

## **VIDEO SURVEILLANCE POLICY**

### **Corporation of the City of Peterborough**

#### **1. Intent**

The Corporation of the City of Peterborough is committed to public safety, crime prevention, and stewardship of publicly owned assets.

Where warranted, the City may use video surveillance systems in City-owned or operated buildings and open spaces to deter and detect crime and anti-social behaviour such as theft, vandalism, and unauthorized entry.

The City shall maintain control of and responsibility for its video surveillance system at all times.

#### **2. Authority**

The City of Peterborough shall use video surveillance systems in accordance with the Municipal Freedom of Information and Protection of Privacy Act (the Act).

#### **3. Compliance**

The City's collection and storage of, and access to, information recorded from video surveillance shall conform to published guidelines and specific direction as may be provided by the Information and Privacy Commissioner of Ontario (IPC) from time to time.

#### **4. Public Consultation**

The City acknowledges the importance of public consultation when new or additional video surveillance systems are considered for city-owned buildings and property. The extent of public consultation may vary depending on the extent of public access.

When new or additional video surveillance installations are being considered for open public spaces such as streets or parks, the City shall consult with relevant stakeholders and the public to determine the necessity and acceptability.

When new or additional video surveillance systems are being considered for City-owned or operated buildings to which the public are invited, such as a library, art gallery, or city hall, notice shall be provided at the site with an opportunity for public feedback.

When new or additional systems are contemplated inside municipal buildings or staff parking lots where there may be a high risk to staff or clients, consultation shall not be required.

## **5. Staff Roles & Responsibilities**

### **5.1 City Clerk**

The City Clerk shall be responsible for implementation, administration, and evaluation of the City's Video Surveillance Policy and procedures.

The Clerk shall also be responsible for ensuring that information obtained through video surveillance is used exclusively for lawful purposes.

### **5.2 Facility Manager/ Coordinator**

The senior city staff person responsible for each city-owned or operated site with a video surveillance system (the "Facility Manager/Coordinator") shall ensure that the site complies with this policy, as well as any site-specific policies that may be required. In particular, the Facility Manager/ Coordinator shall ensure that any staff with authorized access to the monitoring equipment and recorded information shall be trained in its use in accordance with this policy. Authorized staff shall sign a written confidentiality agreement regarding their duties under the Policy and the Acts. Breaches of the policy may result in disciplinary action in accordance with the City's Progressive Discipline Policy.

## **6. Contracted Service Providers**

### **6.1 Agreements**

When the day-to-day operation of a City-owned facility is contracted to an external service provider, the Contracted Service Provider's responsibilities relating to the Video Surveillance Policy shall be referenced in their contractual agreement with the City.

### **6.2 Contract Staff**

Authorized contract staff shall comply with the appropriate staff roles and responsibilities as outlined.

### **6.3 Compliance**

Where a contracted service provider fails to comply with the Policy or Act, it shall be considered a breach of contract leading to penalties up to and including contract termination.

## **7. Location and Use of Video Surveillance Equipment**

### **7.1 Video Surveillance Cameras**

The City shall install video surveillance cameras in identified public areas only where video surveillance is a necessary and viable detection or deterrence activity.

The City may install visible and/or hidden surveillance cameras, but the City shall not install equipment inside areas where the public and employees have a higher expectation of privacy (e.g. change rooms and washrooms).

Where cameras are not visible, the City shall ensure that appropriate signs are installed in accordance with this policy.

## **7.2 Video Monitors**

The City shall ensure that video monitors are accessed only by authorized City staff or authorized Contract Service Provider's staff, and are not located in a position that enables public viewing. The City shall encourage sites to turn monitors off when not needed to ensure system is operating or to view videotapes.

## **7.3 Reception Equipment**

The City shall ensure that video reception equipment is located away from the public, in restricted access areas, preferably in locked rooms with keyed access.

## **7.4 Videotapes**

The City shall ensure that the videotapes used to operate the video surveillance systems are stored in the same room as the reception equipment at all sites.

All tapes used in the recycling rotation, awaiting review by police, or in storage post police review shall be stored in a locked cabinet at all sites, with access restricted to authorized staff.

## **7.5 Location Record**

The City shall ensure that maps and floor plans are prepared to identify the location of all video surveillance equipment at each of the respective sites. The City Clerk shall have copies of all such maps and plans, and each Facility Manager/Coordinator shall have a copy for their site.

## **7.6 Hours of Operation**

The majority of the video surveillance systems shall operate 24 hours per day during the season the facility is open, and personal information shall be accessed only in response to an incident.

The Art Gallery shall operate a continuously monitored system during regular open hours.

## **8. Videotapes**

### **8.1 Normal Retention Period**

Since short retention periods minimize risk of improper use and disclosure, the City shall ensure that there is a standard retention period at all sites.

Videotapes shall be used in rotation in a seven (7) day, one (1) week cycle with one (1) tape per day. Active tapes in rotation should be numbered and used sequentially 1 through 7 with the number 1 tape representing Sunday as the first day of the week.

### **8.2 Tapes Set Aside for Law Enforcement Viewing**

The City shall ensure that videotapes requiring viewing by law enforcement be removed from the rotational cycle, replaced with a spare videotape, and set aside in a clearly marked manner in the locked storage cabinet until retrieved by the law enforcement agency.

### **8.3 Tapes Used as Evidence**

The City shall ensure that if personal information on a videotape is used for law enforcement or public safety purposes under the Act, the recorded information shall be retained for one year after its use.

Following investigation and any corresponding legal action, the law enforcement agency shall be encouraged to return the videotape to the original site for retention and disposal.

### **8.4 Spare Videotapes**

The City shall ensure that personal information is removed by magnetic erasing from any video tapes that are kept as spares. Blank spare videotapes shall be used replace damaged tapes or videotapes removed from the rotation cycle for law enforcement viewing or use.

### **8.5 Old or Damaged Videotapes**

The City shall ensure that old or damaged videotapes are securely disposed of (by shredding, burning, or magnetically erasing) so that personal information cannot be reconstructed or retrieved.

## **9. Access to Recorded Information**

### **9.1 Viewing Videotapes**

The City shall ensure that authorized staff (including Contracted service Providers) shall review surveillance videotapes only if they have reasonable cause to believe that a crime or an act of anti-social behaviour has been or is in the process of being committed.

## **9.2 Access for Evidentiary Purpose**

If staff have reason to believe that the videotape contains personal information for law enforcement or public safety purposes, they shall notify the police and immediately remove the videotape from the rotational cycle. The removed tape shall be clearly marked to indicate its removal and secured in such a way that it cannot be recorded over. It shall remain stored in the locked videotape cabinet until the police arrive to review and/or take custody of the videotape.

## **9.3 Police Requested Access**

The City shall ensure that if the police request access to and use of the recorded surveillance information that staff will allow the videotape(s) to be viewed, accessed or removed, in accordance with applicable law.

## **9.4 Access Log**

The City shall provide each site with a video surveillance system with an Access Log book. The Access Log shall be maintained in the locked cabinet with the videotapes on rotation, with access restricted to authorized personnel only.

The Access Log shall be used to record: the date, time, purpose, and name of authorized staff person reviewing videotapes.

When a videotape is viewed or removed for law enforcement purposes, the log entry shall include: the date, time, name and contact information of the law enforcement officer.

The Access Log shall also be used to track requests for personal information including: the date, time, name and contact information.

## **9.5 Inadvertent Disclosures**

The City shall ensure that inadvertent disclosures are addressed in a timely and effective way. Staff shall immediately report the incident to their Facility Manager/Coordinator; attempt to retrieve the personal information that has been inappropriately disclosed; commence an investigation; and notify the Information and Privacy Commission.

# **10 Public Notification & Access to Information**

## **10.1 Signage**

The City shall ensure that the public is notified about the presence of video surveillance equipment by prominently posting signs at the perimeter of surveillance areas (minimum of two signs).

Signs shall be of consistent size and format and convey the following information: indicate video surveillance in use; identify legal authority for collection of personal information (section 28 (2) of the Act); and provide title, address and telephone number of contact person who can answer questions about the system.

## **10.2 Other Promotion**

The City shall also ensure that information regarding this policy and the City's Video Surveillance Systems is readily available at all sites with video surveillance systems and on the City's (and, if applicable, the site's) website.

## **10.3 Personal Access to Information**

The City recognizes that an individual whose personal information has been collected by a video surveillance system has a right to access his or her personal information under the Act. Such requests will be directed in a timely manner to the City Clerk.

## **11. Annual Audit & Evaluation**

The City Clerk shall conduct an annual review of the City's Video Surveillance Policy/System to ensure that:

- i) Video surveillance continues to be justified and, if so, whether its use can be restricted;
- ii) Reported incidents and police contact are properly recorded in the logbooks;
- ii) Used videotapes are being properly retained;
- iv) Videotapes are being changed in accordance with time frames and security measures are being followed; and
- v) Any formal or informal information requests from public have been tracked.

## **12. Policy Review**

The City shall periodically review the Video Surveillance Policy pending the outcome of the annual audit and evaluation or at any time the City is considering changing or adding new video surveillance systems.

## **Appendix**

### **Recommended Video Surveillance Sign**

-sign dimensions are approx 23.5" x 11.5 " (60 by 30 cm), anodized aluminum.

-City logo (left corner) Millennium Park City of Peterborough

-(left) Video Camera image

### **You have entered an area monitored by Closed Circuit Television (CCTV).**

(Bold, large font)

This is a City of Peterborough initiative maintained by the \_\_\_\_\_ Division (Department). The personal information collected by use of the CCTV at the \_\_\_\_\_ is collected under the legal authority of Section 28 (2) of the Ontario Municipal Freedom of Information and Protection of Privacy Act. This information will be used for the purpose of promoting public safety or properly administering lawfully authorized activities at \_\_\_\_\_.

Any questions about this collection can be directed to (position title), Division/ Department, (location) at (telephone number) in or person during business hours at the (location, address)