

Video Surveillance Policy

Date Approved by Council: 2022-09-29

Resolution: 2022-09-29-302

Review Date: February

Related Bylaw:

Amendments:

Purpose

This policy has been adopted to establish the procedures for video surveillance at municipally owned properties in accordance with the Freedom of Information and Protection of Privacy Act (FOIP) Division 1, 33 (a), (b), (c).

Policy Statement:

The Village of Hussar recognizes the need to balance an individual's right to privacy and the need to ensure the safety and security of the Municipality's employees, clients, visitors and property. While video surveillance cameras are installed for safety and security reasons, the Municipality's video surveillance systems must also be designed to minimize privacy intrusion. Proper video surveillance, where deemed necessary, is one of the most effective means of helping to keep the Municipality's facilities and property operating in a safe, secure, and privacy protective manner.

Application:

This policy applies to all types of camera surveillance systems, surveillance monitors and camera recording devices used for security purposes at municipally owned properties. This policy does not apply to video surveillance used for employment related or labour-related information nor to the video recording, audio recording or broadcast of Council or Committee Meetings. If recording of Council or Committee meetings occurs, disclosure must be made to the participants and attendees through posted signs.

ROLES & RESPONSIBILITIES:

The Chief Administrative Officer is responsible for

- approval of installation of video cameras at municipally owned properties based on Security Threat Assessment for the specific facility;
- implementation, administration and evaluation of the Policy and associated procedures;
- yearly evaluations of video surveillance system installations to ensure compliance with the Policy;
- review of the Policy annually as per the 3.4 Policy & Bylaw Review Policy, and forward recommendations for changes, if any, to Council for approval;
- disclosure of information from the video surveillance system as Head for the Municipality under FOIP;
- ensuring that information obtained through video surveillance is used exclusively for lawful purposes;

- any site under their responsibility with a video surveillance system; ensuring that the site complies with this policy, plus any site-specific procedures that may be required;
- conducting Security Threat Assessment to determine the requirement for a video surveillance system;
- overseeing day-to-day operations of the video surveillance system, and ensure all aspects of the video surveillance systems are functioning properly;
- ensuring monitoring and recording devices are stored in a safe and secure location, and are password protected, if required;
- documenting all information regarding the use, maintenance, and storage of records in the applicable logbook, including all instances of access to, and use of, recorded material to enable a proper audit trail;
- ensuring that no personal information is disclosed without proper approval;
- ensuring that no copies of data/images in any format (hardcopy, electronic, etc.) is taken from the video surveillance system without proper approval;
- recording all requests for access to video records

All municipal staff shall:

- adhere to the Video Surveillance Policy and not access or use information contained in the video surveillance system, its components, files or database for personal reasons, nor dispose, destroy, erase or alter any record without proper authorization and without following the Policy.

SECURITY THREAT ASSESSMENT (Schedule 1)

Before deciding to install video surveillance, the following factors must be considered:

- the use of video surveillance cameras should be justified on the basis of verifiable, specific reports of incidents of crime or significant safety concerns;
- an assessment must be conducted on the effects that the proposed video surveillance system may have on personal privacy, and the ways in which any adverse effects can be mitigated;
- the proposed design and operation of the video surveillance systems should minimize privacy intrusion.

PUBLIC CONSULTATION

The Municipality acknowledges the importance of public consultation when new or additional video surveillance systems are considered for municipally 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 Municipality 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 municipally owned or operated buildings to which the public are invited, such as a library, art gallery, or municipal office, 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.

DESIGNING AND INSTALLING VIDEO SURVEILLANCE EQUIPMENT

Video surveillance currently recorded by the Municipality is stored directly to hard drives. Other methods of recording/storage are acceptable provided requirements of this policy are met.

When designing a video surveillance system and installing equipment, the following must be considered:

- Given the open and public nature of the Municipality's facilities and the need to provide for the safety and security of employees and clients who may be present at all hours of the day, the video surveillance systems may operate at any time in a 24-hour period.
- The video equipment should be installed to only monitor those spaces that have been identified as requiring video surveillance. Front office, front door - including parking, shop and shop parking.
- Operators' ability to adjust cameras should be restricted, if possible, so that they cannot adjust or manipulate cameras to overlook spaces that are not intended to be covered by the video surveillance program.
- Visible and/or hidden surveillance cameras may be installed, however, equipment should never monitor the inside of areas where the public and employees have a higher expectation of privacy (ex. washrooms).
- Only authorized staff, or those accompanied by authorized staff, shall have access to the recording equipment.
- Monitors are displayed on the front counter of the Village Office.

NOTICE OF USE OF VIDEO SURVEILLANCE SYSTEMS

To provide notice to individuals that video is in use:

- The Municipality shall post signs, visible to members of the public, at all entrances and/or prominently displayed on the perimeter of the grounds under video surveillance.
- A sample notice is included as Schedule 2. Other formats of signage may be used, where appropriate, provided it includes the required notification requirements.
- Notice may also be provided via the Village of Hussar website.

PERSONAL ACCESS TO INFORMATION REQUEST PROCESS

The Municipality 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 FOIP Act. All inquiries related to or requests for video surveillance records shall be directed to the CAO. A person requesting access to a record should submit the prescribed "Request Form" under the Freedom of Information and Protection of Privacy Act along with the prescribed fee. Processing of the request will be in accordance with the provisions of the Freedom of Information and Protection of Privacy Act.

If access to a video surveillance record is required for the purpose of a law enforcement investigation, the requesting Officer must complete the Municipality's Law Enforcement Officer Request Form (Schedule 3) and submit it to the CAO.

CUSTODY, CONTROL, RETENTION AND DISPOSAL OF VIDEO RECORDS/RECORDINGS

The Village of Hussar retains custody and control of all original video surveillance records. Video records are subject to the access and privacy requirements of FOIP, which includes but is not limited to the prohibition of all municipal staff from access or use of information from the video surveillance system, its components, files, or database for personal reasons.

Since short retention periods minimize risk of improper use and disclosure, the Municipality shall ensure that there is a standard retention period for video surveillance records.

A record of an incident will only be stored longer where it may be required as part of a criminal, safety, or security investigation or for evidentiary purposes. Video requiring viewing by law enforcement shall be copied from the hard drive and set aside in a clearly marked manner in a locked area until retrieved by the law enforcement agency. If personal information on video is used for law enforcement or public safety purposes, 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 required to destroy the video. If staff has reason to believe that the video contains personal information for law enforcement or public safety purposes, they shall notify the police and immediately make a copy from the hard drive. Copies made from the hard drive should be secured in such a way that they cannot be recorded over.

The Municipality will take all reasonable efforts to ensure the security of records in its control/custody and ensure their safe and secure disposal. Disposal methods will depend on the type of storage device.

PUBLIC RECORDING INSIDE THE VILLAGE OFFICE

In Canada, when in public spaces where you are lawfully present you have the right to photograph anything that is in plain view. To ensure safety and security of records in our control/custody we ask that no recording be conducted inside the Village Office without permission from the Chief Administrative Officer. If approved by the CAO, the area allowed for recording is on the public's side of the desk behind the glass barrier. A "Restricted Area – Employees Only" sign will be placed in the Village Office so that members of the public will not be allowed access behind the front desk. Only authorized staff will be allowed access in restricted areas.

SCHEDULE 1 - SURVEILLANCE VIDEO SECURITY THREAT ASSESSMENT

To determine the requirements for a Video Surveillance System

Site Name: _____

Location: _____

Proposed Video Location: _____

Requestor: _____

Date: _____

1. Is there already a video surveillance system and/or camera on site? If so, describe and advise if the set-up adheres to the Village of Hussar’s Security Video Surveillance Policy. (Use separate page if required). _____

2. Video surveillance should only be considered after other measures of deterrence or detection have been considered and rejected as unworkable. Have the following security countermeasures been considered and rejected as unworkable?

Security Countermeasure	Yes	No	Comment
a) Security Procedure	_____	_____	_____
b) Duress Buttons	_____	_____	_____
c) Door Locking Hardware	_____	_____	_____
d) Alarm System	_____	_____	_____
e) Access Control System	_____	_____	_____
f) Signage	_____	_____	_____
g) Security Guard/Officer Patrols	_____	_____	_____
h) Lighting	_____	_____	_____
i) Other	_____	_____	_____

3. The use of each video surveillance camera should be justified based on verifiable, specific reports of incidents of crime or significant safety concerns. Are there any documented incidents of crime or significant safety concerns in any of the following formats?

Documentation Formats	Yes	No	Comment
a) Security Occurrence Reports	_____	_____	_____
b) Police Reports	_____	_____	_____
c) H&S Consultants Report	_____	_____	_____
d) H&S Committee Minutes	_____	_____	_____
e) Internal Minutes	_____	_____	_____
f) Other	_____	_____	_____

4. An assessment should be conducted on the effects that the proposed video surveillance system may have on personal privacy and the ways in which any adverse effects can be mitigated. Have the following effects and mitigation strategies been considered?

Effects & Mitigation Strategies	Yes	No	Comment
a) The location of the proposed camera is situated in an area that will minimize privacy	_____	_____	_____

- intrusion?
- b) Is the proposed camera location one where the public and employees do not have a higher expectation of privacy (i.e. not in a washroom or change room, etc.)? _____
 - c) Is the location of the proposed video camera visible? _____
 - d) Can the video surveillance be restricted to the recognized problem area? _____
 - e) Is space allocated for proper video surveillance signage? _____
 - f) Has a drawing been attached showing the video location? _____
 - g) Other _____

5. The proposed design and operation of the video surveillance systems should minimize privacy intrusion. Have the following design and operation factors been considered for each proposed camera location?

Design & Operation Factors	Yes	No	Comment
a) Can the proposed camera be restricted through hardware or software to ensure that Operators cannot adjust or manipulate cameras to overlook spaces that a threat assessment has not been completed for?	_____	_____	_____
b) Is the reception equipment going to be located in a strictly controlled access area?	_____	_____	_____
c) Can the Video Surveillance Monitor be installed in such a way that it will be hidden from public view?	_____	_____	_____
d) Other	_____	_____	_____

Comments _____

 Completed By (Print) Signature Date Position Title

SCHEDULE 2 – NOTICE OF COLLECTION

LOREX[®]



This area may be monitored by Video Surveillance Cameras (Closed-Circuit Television -CCTV).

The personal information collected by the use of the CCTV is used for the purpose of promoting public safety and reduction of crime at this site.

Questions about the collection of the personal information may be addressed to the CAO of the Village of Hussar, PO Box 100, 109 1st Avenue East, Hussar, AB T0J 1S0 Phone: (403) 787-3766.

SCHEDULE 3 - LAW ENFORCEMENT OFFICER REQUEST FORM

RELEASE OF RECORD TO LAW ENFORCEMENT AGENCY
(under Section 40(1)(g)(q)(r)(gg) of the Freedom of Information and Protection of Privacy Act)

TO: Village of Hussar

I, _____, of the _____
(Print Name of Police Officer) (Print Name of Police Force)

request a copy of the following record(s):

Date _____ Time Period: _____ to _____

Municipal Facility: _____
(Village Office)

to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result.

I confirm that the record will be destroyed by the _____ Police after use by the agency.

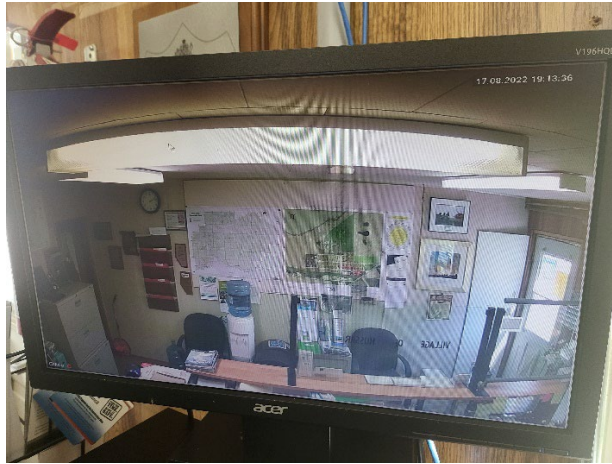
Signature of Officer Date

Return completed original forms to the CAO at the Village of Hussar Office, 109 1st Avenue East, PO Box 100, Hussar, AB T0J 1S0

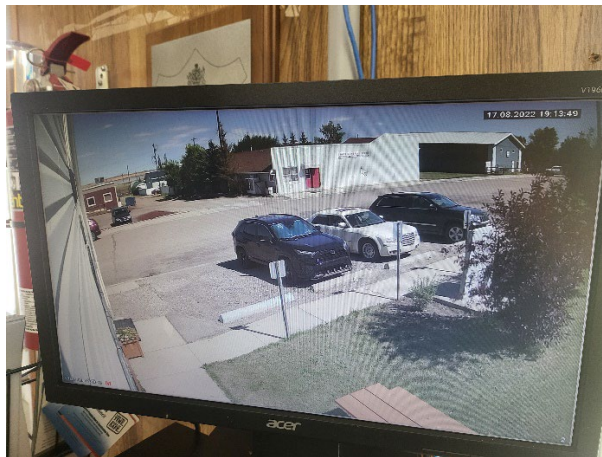
Personal information is collected under the authority of the FOIP for the purpose of creating a record relating to release of video surveillance record to law enforcement agency. Questions about the collection may be addressed to the CAO at the Village of Hussar Office, 109 1st Avenue East, PO Box 100, Hussar, AB T0J 1S0 Phone (403) 787-3766.

SCHEDULE 4 – COVERAGE OF CAMERA

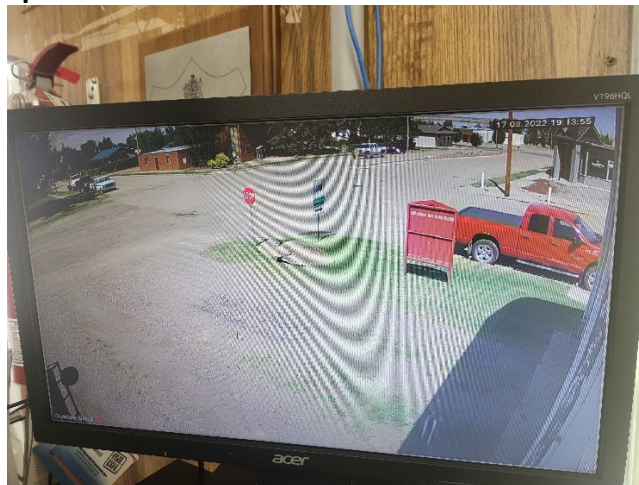
Camera 1 - Office



Camera 2 – Outside Office



Camera 3 – Outside Shop



Camera 4 – Inside Shop



Video Surveillance Monitor

