



Kaipara District Council CCTV (Closed Circuit Television) Policy



CCTV Policy			
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1. Introduction

This Policy sets out the purpose for collecting Closed Circuit Television (CCTV) footage, how the CCTV will be operated, and how privacy impacts will be minimised.

This Policy also sets out the purpose for the collection of personal information in other visual media by the Council, and how privacy impacts will be minimised. The Policy follows best privacy practice to ensure that any image captured, collected and stored is handled in an appropriate and confidential manner that protects an individual's right to privacy in accordance with the Privacy Act 2020 (the Act).

2. Application of the Policy

This Policy applies to the CCTV network owned and operated by the Kaipara District Council, the footage owned by the Northland Regional Council for the Dargaville Council office and to the collection of 'other visual media' by the Council. The Policy applies to all employees, Elected Members and contractors of the Council and the general public who may enter the areas where CCTV are in operation, or where other visual media is being collected by the Council.

3. Purpose

The Council operates a CCTV network and collects footage for the following purposes:

1. Increase safety and deter criminal activity from occurring in public and semi-public spaces, this includes but is not limited to vandalism, theft and anti-social behaviour.
2. Monitor and respond to any activities and/or events which could affect the delivery of the service the Council is providing at that location.
3. Monitor and respond to health and safety situations, including but not limited to safety at Council owned assets and facilities, traffic incidents and civil defence situations.
4. Provide evidence of non-compliance with Council regulations or bylaws and/or central government legislation, including but not limited to the Litter Act 1979, the Consolidated General Bylaw 2020, and the Taharoa Domain Bylaw 2019.
5. Provide evidence to the Police, court or tribunal proceedings, or a public sector agency where it is necessary for them to uphold the law.
6. Monitor actions of Council staff, including but not limited to situations where there is suspicion that a breach of the Council's workplace standards has occurred.
7. May be used for training purposes.

4. CCTV CAMERAS

The Council operates CCTV cameras at various locations throughout the District. A list of the locations is attached as Schedule One to this Policy. Photos of the location of the external cameras



are attached as Schedule Two. The locations are indicative only and Council should be contacted directly for current information on the location of CCTV cameras.

4.1 Location of CCTV cameras

1. In accordance with the Act the Council's CCTV cameras are or will be positioned to observe public spaces and semi-public spaces and (non KDC owned spaces and open to the public during opening hours) but will not unreasonably intrude on a person's privacy.
2. In cases where CCTV cameras record the interior of a building on semi-public premises the owner of the premises will be informed.

4.2 Signage for CCTV cameras

1. Where CCTV is operated at outdoor locations (in the case of the Taharoa Domain reserve areas and Kaipara Kennels) signage will be displayed at the main access points of the perimeter of the CCTV system's range to notify people that cameras are operating.
2. Where CCTV is operated indoors signage will be displayed at the main entrances to the building to notify people that cameras are operating.

4.3 Operating times of CCTV

1. The Council CCTV is in operation on a continuous basis.

5. COUNCIL MANAGEMENT OF CCTV FOOTAGE

5.1 Security of CCTV footage stored by the Council

1. All information collected by the Council will be stored securely. A log of access to CCTV footage will be maintained by authorised Council officers.
2. All footage will be deleted by an automated erasing process after a maximum of thirty days unless it is required for evidential or administrative purposes, or if the footage must be retained as an archive in accordance with the Public Records Act 2005.
3. Some recordings and images may be retained for the purposes of resolving incidents by assisting in any legal proceedings or training. Once the incident is satisfactorily resolved, images and recordings will be deleted.

5.2 Access to CCTV footage by Elected Members, Council staff and contractors

1. Only authorised Council officers have direct access to the Council's CCTV network and CCTV footage. Authorised Council officers are specific officers that have been granted access to the CCTV network and footage. An authorised council officer may review any relevant CCTV footage for monitoring purposes or in response to an event/incident.



2. CCTV footage can only be viewed by elected members, Council contractors and Council staff (that are not authorised Council officers) if viewing the footage is relevant to their role within the Council and is in accordance with the purpose for the operation of the CCTV.
3. Where an elected member, Council employee or a Council contractor have concerns about health and safety matters or compliance with Council regulations which may have been captured by a camera, they should in the first instance report the matter to the Council staff for authorised council officers to investigate.

5.3 Access to CCTV footage by the New Zealand Police, Courts and public sector agencies

1. The New Zealand Police will be provided access to CCTV footage.
2. Any criminal activity captured by the Council's CCTV network will be forwarded by authorised officers to the New Zealand Police for investigation.
3. In accordance with the Act any CCTV footage will be made available to the Police, a court or tribunal proceeding, or a public sector agency where it is necessary to uphold the law.

5.4 Request to access CCTV footage by other parties

1. The general public and media shall not have access to any CCTV footage, unless a person is requesting to access footage of themselves.
2. Any person may request to access CCTV footage of themselves, but this request will be assessed in accordance with the Act. In particular, the request will be assessed in relation to the ability to readily retrieve the footage and to maintain the privacy of any other identifiable individual in the footage.
3. The Council will respond to requests for footage made under the Act or the Local Government Official Information and Meetings Act 1987 as soon as reasonably practicable, and in any case within twenty (20) working days unless an extension of time is provided for as per the Act or Local Government Official Information and Meetings Act 1987 (as applicable).
4. If a request to view the footage cannot be granted by an authorised council officer a written or oral description may be provided of the footage.
5. Where a member of the public believes a crime has been committed which may have been captured by a camera, they should in the first instance report the matter to the Police.
6. Where a member of the public has concerns about health and safety matters or compliance with Council regulations which may have been captured by a camera, they should in the first instance report the matter to the Council for authorised Council officers to investigate.

6. OTHER VISUAL MEDIA

The Council may collect personal information in the form of other visual media, for the



following purposes:

1. For use in various documents of the Council and on the Council's website, including but not limited to planning documents, maps and promotional material.
2. To monitor the state of Council assets and facilities (including but not limited to refuse collection locations on road reserve).
3. To monitor and respond to civil defence emergencies and health and safety situations at Council owned assets and facilities.
4. To monitor compliance with Council regulations and central government legislation, including but not limited to the Building Act 2004, the Resource Management Act 2002, and the Dog Control Act 1996.

7. COUNCIL MANAGEMENT OF OTHER VISUAL MEDIA

1. Where an individual is clearly identifiable in other visual media (excluding CCTV footage) collected by the Council the Council officer will endeavour, where practicable, to seek permission of the individual to collect that footage/image.
2. The general public and the media shall not have access to any visual media held by the Council unless a person is requesting to access footage of themselves. These requests will be handled in accordance with section 5.4 of this Policy.
3. Other visual media will be stored in the Council's document management system (Te Aka) which can only be accessed by employees of the Council.

8. ENQUIRIES AND COMPLAINTS

1. Any person, who has queries about this Policy or the operation of CCTV cameras, should in the first instance contact the Council's Customer Services Department to be directed to the appropriate officer of the Council.
2. All complaints regarding the operation of the Council CCTV network or collection of other visual media are to be directed to the Privacy Officer and will be investigated through the Council's complaints procedure.
3. If the complaint relates to an issue of privacy, a complaint may also be made to the Privacy Commissioner.



9. GLOSSARY

Unless the context requires otherwise, the definitions of words or terms used in this Policy are also those in the Privacy Act 2020.

AUTHORISED COUNCIL OFFICER means a member of staff of the Kaipara District Council, who has been delegated authority to monitor and have direct access to the CCTV system and has been made aware of their obligations under the Privacy Act 2020 regarding the confidentiality and appropriate use of CCTV footage. The Privacy Officer is considered an authorised council officer.

CRIMINAL ACTIVITY means any violation of the law where a person is liable to punishment for a criminal offence. A criminal act often threatens and harms public safety, property and/or welfare.

OTHER VISUAL MEDIA means data or information in the form of visual representations such as photographs or film footage (including portable hunting cameras) but excludes CCTV footage).

PUBLIC SPACES means spaces that are completely accessible to the public, such the Taharoa Domain reserve areas.

SEMI PUBLIC SPACES means spaces that (even if not Council owned) are accessible to the public during opening hours such as Council front offices and the Dargaville Library.

PRIVACY OFFICER means a member of staff of the Kaipara District Council that has been delegated the responsibilities under section 23 of the Privacy Act 2020.

THE ACT means the Privacy Act 2020 (including any subsequent amendments).

10. REVIEW

The policy will be reviewed:

1. every year (to ensure current camera locations are captured), or
2. at the request of the Council Executive Team.



11. SCHEDULE ONE

Indicative location of CCTV Cameras in Kaipara District as at September 2022

Front office and reception area – Dargaville office
Front office and reception area – Mangawhai office
Dargaville Public Library
Kennels and entranceway – Kaipara Kennels (<i>see Schedule Two</i>)
Kai Iwi Lakes office, Taharoa Domain entrance and grounds including Pine Beach, Promenade Point and Waikare (<i>see Schedule Two</i>)
Portable hunting cameras are periodically placed around the district when an area becomes problematic. For example, illegally dumping refuse.



12. SCHEDULE TWO

Map of Taharoa Domain Reserve CCTV locations

Taharoa Domain entrance



Pine Beach Campground





Kai Iwi Lakes Promenade Point



Waikere Education Centre





Kaipara Kennels

