

Closed Circuit Television (CCTV) Policy

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).

Table of Contents

Summary.....	1
1. Scope.....	2
2. Purpose.....	2
3. Definitions	2
4. Key Roles and Responsibilities	3
4.1 Executive Leadership Team	3
4.2 Management Teams	3
4.3 Workers	4
5. Ethical Responsibilities	4
6. Notice and signage	4
6.1 Signage	4
7.Storage and retention of recorded images.....	6

1. Scope

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

This Policy does not apply to managing NSW Police requests for CCTV footage. For more information, refer to 'Request for access to CCTV footage' below and the specific rules for NSW Police requests for information via the NSW Police iAsk platform (details contained in the Knowledge Article Requests for SNSW Security Footage - CCTV dated Jun 22)

2. Purpose

Service NSW may 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;
- Assist in the identification and prosecution (or taking of other disciplinary steps) of persons in relation to criminal matters; and
- Work, health and safety reasons, such as investigating accidents.

3. Definitions

The following key terms used in this document have the following definitions:

Term	Definition
Authorised Personnel	Any delegated employees of Service NSW with responsibility for managing access to CCTV systems, principally the Director Operations, employees in the Physical Security Team, employees assigned to the Operations Centre, Service Centre Managers (locally) and Hub Managers (for local and spoke sites).
CCTV or Closed Circuit Television	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 Operations	All aspects of CCTV surveillance management, including its use, recording, maintenance and access to recorded material.

Disclosure	Providing a third party (who is neither Service NSW nor the subject individual) with access to, or a copy of, recorded CCTV footage.
Use	Providing another person in Service NSW (other than Authorised Personnel or the Safety & Security Manager) with access to, or a copy of, recorded CCTV footage.

4. Key Roles and Responsibilities

4.1 Executive Leadership Team

The Executive Leadership Team are responsible for:

- ensuring effective implementation of this policy within their areas of responsibility
- reviewing all policy documents.

4.2 Management Teams

The Director Operations is responsible for ensuring this Policy:

- is communicated to relevant employees or contractors;
- is reviewed to ensure it is current, in line with legislative requirements and the Service NSW Policy framework; and
- incorporates any feedback.

The Principal Advisor Physical Security is responsible for:

- managing Service NSW CCTV operations in accordance with:
 - NSW privacy and surveillance legislation, including the *Privacy and Personal Information Protection Act 1998*, *Workplace Surveillance Act 2005*; *Surveillance Devices Act 2007*;
 - Australian Standards 4802:2006, Parts 1-4, and future or superseding standards;
 - best practice and standards, with reference to CCTV Guidelines affecting NSW public sector agencies; and
 - this Policy and the Knowledge Article Security Footage Management (KA);
- considering and responding to complaints related to Service NSW CCTV operations; and
- monitoring, reviewing, auditing and reporting on Service NSW CCTV operations.
- these functions are authorised to be delegated for day to day management to the Senior Advisor Security Technology and employees in the Security Technology Portfolio.

4.3 Workers

Service NSW will provide employees and contractors that will, or may, have access to the CCTV system or recorded footage, a copy of this Policy and the KA via circulation or by visiting the [Physical Security Group](#) intranet page.

Actual or suspected breaches of this Policy or the KA may be disciplined as a breach of the Department of Customer Service [Code of Ethics and 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. 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:

- always act in an honest and ethical manner to carry out duties in a way that reflects community values;
- treat all live and recorded images in an ethical manner and with the utmost care, respect and dignity; and
- 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 KA.

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.

6. Notice and signage

6.1 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 clearly visible; and
- there are clearly visible signs at each entrance to a workplace with CCTV.

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. Below is an example of a CCTV sign:

Safety & Security Notice:

For your safety and security this Service Centre is protected by 24 hour video surveillance (CCTV) and alarm monitoring in compliance with the Surveillance Devices Act (NSW). Any unreasonable behaviour detected will elicit a security or police response and may result in prosecution.



6.2 Notice to employees

The *Workplace Surveillance Act 2005* requires that, where the workplace in which CCTV is installed is an employee's usual place of work, employees must provide written notice at least 14 days prior to surveillance commencing.

If surveillance of employees at the Service NSW premises has already commenced when an employee is first employed or is 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.

The notification must indicate:

- the kind of surveillance to be carried out (camera, computer or tracking);
- how the surveillance will be carried out;
- when the surveillance will start;
- whether the surveillance will be continuous or intermittent; and
- whether the surveillance will be for a specified limited period or ongoing.

Circulation of this CCTV Policy and the presence of visible signage in the workplace where surveillance is in operation, constitutes written notice to employees about Service NSW's CCTV Operations.

7.Storage and retention of recorded images

The storage and retention of images collected by CCTV may only be accessed and monitored by Authorised Personnel.

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 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. Use or disclosure of CCTV footage

The Service NSW Safety and Security Team must uphold the rights of all customers and staff to privacy, regardless of the quality of the safety and security systems present. Requests for staff footage must be managed in accordance the *Workplace Surveillance Act*, and customer footage in accordance with the *Surveillance Devices Act*.

Service NSW will not use or disclose CCTV footage unless disclosure and/or use is:

- if the footage is of an employee:
 - for a legitimate purpose related to Service NSW's employment of its employees; or
 - for legitimate business activities or functions,;
- requested by a member or officer of a law enforcement agency in connection with the detection, investigation or prosecution of an offence;
- related to the commencement of or existing civil or criminal proceedings; or
- reasonably believed to be necessary to avert an imminent threat of serious violence.

Request for footage must be accompanied by:

- appropriate justification for why the footage is required; and
- explanation of its connection to an open and authorised line of inquiry, including the authority under which it is being carried out.

Requests should be actioned within 24 hours of receipt, and in accordance with the KA, which sets out detailed rules for assessing requests to use or disclosure of CCTV footage.

Where there are unusual circumstances or the justification/authority is not consistent with legislation, the request should be referred to the Principal Advisor Physical Security and/or Director of Operations for a determination.

9.Request for access to CCTV footage

General Public

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, except from law enforcement agencies, for CCTV footage must be made using the email template in the KA and emailed to: physicalsecurity@service.nsw.gov.au

Law Enforcement

NSW Police must not use the general public process. NSW Police requests for CCTV footage are managed via the *State Intelligence Command RFI platform*.

Please see the KA for more information on NSW Police requests for information.

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, at privacy@service.nsw.gov.au.

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 Principal Advisor Physical Security 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

The operation of the CCTV cameras on Service NSW premises, including the gathering, storage, distribution and destruction of footage, must be reviewed at least every two (2) years by the Principal Advisor Physical Security to ensure compliance with this Policy.

This Policy will also be reviewed every two (2) years by the Director of 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 Safety & Security Handbook
- *Workplace Surveillance Act 2005 (NSW)*