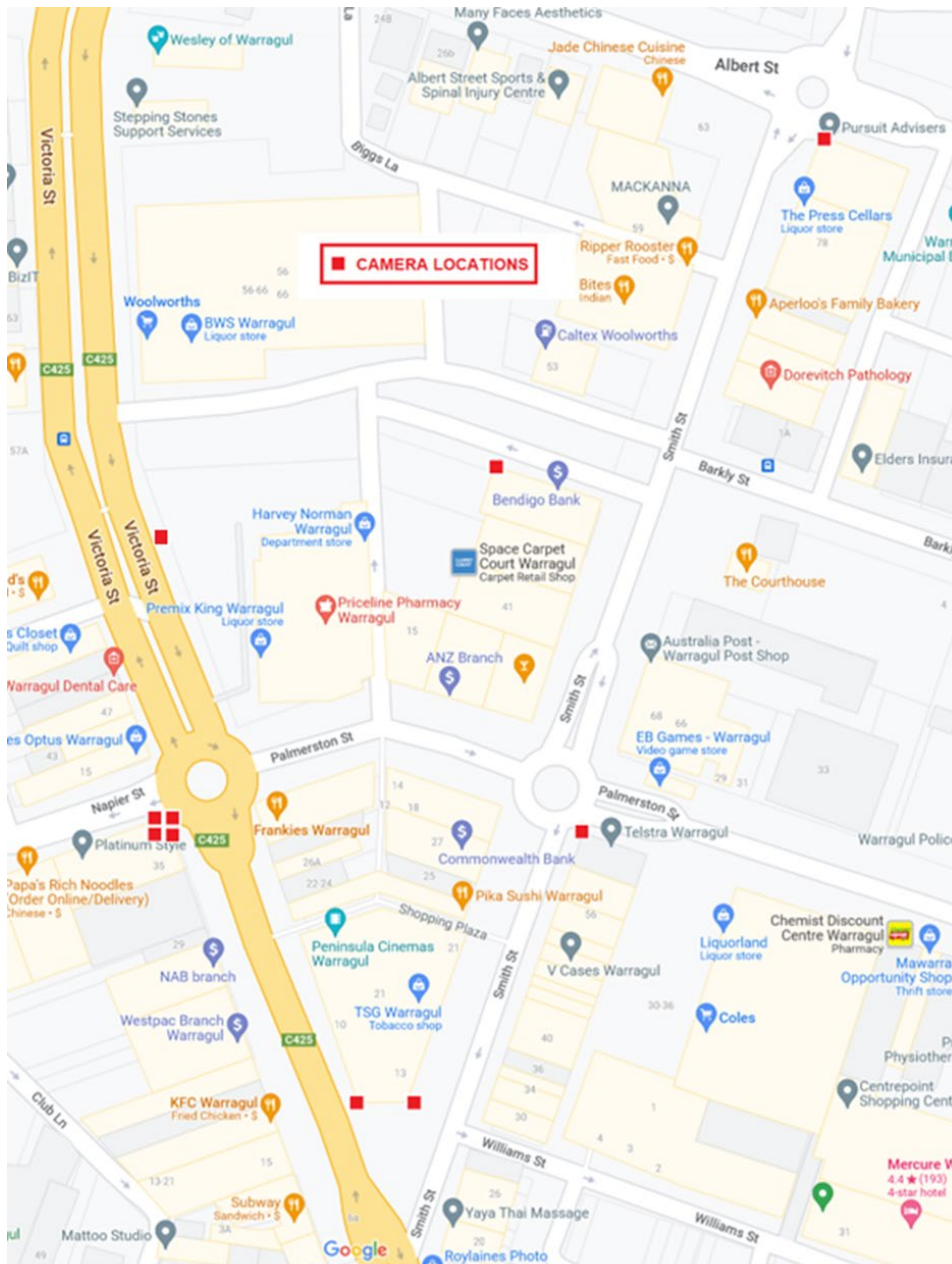
CCTV	Closed Circuit Television camera
CLEDS	Commissioner for Law Enforcement Data Security
FOI	Freedom of Information
MOU	Memorandum of Understanding
SOP	Standard Operating Procedures
TBC	To Be Confirmed

18. Appendices

18.1 Appendix 1



18.2 Appendix 2



18.3 Appendix 3

