

# Video Surveillance Policy

## 1.0 Policy Statement

The City of Mount Pearl may install video surveillance systems at any of its facilities or open spaces.

## 2.0 Purpose

Video surveillance, when utilized with other security measures, is an effective means of ensuring the security and safety of City facilities, the individuals who use them, and the assets housed within them. However, the need to ensure security and safety must be balanced with an individual's right to privacy. The purpose of this policy is to establish guidelines which are intended to achieve this balance. Specifically, this policy addresses requirements and responsibilities with respect to:

- The installation of video surveillance systems;
- The operation of video surveillance systems;
- The use of the information obtained through video surveillance systems; and
- Custody, control and access to records created through video surveillance system.

## 3.0 Legislated Requirements

This policy reflects the provisions of the *Access to Information and Protection of Privacy Act (ATIPP)* and the guidance provided by the Provincial Office of the Information and Privacy Commissioner (OIPC).

Recording a person's image is a collection of personal information as defined by ATIPP, 2015; the City of Mount Pearl has placed limits on its collection, use, and access as noted in this policy.

## 4.0 Scope

This policy applies to all City facilities and to all employees, elected officials, patrons, visitors, and tenants of City facilities. In this policy:

**Authorized Person** means Municipal Enforcement Superintendent, Information Technology Manager, Infrastructure and Public Works Superintendent and any other person designated by the above to monitor or provide technical support to surveillance equipment.

**Facility** means any building or land that is either owned or occupied by the City, including but not limited to parks, walkways, playgrounds and open spaces.

**Video surveillance system** or **System** refers to any system or device that enables continuous or periodic recording, observing or monitoring of facilities, and/or individuals.

## **5.0 Installation of Video Surveillance Systems**

The use of video surveillance systems to enhance security, and specific camera positions, will be determined on the basis of reasonable and justifiable grounds for the provision of safety and security.

## **6.0 Camera Location**

Each proposed camera position will be assessed on a case-by-case basis to determine the effects the system may have on personal privacy. The City will take all reasonable steps to mitigate any adverse effects. No camera will be placed so that it views into an area where individuals have a greater expectation of privacy, such as washrooms, change rooms, or private buildings, as determined by an authorized person.

## **7.0 Signage**

A sign will be installed in a clearly visible location at all facilities which are subject to surveillance and inform all persons entering the facility that it is under video surveillance.

## **8.0 Operation of Video Surveillance Systems**

Only those employees identified as Authorized Persons are permitted to operate video surveillance systems. The Municipal Enforcement Superintendent will maintain a list of all persons designated and only those who have been designated may be permitted to operate the system. Authorized persons operating the system are responsible for the system use with respect to protection of privacy and confidentiality. Authorized persons must have agreed and signed the City's *Acceptable Use of City IT Resources* policy prior to any operation of the system.

## **9.0 Use of Information Collected**

The information collected through video surveillance is used only:

- To assess the effectiveness of safety and security measures taken at a particular facility;
- To investigate an incident involving the safety or security of people, facilities, or assets;
- To provide law enforcement agencies with evidence related to an incident under police investigation;
- To provide evidence as required to protect the City's interest;

- To respond to a request for information under the *Access to Information and Protection of Privacy Act, 2015 (ATIPP)*;
- To investigate an incident or allegation of serious employee misconduct; or
- To investigate an incident involving an insurance claim.

## **10.0 Records Management**

The information collected through video surveillance is retained in accordance with system requirements (e.g. recorders may be routinely re-written). A record will be created from the information collected only for the purposes of conducting or aiding in an investigation pertaining to a safety or security issue or where required by law; no other records will be created or retained.

## **11.0 Custody**

The Municipal Enforcement Superintendent maintains custody of all records created by video surveillance systems. Records will be retained for the period until it is recorded over. Specified recorded material for investigation purposes will be maintained as per the City of Mount Pearl's Records Retention Policy. Authorized persons are responsible for ensuring the security of any records, from creation through to final disposition.

## **12.0 Access Restrictions**

Access to the records created by video surveillance systems is restricted and limited to:

- Individuals responsible for the operation or administration of the system; and
- The City's ATIPP Coordinator and individuals who make a request for access under the *Access to Information and Protection of Privacy Act, 2015 (ATIPP)*.

## **13.0 Access Procedures – City Facilities**

Only those having a legitimate need will be given access to view the record. The applicant is required to sign an Exhibit Release Form acknowledging receipt of the record. For all requests related to investigations of serious employee misconduct, the request must be authorized by the Manager of Human Resources. For all requests related to investigations the request must be authorized by the Superintendent of Municipal Enforcement. In making a determination, Legal Services and/or the City's Records & Information Management Officer may be consulted.

When access to a record is given, the following information will be logged for audit purposes:

- The date and time at which the access was allowed or the date on which disclosure was made;
- The identification of the party who was allowed access or to whom disclosure was made;
- The reason for allowing access or disclosure;
- The extent of the information to which access was allowed or which was disclosed; and
- Provisions for the return of the record or its destruction.

## 14.0 Unauthorized Disclosure

Any City of Mount Pearl employee having knowledge of an unauthorized disclosure of a record, or access to the System, must immediately inform the Records & Information Management Officer (ATIPP Coordinator) of the breach. The Records & Information Management Officer will inform the Superintendent of Municipal Enforcement and Information Technology Manager who together will take all reasonable actions to recover the record and limit the record's exposure. Any unauthorized disclosure of information is cause for disciplinary action up to and including termination of employment.

## 15.0 Approval



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Steve Kent, Chief Administrative Officer

December 20, 2017

Date