

THE CORPORATION OF THE TOWNSHIP OF O'CONNOR

POLICY FOR PLACEMENT AND USE OF VIDEO SURVEILLANCE EQUIPMENT ON THE TOWNSHIP OF O'CONNOR MUNICIPAL GROUNDS

PURPOSE: To establish a policy to utilize Video Surveillance Equipment to ensure the security and safety of the public and municipal property.

POLICY STATEMENT: The Township of O'Connor recognizes that video surveillance technology has a high potential for infringing upon an individual's right to privacy. To minimize impacts on personal privacy, the use of the video surveillance equipment on municipal grounds and the images collected by the equipment shall be in accordance with the Municipal Freedom of Information and Protection of Privacy Act and will be used to ensure public security and safety and to detect or deter criminal activity and assist in the investigation criminal activity. The Township will maintain control of and be responsible for the video surveillance equipment at all times.

DEFINITIONS:

“Act” means the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), as amended from time to time.

“anti-social behaviour” means repeated violations of social rules, defiance of authority and of the rights of others, deceitfulness, theft, and reckless disregard for self and others.

“authorized staff” means staff members who have been provided with training on the Video Surveillance Policy and who have signed a written confidentiality agreement.

“municipal grounds” means the grounds of any real property, or portions of real property, owned or subject to a right of occupation by the Township of O'Connor to which the public is ordinarily invited or permitted to be on, and includes, but is not necessarily limited to the parking lot, rink, ball diamond, municipal office and community centre.

“personal information” as defined in Section 2 of both the Act and the Municipal Act.

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“rotational cycle” means the period of time that recorded images will be kept that will automatically be erased after a given period of time.

“Township” means the Corporation of the Township of O’Connor.

“video record” means recorded information captured by video surveillance equipment.

“Video Surveillance Equipment” means security cameras installed on municipal grounds and computer hardware and software used to view and or store recorded images.

POLICY PROCEDURES:

1.0 Legislative Requirements:

The Township collection, storage of and access to information recorded from video surveillance shall conform to published guidelines and specific direction as may be provided by the Information and Privacy Commissioner of Ontario (IPC) from time to time.

2.0 Clerk-Treasurer Roles and Responsibilities:

The Clerk-Treasurer shall be responsible for:

- a) Implementation, administration and evaluation of the municipality’s Video Surveillance Policy.
- b) Storage of recorded information being kept for a specified purpose.
- c) Ensuring that information obtained through video surveillance is used exclusively for lawful proposes.
- d) Responding to requests for information regarding video surveillance records.
- e) Responding to requests for information by the police or other regulatory/legal authorities.
- f) Making reports to the Information and Privacy Commissioner.
- g) The training of authorized staff who have access to Video Surveillance Equipment and recorded images; i.e. training on the equipment and the policy.
- h) The signing of written confidentiality agreement, as outlined in Schedule “A” of this policy, by authorized staff regarding their duties under this Policy and the Act.

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- i) Reporting on breaches of the policy which may result in disciplinary action in accordance with the Township's Progressive Discipline Policy.

3.0 Location and Use of Video Surveillance Equipment

3.1 Video Surveillance Cameras:

- a) The Township shall install Video Surveillance Equipment on municipal grounds only in identified public areas where video surveillance is considered necessary to the security and safety of the public and municipal grounds.
- b) The Video Surveillance Equipment will be setup to record only when movement is detected for a predetermined amount of time as deemed necessary.

3.2 Video Surveillance Signage:

- a) The Township shall notify the public of the installation of the video surveillance equipment by using clearly written signs, prominently displayed at the entrances to the municipal grounds being monitored.
- b) Signage shall read as follows:

THIS PROPERTY IS MONITORED BY VIDEO SURVEILLANCE CAMERAS. The personal information collected by the use of the Video Surveillance Cameras on these grounds is collected under the authority of the Municipal Freedom of Information and Protection of Privacy Act Section 28 (2). Please direct inquiries regarding the collection of personal information to the Township of O'Connor's Clerk-Treasurer, 330 Hwy 595, (807) 476-1451.

3.3 Video Record Storage:

- a) Video records will be kept in a digital format on a rotational cycle offsite for a period of seven days.
- b) Video records that are believed to have personal information that may be used for law enforcement or public safety purposes under the Act shall be removed from the rotational cycle and stored in a digital format in a

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secure location until retrieved by law enforcement personnel.

- c) Law enforcement personnel removing video records for the purpose of law enforcement or public safety purposes shall provide written confirmation that they will take full responsibility for the information once it has left the custody of the Township.

3.4 Access to Recorded Images:

- a) The Township shall ensure that only authorized staff and Law Enforcement Officials shall review surveillance video records if they have reasonable cause to believe that a crime or an act of anti-social behaviour has been or is in the process of being committed.
- b) If Staff has reason to believe that the video record contains personal information for law enforcement or public safety purposes, they shall notify the police and immediately remove the video record from the rotational cycle. The removed video shall be clearly marked, indicating date and time of removal, and stored in a secure location until retrieved by law enforcement personnel.
- c) Authorized Staff, when viewing video records to determine administrative actions (i.e. viewing incidents, which may lead to banning individuals from municipal facilities due to cases of public endangerment, vandalism, or theft shall log the time and date the video record was reviewed.
- d) If it is determined that it is not a Police reportable event or one requiring administrative action, the information will be destroyed, as per the policy and confidentiality will be maintained.
- e) Any access request must adhere to the requirements of the Act. An individual whose personal information has been collected under Section 47 of the Act and Section 36 of the Municipal Act has a right to access his or her own personal information in whole or in part, except where such disclosure would constitute an unjustified invasion of another individual's privacy. In order to fulfill a request to access one's own personal information, digital "blacking out" of images may apply.

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- f) Logs shall be kept of all instances of access to, and use of, recorded material, to enable a proper audit trail. Logs will be kept and maintained in an electronic format accessible only by authorized staff.

4.0 Written Confidentiality Agreement

Authorized staff shall, as outlined in Section 2.0 h) sign a written confidentiality agreement regarding their duties under this policy and the Act. The Agreement shall be set out as in Schedule "A" of this policy.

POLICY ADMINISTRATION AND REVIEW:

This policy shall be administered by the Clerk-Treasurer and will be reviewed as required based on revisions to Township practices or Provincial legislation.

EFFECTIVE DATE: This policy shall come into effect as of June 13, 2016.

SCHEDULE "A"



CONFIDENTIALITY AGREEMENT

I, _____, agree with the following statements:

I have read and understood the Township of O'Connor's Policy for Placement and Use of video surveillance equipment on the Township of O'Connor Municipal Grounds.

I understand that I may come in contact with personal information when viewing images recorded by the Township's Video Surveillance Equipment. I hereby undertake to keep in strict confidence any information regarding personal information accessed and I will do this in accordance with the Township's Policy for Placement and Use of Video Surveillance Equipment on the Township of O'Connor Municipal Grounds and applicable laws, including those that require mandatory reporting.

I also agree to never remove any confidential material of any kind from the premises of Municipal grounds unless authorized as part of my duties, or with the express permission or direction to do so from the Clerk-Treasurer and/or the Council of the Township of O'Connor

(Print Staff Name)

(Signature of Staff)

(Signature of witness)

Dated this _____ day of _____, 20_____