



**Service
NSW**

Closed Circuit Television (CCTV) Policy

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Summary

Closed Circuit Television (CCTV) systems have been installed in Service NSW premises. This policy sets out requirements for the management and use of CCTV systems in Service NSW premises. The policy applies to all Service NSW employees, contractors and other providers, visitors or customers.

The policy also details how CCTV footage will be used, to whom it may be disclosed and how to handle requests for CCTV footage from third parties to ensure that Service NSW meets its obligations under the *Workplace Surveillance Act 2005* and the Information Protection Principles (IPPs) and Health Privacy Principles (HPPs).

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1.Scope

This policy sets out requirements for the management and use of CCTV systems in Service NSW premises. The policy applies to all Service NSW employees, contractors and other providers, visitors or customers.

2.Purpose

Service NSW will install/operate CCTV for one or more of the following purposes:

- Deter, detect and respond to criminal offences against person or property;
- Facilitate and support an effective response by law enforcement officers or other emergency services personnel to situations of concern;
- Protect the assets and property of Service NSW and persons on Service NSW premises including employees, contractors and other providers, visitors or customers and;
- Assist in the identification and prosecution (or taking of other disciplinary steps) of persons in relation to criminal matters
- Work, health and safety reasons such as investigating accidents.

3.Definitions

Key terms used in this document.

Term	Definition
Authorised Personnel	means any delegated employees of Service NSW with responsibility for managing access to CCTV systems.
CCTV or Closed Circuit Television	defined as a television system that transmits images on a 'closed loop' basis, where images are only available to those directly connected to the transmission system. The transmission of closed circuit television images may involve the use of coaxial cable, fibre-optic cable, telephone lines, infra-red and radio transmission systems.
CCTV Management Spreadsheet	is used to record CCTV Operations information and data for reporting purposes and includes requests for access to CCTV footage.
CCTV Operations	means all aspects of CCTV surveillance management, use, recording, maintenance and access to recorded material
Designated Surveillance Operation Areas	means any room or record relating to CCTV Operations, CCTV hardware, control software administration and where access to recorded material may be gained or available.
Disclosure	means providing a third party (who is neither Service NSW nor the subject individual) with access to, or a copy of, recorded CCTV footage.

Term	Definition
Use	means providing another person in Service NSW (other than Authorised Personnel or the Manager, Property, Facilities, Fleet and Deployment Operations) with access to, or a copy of, recorded CCTV footage.

4. Key Roles and Responsibilities

Executive Leadership Team	<ul style="list-style-type: none"> ▶ ensuring effective implementation of this policy within their areas of responsibility ▶ review all policy documents
Employees and contractors	▶ see 5.2 below
Manager, Property, Facilities, Fleet and Deployment Operations	▶ see 5.1 below
Manager Governance & Risk	<ul style="list-style-type: none"> ▶ ensure that policy is communicated to relevant employees ▶ ensure that policy remains up to date ▶ incorporate feedback ▶ ensure that this policy complies with the Service NSW policy framework

5. Responsibilities of management and employees

5.1. Management Responsibilities

The Manager, Property, Facilities, Fleet and Deployment Operations is responsible for:

- a) Managing CCTV operations in compliance with NSW privacy and surveillance legislation, including the *Privacy and Personal Information Protection Act 1998*, *Workplace Surveillance Act 2005*, and *Surveillance Devices Act 2007*.
- b) Managing CCTV operations in compliance with Australian Standards 4802:2006, Parts 1 – 4, and future or superseding standards.
- c) Maintaining best practice and standards with reference to CCTV Guidelines affecting NSW public sector agencies.
- d) Operating, use of and maintaining CCTV operations in accordance with this Policy, and the Service NSW *CCTV Standard Operating Procedure*.
- e) Monitoring, Reviewing, Auditing and Reporting on the operations of Service NSW CCTV.

5.2. Employee responsibilities

Management must ensure that employees (including contractors) who will or may have access to the CCTV system or recorded footage have been provided with a copy of this Policy and the *CCTV Standard Operating Procedure*, and that they have signed an undertaking to indicate that they have received, understood and agree to comply with this Policy and the *CCTV Standard Operating Procedure*.

Employees who are suspected of conduct which would breach this Policy, or of the *CCTV Standard Operating Procedure*, may be disciplined for a breach of the Service NSW Code of Conduct. Suspected criminal conduct may result in dismissal of employment and/or referral to NSW Police.

Warning

It is a criminal offence, punishable by up to **two years' imprisonment**, for any person employed or engaged by Service NSW (including former employees and contractors) to *intentionally use or disclose* any personal information about another person, to which the employee or contractor has or had access in the exercise of his or her official functions, except in connection with the lawful exercise of his or her official functions.

It is also a criminal offence, punishable by up to two years' imprisonment, for any person to cause any unauthorised access to or modification of restricted data held in a computer.

5.3. Notice to all employees (and contractors)

All employees and contractors of Service NSW are required to read and understand this policy. This policy constitutes notice to all employees. The *Workplace Surveillance Act 2005* requires Service NSW to provide employees (including contractors) with notice, in writing, about CCTV operations.

Existing employees must be provided with at least 14 days' notice before cameras are installed at their workplace. If the CCTV has already commenced when a Service NSW employee is first employed, or due to commence less than 14 days after an employee is first employed, the notice to that employee must be given before the employee starts work.

Circulation of this CCTV Policy constitutes written notice to employees about Service NSW's CCTV Operations.

5.4. Ethical responsibilities

The CCTV System will be operated with due regard to the privacy and civil liberties of individual members of the public, including the rights to freedom of religious and political expression and assembly.

Service NSW has the highest expectation of all Authorised Personnel to:

- At all times, act in an honest and ethical manner to carry out duties which reflects community values.

- Treat all live and recorded images in an ethical manner and with the utmost of care, respect and dignity.
- Interact with NSW Police and Service NSW Executive in a timely, courteous and cooperative manner.

CCTV must not be used for personal benefit or to invade individual or group privacy. Cameras should only be used in accordance with this Policy and the Service NSW *CCTV Standard Operating Procedure*.

Service NSW expects Authorised Personnel to ensure confidentiality of information gathered by or from CCTV Operations by not disclosing or discussing any events with unauthorised persons who have no direct responsibility relating to CCTV operations. In addition, Authorised Personnel will explicitly not identify any involved person or party with family, friends, or acquaintances and will not disclose any information to third parties, including the media without prior written approval in accordance with the *CCTV Standard Operating Procedure*.

6. Notice and signage

Our privacy obligations require Service NSW to ensure there is signage alerting customers, employee and others that cameras are in operation.

In addition, the *Workplace Surveillance Act 2005* requires Service NSW to ensure that:

- cameras (or their casings or other associated equipment that would indicate the presences of CCTV) are visible
- there are signs at each entrance to a workplace with CCTV (see example below), and
- employees are notified about the existence of a CCTV system.

Signs should be mounted as close as practical to an adult's line of sight. The Service NSW standard is to aim for 1700mm above the ground.

Sample of Service NSW signage



7. Storage and retention of recorded images

Images collected by CCTV may only be monitored by Authorised Personnel. Access to those systems will be controlled to ensure that only Authorised Personnel have access to CCTV footage.

Service NSW will retain CCTV footage for a period of 31 days in accordance with *Australian Standard 4806-2006: Closed Circuit Television (CCTV) – Management and Operation*. This period may be extended where an incident has occurred or

where requested by Authorised Personnel.

Appropriate security measures and audit trails will be established against unauthorised access, alteration, disclosure, accidental loss or inadvertent destruction of recorded material.

Recorded material will be treated according to defined procedures and audit trails to ensure continuity of evidence.

8. Allowed purposes for use or disclosure of CCTV footage

The *Workplace Surveillance Act 2005* requires that CCTV footage can only be used or disclosed if it is:

- related to the employment of employees of the employer or the legitimate business activities or functions of the employer;
- to a law enforcement agency in relation to an offence;
- related to civil or criminal proceedings; or
- reasonably believed necessary to avert an imminent threat of serious violence to persons or substantial damage to property.

The Service NSW CCTV Standard Operating Procedures sets out the detailed rules for assessing requests to use or disclose CCTV footage.

9. Request for access to CCTV footage

If an individual believes they are recorded on CCTV footage held by Service NSW, they can exercise their 'access' rights under privacy or GIPA legislation, by asking to view or have a copy of the footage. They may exercise this right themselves, or through a legal representative. All requests for third party access, with the exception of law enforcement agencies, for CCTV footage must be made in writing to the:

Manager, Property, Facilities, Fleet and Deployment Operations
Service NSW
GPO Box 7057
SYDNEY NSW 2001
or;
info@service.nsw.gov.au.

The request should clearly outline the reason for access in accordance with the circumstances listed in Part 8 above.

Law enforcement agencies seeking access to CCTV footage should complete the *Application to obtain Service NSW CCTV footage form* (refer Appendix A)

10. Complaints handling

Persons with complaints or enquiries regarding the purpose, collection or use or other aspects of CCTV operations should be directed to the Service NSW Privacy Officer.

Complaints received in relation to the operation of Service NSW CCTV must be considered and addressed by the Manager Governance and Risk and/or the Service NSW Privacy Officer in consultation with the Manager, Property, Facilities, Fleet and Deployment Operations and in accordance with the *Privacy and Personal Information Act 1998* (NSW) and the *Workplace Surveillance Act 2005* (NSW) and any Regulations made under those Acts.

11. Accountability and oversight

At least every two (2) years the Manager, Property, Facilities, Fleet and Deployment Operations must review the operation of the CCTV cameras on Service NSW premises, including the gathering, storage, distribution and destruction of footage, to ensure all authorised persons and other employees are in compliance with this Policy.

This Policy will also be reviewed every two (2) years by the Manager Governance and Risk in consultation with the Manager, Property, Facilities, Fleet and Deployment Operations to ensure compliance with current legislation.

12. References

- ▶ Australian Standard 4806-2006: Closed Circuit Television (CCTV) – Management and Operation
- ▶ NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Places.
- ▶ *Privacy and Personal Information Act 1998* (NSW)
- ▶ Service NSW Code of Conduct
- ▶ Service NSW CCTV Standard Operating Procedures
- ▶ *Workplace Surveillance Act 2005* (NSW)

Appendix A – Application to Obtain CCTV Footage



Service NSW

APPLICATION TO OBTAIN SERVICE NSW CCTV FOOTAGE

Details of Request

a.	Name and rank of requesting Officer:	
b.	Signature of requesting Officer:	
c.	Name and rank of Case Officer: (if not requesting officer)	
d.	Local Area Command:	
e.	Case Officer email:	
f.	Telephone No:	
g.	Fax No:	
h.	Date of Application:	
i.	Event number:	

Incident details

a.	Date of incident:	
b.	Time of incident:	
c.	Location of incident:	
d.	Detail of incident:	



Declaration

By signing below you are agreeing to the following:	
a.	I acknowledge that any CCTV footage released to me is the property of the Service NSW
b.	I acknowledge that any CCTV footage released to me will only be used for the purposes pertaining to the investigation in relation to Event No:
c.	I acknowledge that images relating to other persons contained in any CCTV footage released to me will not be used for any other purpose.
d.	I will not allow copies of any CCTV footage released to me to be reproduced except for court purposes.
e.	I will not show or display any image or release it publicly without the written consent of Service NSW
f.	I will keep the footage released to me in a secure location when not being utilized
g.	I have the authority to make this request and to sign this form on behalf of: <input type="checkbox"/> NSW Police <input type="checkbox"/> Other law enforcement agency If other, print name of agency:
Signature of applicant: _____ Date: _____	

Service NSW use only

a.	TRIM File number:	
b.	Application assessed by:	
c.	Signature:	Date:
d.	Footage prepared by:	
e.	Signature:	
f.	Format of footage released:	<input type="checkbox"/> DVD/CD <input type="checkbox"/> Hard disk <input type="checkbox"/> Other If other, describe:
g.	Officer's name and rank: (on receipt of footage)	
h.	Officer's signature: (on receipt of footage)	Date:

Email the completed form to:

governanceandrisk@service.nsw.gov.au

Enquiries to Governance & Risk on (02) 9887 7613