



Yarra Ranges Council CCTV Policy 2023

Version:	2.1
Approved by Council:	5/7/23
Responsible Officer:	Director Corporate Services
Departments:	Information Services, jointly with Procurement, Risk and Governance.
Contact Officer:	Executive Officer Risk, Infringements & Governance

Yarra Ranges Vision for the municipality

The following vision statement has been developed by Council to describe Council's aspirations for the future of the municipality - how we would like Yarra Ranges to be in 2036. It is based on the ideas of more than 1,000 members of our community, captured in late 2016.

Whether you live here or visit, you will see how much we value our natural beauty, how connected our communities are, and how balanced growth makes this the best place in the world.

Our Strategic Objectives

Council has identified five strategic objectives to describe what we are working towards – how we want Yarra Ranges to be in the future. These objectives, and the activities we will complete over the coming four years, have been developed in response to our community's priorities and the big issues facing Yarra Ranges. All activities completed by the organisation contribute to one or more of these objectives.



Connected and Healthy Communities

Communities are safe, resilient, healthy, inclusive and socially well connected. Quality services are accessible to everyone.



Quality Infrastructure and Liveable Places

Quality facilities and infrastructure meets current and future needs. Places are well planned and are hubs of activity that foster wellbeing, creativity and innovation.



Protected and Enhanced Natural Environment

A healthier environment for future generations.



Vibrant Economy, Agriculture and Tourism

Our tourism, agriculture, health, manufacturing and other industries are leading and dynamic. Strong investment and attraction underpins sustainable economic growth and job creation.



High Performing Organisation

An innovative, responsive organisation that listens and delivers quality, value for money services to our community.

Yarra Ranges Council acknowledges the Wurundjeri and other Kulin Nations as the Traditional Owners and Custodians of these lands. We pay our respects to all Elders, past, present, and emerging, who have been, and always will be, integral to the story of our region. We proudly share custodianship to care for Country together.

Table of Contents

Yarra Ranges Vision for the municipality _____	2
Our Strategic Objectives _____	2
Table of Contents _____	3
Introduction _____	4
Support materials _____	4
Related Council Policies and procedures _____	4
1. Policy application: _____	5
2. Policy Overview _____	5
2.1. Categories _____	5
This CCTV Policy covers the following three categories of CCTV systems: _____	5
2.2 Context _____	5
3. Application of this policy: Fundamentals _____	6
3.1. Management and Oversight _____	6
3.3 Privacy and Data Protection _____	6
3.4 Gender Equality _____	6
3.5 Retention and Disposal of CCTV records _____	7
4. Application of this policy: CCTV Categories _____	7
4.1 Category One _____	7
4.2 Category Two _____	7
4.3 Category Three _____	7
5. Application of this Policy: Access to CCTV Footage _____	8
5.1 Type One – Internal Requests _____	8
5.2 Type Two – External Requests (non-enforcement agency) _____	8
5.3 Type Three – Law Enforcement Requests _____	8
6. Exceptions _____	8
6. Distribution _____	9
7. Monitoring and review _____	9
Monitoring and evaluation process _____	9
Review cycle _____	9

Introduction

Yarra Ranges Council uses Closed Circuit Television (CCTV) systems for public and staff safety, and asset protection. CCTV usage raises challenges which must be addressed to protect the rights of those whose images are captured.

The Yarra Ranges Council CCTV Policy (“CCTV Policy”) provides a categorisation framework for CCTV systems and guidance relating to data access and management.

Support materials

There are ranges of supporting materials, which are referred to within this policy. These include:

- Yarra Ranges Council Privacy Statement, [Privacy Yarra Ranges Council](#)
- Yarra Ranges Council Privacy & Health Information Policy 2020, [Privacy & Health Information Policy Yarra Ranges Council](#)
- Security and Privacy of Surveillance Technologies in Public Places, 19 September 2018, [Security and Privacy of Surveillance Technologies in Public Places | Victorian Auditor-General's Office](#)
- Victorian Auditor General Office (VAGO) report Security of Surveillance Technologies in Public Places, September 2018.

Related Council Policies and procedures

- Asset Management Policy.
- Corporate Records Policy.
- Corporate Records Disposal Policy.
- Privacy and Data Protection Policy.
- Yarra Ranges Visual Surveillance Devices Procedure.
- Outdoor Camera Counters (OCC) Procedure.
- Body Worn Camera Policy and Procedure.

1. Policy application:

The purpose of this policy is to provide guidance relating to the management of data gathered through Council CCTV technology systems.

2. Policy Overview

2.1. Categories

This CCTV Policy covers the following three categories of CCTV systems:

1. Category One: Council operated CCTV systems installed in public places (including, but not limited to, streets and car parks) to enhance community safety and assist Victoria Police in crime prevention.
2. Category Two: Council owned CCTV systems at Council facilities.
3. Category Three: Relocatable CCTV systems for the detection and prevention of illegal activities over which Council has jurisdiction, such as illegal dumping of rubbish.

This CCTV Policy does not cover Council mobile vehicle-based CCTV devices, mobile phone recordings and photos used for the detection of offences, such as illegal parking near schools, CCTV systems operated by third parties in Council owned facilities or body worn cameras used by Council staff for personal protection when working in enforcement and related roles.

2.2 Context

The Victorian Auditor General's Office (VAGO) conducted an audit of CCTV usage by five Victorian Councils in 2018 and concluded that there are two fundamental requirements for effective CCTV usage by Councils:

- i. Appropriate management and oversight; and
- ii. Adherence to privacy and data protection requirements.

3. Application of this policy: Fundamentals

3.1. Management and Oversight

Oversight of the CCTV systems covered by this policy is the responsibility of Council's Executive Leadership Team. The Director Corporate Services is the centrally responsible policy officer with operational management coordinated through Council's Procurement, Risk and Governance and Information Services Departments.

ELT has the power to approve requests for the installation or modification of Council CCTV systems.

3.3 Privacy and Data Protection

CCTV footage collected will be treated by Council in full compliance with the Privacy & Data Protection Act 2014 (VIC) ("PDP Act"). For more information about Council's approach to personal information, you can access the Yarra Ranges Council Privacy Statement and the Privacy and Health Information Policy Yarra Ranges Council.

Whilst not in the scope of this policy, the leases/ licences for tenancies of Council Buildings where the tenants have their own CCTV systems (excluded category) will include the requirement that CCTV footage be dealt with by the tenant consistent with the requirements of the PDP Act.

Council's Executive Officer Information Management, who is also the Principal Privacy Officer, will advise the Committee, the Director Corporate Services, and others responsible for managing aspects of the CCTV Policy on their compliance with the PDP Act.

Privacy Impact Assessments will be conducted before the installation or modification of any CCTV system is approved by the Committee.

Signage advising of the presence of CCTV cameras in public areas will be installed in the case of all CCTV systems.

3.4 Gender Equality

Council has a legislative responsibility to conduct a Gender Impact Assessment on all new policies, programs and services which have a direct and significant impact on the community.

Council recognises that the introduction or modification of CCTV systems can have a direct and significant impact.

Therefore, a Gender Impact Assessment will be undertaken along with each proposal for the installation or modification of a CCTV system.

3.5 Retention and Disposal of CCTV records

CCTV records kept by Council are public records, and Council must ensure record keeping practices around CCTV records comply with Public Record Office Victoria (PROV) [Standards](#).

In most cases, surveillance camera footage is temporary and may be destroyed when administrative use has concluded. Accordingly in such instances Council can legally erase the CCTV footage from digital media once the designated minimum period has expired.

4. Application of this policy: CCTV Categories

4.1 Category One

Included in this category are Council operated CCTV systems installed in public places (including, but not limited to, streets and car parks) to enhance community safety and assist Victoria Police in crime prevention.

Where the Police wish to obtain copies of downloaded footage, they will request access under the parameters of this policy.

Any changes to these arrangements, or the installation of similar CCTV systems elsewhere in the municipality, shall require ELT approval.

4.2 Category Two

Included in this category are Council owned CCTV systems at Council facilities. Council maintains a range of CCTV systems at Council facilities. These are primarily for the protection of assets, risk management, and public and staff safety.

These cameras will only be used for workforce related matters such as the investigation of a potential policy breach, a workplace injury or near miss, or where required under Occupational Health & Safety or other legislation. The cameras will also be used to investigate potential crimes, whether by staff or others.

Cameras will be visible, not hidden, and will not be installed in toilets, washrooms, change rooms or lactation rooms.

4.3 Category Three

Included in this category are Relocatable CCTV systems. These types of systems are sometime utilised for the detection or prevention of anti-social or illegal activities across a range of Council services. This category may include numerous internal Council departments or external providers. In the case of external parties, it is the responsibility of the external parties to ensure they comply with all relevant legislative obligations.

5. Application of this Policy: Access to CCTV Footage

Council does not generally publish or disclose the footage obtained through the use of surveillance devices without the consent of the individuals shown in the footage.

Council's approach to requests for access is set out below.

5.1 Type One – Internal Requests

These are requests from staff to access CCTV footage. Such requests are to be directed to the Freedom of Information (FOI) & Privacy Team who will make recommendations to the Director Corporate Services, who will make the decision on release.

Standing approvals, such as where staff are monitoring illegal activities under 5.4, may be consented to if appropriate safeguards are in place.

5.2 Type Two – External Requests (non-enforcement agency)

Requests for access to CCTV footage from external parties, other than enforcement agencies, are generally via a Freedom of Information request. Where a person is requesting access to footage or images of themselves, then they may be entitled to request access under the PDP Act. Both categories of requests are to be directed to the FOI & Privacy Team who will make a recommendation to the Director Corporate Services, who will make the decision on release.

Where the requestor has a specific timeframe reasonable effort will be made to achieve the timeframe, subject to Council's legislative obligations.

5.3 Type Three – Law Enforcement Requests

Law enforcement requests for CCTV footage will be dealt with pursuant to the provisions of the PDP Act, i.e. access will be approved where Council is satisfied that the disclosure is reasonably necessary for the functions of a law enforcement agency.

Such requests are to be directed to the FOI & Privacy Team who will make a recommendation to the Director Corporate Services, who will make a decision on release.

6. Exceptions

The Director Corporate Services may exercise discretion and make decisions under circumstances not directly covered by this CCTV Policy as long as Council's legal obligations are met.

6. Distribution

A copy of this policy will be published on Council's intranet and website.

7. Monitoring and review

Monitoring and evaluation process

Council commits to monitoring processes and practices to understand the overall level of success in the Policy's implementation.

At appropriate intervals, the Policy will be evaluated to ensure any changes required to strengthen or update the policy are made in a timely manner.

From time to time, circumstances may require minor administrative or consequential amendments to be made to this Policy. Where such an amendment does not materially alter the Policy, this may be made administratively without the need to be approved by Executive Leadership Team (ELT).

Review cycle

This Policy will be subject to review in line with the Yarra Ranges Council Plan.

Revision history

Version	Date	Summary of revisions
1.1	January 2015	This policy was predominantly focused on supporting community owned CCTV and not suitable for data, sensitivity or community expectations issues of 2023. It was superseded by the 2023 version 2.1
2.1	May 2023	Policy was updated in line with modern data management expectations