

DOCUMENT TYPE	Policy
TITLE	CLOSED CIRCUIT TELEVISION (CCTV)
NUMBER:	POL-2015

PURPOSE

To guide the operation and possible expansion of CCTV systems owned and operated by the Shire of Wyndham-East Kimberley (Shire).

DEFINITIONS

Australian Standards means the Australian Standard 4806-2006 Parts 1-4 inclusive as amended from time to time.

Authorised Officer means an employee of the Shire who is authorised by the Chief Executive Officer or Council for the purposes of the administration and enforcement of any Act, regulations or local laws which relate the functions and powers of the Shire.

CEO means the Chief Executive Officer of the Shire.

CCTV means closed circuit television.

Body Worn Cameras means a portable camera worn or used by Authorised Officers under the Surveillance Devices Act 1998 (WA) and operated in accordance with the Shire's Surveillance Devices policy.

Dash Cam means a video camera mounted on the dashboard or windscreen of a vehicle and used to continuously record the view of the road, traffic and surrounding environment through the windscreen of a vehicle.

Public Realm means all those parts of the built environment where the public has free access.

POLICY STATEMENTS

PRINCIPLES

To establish and guide the operation, expansion and strategic development of the CCTV system by Authorised Officers across the Shire to assist in the Shire delivering on the policy objectives while having due regard to the privacy of individual members of the public.

The public interest in the operation of CCTV's is acknowledged by ensuring the security, review and integrity of operation procedures is maintained.

The Shire will take into account any guidelines, Acts, regulations and/or Local Laws published from time to time which relate to the functions and powers of the Shire related to the installation and operation of CCTV cameras.

OBJECTIVES

The Shire is committed to ensuring a safe community and workplace. CCTV surveillance is a valuable and effective tool for the protection of people and property.

The objectives of this policy are to:

1. deter, detect and respond to criminal offences against persons and/or property;
2. facilitate and support effective responses by Authorised Officers and members of the WA Police Force or other emergency response services where applicable;
3. provide assistance for criminal investigation and prosecution purposes;
4. manage and maintain community safety for residents, traders, retailers, workers, visitors and Shire staff;
5. maintain best practice and standards following previously published WA CCTV guidelines and strategy;
6. manage CCTV operations in compliance with Australian Standards.

CCTV

The Shire owns and operates CCTV at various locations as part of security systems to protect Shire assets and in the public realm to create a safer community by contributing to the deterrence of and response to crime.

Mobile or temporary cameras installed by the Shire and used in the same manner as fixed CCTV cameras to achieve the objectives of the CCTV policy are incorporated into the scope of this policy.

All references to CCTV cameras in this policy refer only to cameras operated and monitored by, or on behalf of, the Shire.

Any decision by the Shire to install CCTV surveillance in areas will be underpinned by a relevant risk assessment and made by the Chief Executive Officer in line with approved budgets and authority.

Exclusions from this policy are as follows:

- This policy does not relate to mobile or temporary cameras (including dash cams or body worn cameras) primarily used for activities associated with the undertaking of delegated tasks by Authorised Officers captured in the Surveillance Devices policy.
- This policy does not relate to personal safety cameras installed by members of the public.
- CCTV cameras are installed from time to time by tenancies and licensees of Shire land or buildings in accordance with the terms of leases and/or licences as a safety measure by the tenant or licensee. Unless identified as a key site where the vision is clearly recorded and held by the Shire, these cameras lie outside the scope of this policy.

PURPOSE

The role and purpose of this policy is to ensure that the installation and operation of CCTV occurs in accordance with this policy.

OWNERSHIP AND CONTROL

Ownership and control of the CCTV will ensure CCTV operations are conducted in accordance with the following:

1. All aspects of CCTV surveillance management, use, recording, data capture, maintenance and access to recorded CCTV data is owned by and the sole property of the Shire.
2. The Shire will work in conjunction with the WA Police Force to ensure the CCTV networks work in the best interests of the Shire.

3. The Shire will manage and operate CCTV in accordance with approved CCTV Management and Operation Manual, and any relevant strategies.
4. Authorised Officer's will abide by the Code of Conduct, Code of Practice and Standard Operating Procedures set out in the CCTV Management and Operation Manual.
5. The Shire will register CCTV camera's in the State CCTV Register.
6. The Shire will encourage business owners and residents to register private surveillance cameras in the State CCTV register so as have connection to the State Operation Command Centre of the WA Police Force.
7. The Shire will allow the Western Australian Police to access the CCTV operation and control upon application and in accordance with the CCTV Management and Operation Manual, this Policy and the Code of Conduct.

RETENTION AND STORAGE OF RECORDED CCTV DATA

Recorded CCTV data will be stored in a secure electronic location with access restricted to Shire officers with the delegated authority of the CEO (Delegated Officers).

Recorded CCTV data will be protected from unauthorised viewing, copying, altering and disclosure by the Delegated Officers.

Recorded CCTV data required, or which may be required, as evidence in any legal and/or regulatory process will be retained in accordance with the State Records Act 2000.

Recorded data which is not required as evidence in any legal and/or regulatory process will be permanently deleted after a period of 62 days from the date of capture by CCTV.

CONFIDENTIALITY

All recorded CCTV data will be kept confidential and dealt with in accordance with the provisions of section 9 of the Surveillance Devices Act 1998 and the Freedom of Information Act 1992.

Any person has the right to apply to the CEO for access to review recorded CCTV data which captures that person. An application must be made for a copy of the recorded CCTV data and that application will be dealt with in accordance with the Freedom of Information Act 1992.

The identification of any person/s or incidents captured by a CCTV which is disclosed by Shire staff to third parties including but not limited to family, friends, acquaintances or the media is a breach of this policy and will be deemed a serious breach of the Shire's employee code of conduct and terms of employment. A breach will not occur where the Authorised Officer has the prior written consent of the party and/or incidents captured by the CCTV.

RELEASE OF DATA

Recorded CCTV data will only be released to a member of the Western Australia Police Force or when the Shire is served with an order of a court of competent jurisdiction of any State or Territory in Australia.

COMPLAINTS

Any complaints regarding the capturing, retention and storage, confidentiality or release of data captured by CCTV may be made in writing to the CEO which will be dealt with in accordance with POL-2000 Complaint Management Policy.

PROCEDURES

The Shire's procedures to support the implementation of this policy are included in the CCTV Management and Operation Manual.

EXPLANATORY NOTES

This policy will inform strategic documents including the CCTV Strategy, Strategic Community Plan, Community Safety and Crime Prevention Plan which, together with the CCTV Management and Operation Manual accompany this policy as informing documents.

The WA CCTV Strategy and CCTV Guidelines are no longer published to support best practice and standards however will continue to be used as a guide. The Australian Standards, as amended from time to time, provides recommendations for the operation and management of CCTV within a controlled environment, data storage, review or analysis and which has informed the CCTV Management and Operation Manual to be read with this policy.

APPLICATIONS

This policy applies to Council and Shire staff and guides the relationship between the Shire and the WA Police Force, the community and key stakeholders in respect to the placement of CCTV, the capturing of recorded CCTV data, retention of recorded CCTV data and the release of recorded CCTV data.

DOCUMENT AND VERSION CONTROL

Responsible Directorate	Corporate Services		
Responsible Officer	Director Corporate Services		
Statutory References	<i>Freedom of Information Act 1992 (WA)</i> <i>State Records Act 2000 (WA)</i> <i>Surveillance Devices Act 1998 (WA)</i>		
Related Documents	POL-1015 Surveillance Devices DIR-1022 Code of Conduct for Employees WI-2015 Closed Circuit Television CCTV Management and Operation Manual		
Amendment History (Adoption and last 3 amendments)			
Version	Date Issued - Resolution Number	Item #	Description of Change
1.0	28/11/2023 – 118932	12.4.1	Council Adoption
Date of Next Review	November 2025		