



# Public Surveillance Closed Circuit Television (CCTV) Policy

## Purpose

The purpose of this policy is to provide direction and guidance for the use of Council Owned Closed Circuit Television Systems (CCTV Systems) in public places for crime prevention and crime solving as well as the enhancement of the public perception of safety.

The objectives of this policy are to:

- Ensure that Council managed CCTV systems are installed where there is an evidence-based community safety need.
- Establish the manner in which public consultation will be undertaken when Council managed CCTV systems are proposed.
- Ensure that Council managed CCTV footage is transmitted directly to police stations for use in crime prevention and crime solving by Victoria Police
- Ensure that Council managed CCTV systems are installed and operated appropriately with due respect to personal privacy and civil liberties.
- Guide the manner in which the Shire seeks funding opportunities for Council managed CCTV systems to ensure that all costs are considered.
- Ensure that Council-managed CCTV systems are installed for lawful and proper purposes;
- Ensure that Council-managed CCTV systems are compliant with relevant legislation and other laws;
- Ensure that Council-managed CCTV systems are managed and reviewed in accordance with best practice
- Establish a strategic framework is provided for Council to respond to requests from external agencies for new/expanded CCTV systems.

## Definitions

CCTV means closed circuit television;

The printed document is an uncontrolled document. To ensure you have the latest policy visit Council's website at [www.bawbawshire.vic.gov.au](http://www.bawbawshire.vic.gov.au) or contact the Governance team on 03 5624 2411.

1 Refer to the Victoria Police website, which advises how the Police use and monitor the footage. [www.police.vic.gov.au](http://www.police.vic.gov.au)

CCTV Audit Committee means the committee established by the Council to uphold the integrity of the CCTV System;

CCTV Cameras means any cameras associated with a CCTV System;

CCTV System means any physical element of a CCTV system, consisting of several main assets, such as cameras, relay systems like cabling or radio antennas and video data storage, viewing and printing devices;

CCTV System Steering Committee means the committee established by the Council to oversee the operation of the CCTV System;

CCTV Policies means any policy, procedures, codes of practice and protocols developed by the Council relating to the CCTV System;

CCTV: Closed Circuit Television is a system in which signals are not publicly distributed but are monitored primarily for surveillance and security purposes.

MOU means this Memorandum of Understanding;

## Scope

This policy applies to all CCTV systems installed by the Baw Baw Shire in public places or where the Baw Baw Shire is a partner with others in the installation of CCTV systems in public places.

This Policy and Procedure also applies to portable surveillance systems such as those used to identify unlawful dumping of rubbish.

## Legislative context

- *Surveillance Devices Act 1999*
- *Privacy and Data Protection Act 2014*
- *Public Records Acts 1973*
- *Private Security Act 2004*
- *Charter of Human Rights and Responsibilities Act 2006 (The Charter)*
- *Freedom of Information Act 1982 (The FOI Act)*
- *Evidence Act 2008*
- *Occupational Health and Safety Act 2004*

## Related policies and documents

- Staff policies and Codes of Conduct
- Motor Vehicle Policy

The printed document is an uncontrolled document. To ensure you have the latest policy visit Council's website at [www.bawbawshire.vic.gov.au](http://www.bawbawshire.vic.gov.au) or contact the Governance team on 03 5624 2411.

2 Refer to Legislative Context to assist with compliance obligations.,

- Australian Standards (Various)
- Australian Government Australian Institute of Criminology Considerations for establishing a public space CCTV network Garner Clancey December 2009
- Baw Baw Shire Child Safety Policy
- Parliament of Victoria Drugs and Crime Prevention Committee Inquiry into the Application of Safer Design Principles and Crime Prevention through Environmental Design. June 2013
- State Government Guide to Developing CCTV for Public Safety in Victoria A Community Crime Prevention Initiative August 2011
- Victorian Ombudsman Closed Circuit Television in Public Places Guidelines November 2012 Victoria
- Police Website [www.police.vic.gov.au](http://www.police.vic.gov.au)

## Policy detail

There is a need for the installation of CCTV systems in public spaces, operated by the Victoria Police, which are implemented where there is an evidence-based need to enhance the public perception of safety and assist with crime prevention and investigation.

CCTV systems in public spaces are strongly supported by the Victoria Police as a means to deter and, solve anti-social behaviour as well as allow Victoria Police resources to be deployed more efficiently. Before determining if a CCTV system is justified, the benefits should be balanced against the costs and potential impacts on the privacy of the public.

The following document outlines the Shire's decision making process for the implementation of CCTV Systems.

It is important that local community groups, including trader associations, business groups and community organisations, understand that Baw Baw Shire Council does not view CCTV as the sole panacea for community safety and the prevention of anti-social behaviour. As such, Council will only consider future requests for CCTV on a case by case basis.

## Evidence Based Needs Analysis

To determine if a CCTV system is justified for a particular area or township, Shire officers will seek to identify if there is a community safety or security need or potential for property damage or the prevention of anti-social behaviour having regard to:

- The strategic advice from Victoria Police or Council Officers to determine if the area is considered a hot spot for anti-social behaviour;

The printed document is an uncontrolled document. To ensure you have the latest policy visit Council's website at [www.bawbawshire.vic.gov.au](http://www.bawbawshire.vic.gov.au) or contact the Governance team on 03 5624 2411.

2 Refer to Legislative Context to assist with compliance obligations.,

- Consideration of alternative measures like additional lighting that may deter anti-social behaviour and reduce the need for CCTV systems;
- Determining whether it is technically feasible that a CCTV system can be installed that will deliver footage to a police station for use by Victoria Police.

## Consultation

Council Officers will consult with Victoria Police to determine what the crime statistics show about the type and location of crime in a particular township or area of a township. Officers will consult with local Chambers of Commerce, Progress Associations, Community Groups or like bodies, to ensure that the community is generally in support of the installation of CCTV systems. This consultation will be undertaken in line with Councils Community Engagement Policy.

Where public surveillance will impact on vulnerable members of the community, such as young people, Council will seek to engage with this cohort in line with Councils Child Safety Policy.

Officers will consult with individual property owners and occupiers whose properties are impacted by the surveillance area of the potential CCTV systems to consider any privacy impacts or concerns that may be raised.

## Video Data Collected by CCTV Systems

The Council will only install CCTV Systems where the footage can be transmitted directly to a Victoria Police Station or used aid in enforcement and /or emergency response e.g. Litter Cameras / Attentis Sensors.

The Victoria Police will use the footage for the prevention of anti-social behaviour and solving of crimes as part of their overall policing efforts. Victoria Police's internal procedures and protocols provide the framework under which police members' access and use the footage.

## Civil Liberties

CCTV Systems should be positioned in such a way as to respect peoples' civil liberties. CCTV footage will allow police members to observe public spaces where criminal acts are more likely to occur. CCTV will be positioned predominantly in areas of public open space.<sup>2</sup>

Public complaints regarding CCTV Surveillance in public open space will be managed by Council.

The printed document is an uncontrolled document. To ensure you have the latest policy visit Council's website at [www.bawbawshire.vic.gov.au](http://www.bawbawshire.vic.gov.au) or contact the Governance team on 03 5624 2411.

<sup>2</sup> Refer to Legislative Context to assist with compliance obligations.,

If the issue is technical in nature, then the complaint will be directed to Council via Victoria Police.

## Whole of Life Funding

Council will work cooperatively with the State and Federal Governments to help facilitate safer public spaces. CCTV Systems in public spaces support the function of Victoria Police to promote peace and good order.

Council will seek grant funds from the State and Federal Government to implement CCTV Systems in public spaces. CCTV Systems will only be installed where State or Federal Government grants are made available to offset the costs to the community.

Grant funding generally only meets the costs for the initial installation of a CCTV system and Council is then responsible for meeting any costs for ongoing maintenance and system renewal.

Accordingly, the whole of life costs of the CCTV system will be considered and balanced against the identified needs for a system.

Ongoing costs include:

- The consultation, project design and grant funding processes;
- The tendering and installation of the CCTV System(s);
- Maintenance and renewal of system components;
- Network and Technical Management of the system in liaison with Victoria Police;
- Training of users to access, retrieve and process footage
- Day-to-day administration and management of the CCTV program;
- Evaluation of the CCTV System, and;
- Consideration of system expansion

## Roles

Consultation, design and grant funding	Baw Baw Shire
Tendering and installation	Baw Baw Shire
Use of CCTV footage	Victoria Police
Maintenance and running costs	Baw Baw Shire
Network and Technical management	Baw Baw Shire
Evaluation and Auditing of the CCTV program	CCTV Steering Committee

The printed document is an uncontrolled document. To ensure you have the latest policy visit Council's website at [www.bawbawshire.vic.gov.au](http://www.bawbawshire.vic.gov.au) or contact the Governance team on 03 5624 2411.

2 Refer to Legislative Context to assist with compliance obligations.,

Approval date	23 August 2022
Approval authority	Executive Leadership Team
Effective from	1 September 2022
Review term	Annual
Next review date	1 September 2023
Responsible position	Manager Community Safety
Responsible Director	Director Planning and Development
Version	11

The printed document is an uncontrolled document. To ensure you have the latest policy visit Council's website at [www.bawbawshire.vic.gov.au](http://www.bawbawshire.vic.gov.au) or contact the Governance team on 03 5624 2411.

2 Refer to Legislative Context to assist with compliance obligations.,