

MAY ROAD, LALOR COMMUNITY SAFETY CAMERA PROGRAM

Code of Practice

June 2019

Acknowledgement of Traditional Owners

The City of Whittlesea recognises the rich Aboriginal heritage of this country and acknowledges the Wurundjeri Willum Clan as the traditional owners of this place.

Contents

| | |
|---|----|
| MAY ROAD, LALOR COMMUNITY SAFETY CAMERA PROGRAM | 1 |
| Code of Practice | 1 |
| Introduction | 4 |
| Program Use..... | 4 |
| Camera Program Design | 4 |
| Data Protection - Privacy | 4 |
| Management of the Program | 5 |
| Public Information..... | 6 |
| Management of CCTV Head Room/s | 6 |
| Control and Operation of the Cameras | 6 |
| Access to and Security of Control Room | 7 |
| Recorded Material..... | 7 |
| Accountability..... | 8 |
| Assessment of the Program..... | 8 |
| Compliance Audit | 8 |
| Complaints | 9 |
| Breaches of the code | 9 |
| Definitions | 10 |
| Acronyms | 10 |
| Appendix 1 – Camera Location Map | 11 |

Introduction

This document details the Code of Practice that will be applied to the management of the May Rd Lalor, Community Safety Camera Program; to be managed by the City of Whittlesea and accessible by Victoria Police.

The Program has been operating on May Rd Lalor since 2019 and was installed in response to research and data analysis in 2016-2017 that highlighted higher than average proportion of criminal incidents and negative community perceptions of safety.

Program Use

The Program will be used to respond to the following key objectives, which will be subject to annual assessment and reports:

- To enhance public perceptions of safety in the May Road Lalor precinct;
- To prevent and deter criminal activity;
- To identify criminal activity and suspects; and

Camera Program Design

The CCTV system consists of 17 Dahua cameras at key locations in the May Road Lalor Precinct.

The cameras continuously record activities in the precinct. Control and Monitoring is through cloud based software and accessible by Victorian Police and City of Whittlesea staff. The Head Room and Monitoring / Control is not accessible to the public.

Data Protection - Privacy

Cameras will not be used to look into private residential property or to impinge on an individual's reasonable expectation of privacy.

City of Whittlesea, or any of its offices, will not continuously monitor the CCTV system.

All data collected using the Program will be managed in accordance with:

- MOU between Victoria Police and City of Whittlesea for the operation of CCTV Cameras in the May Road, Lalor Precinct
- City of Whittlesea CCTV Standard Operating Procedures.
- Victorian Protective Data Security Standards (VPDSS)

And the following legislation:

- Privacy and Data Protection Act 2014
- Surveillance Devices Act 1999
- Charter of Human Rights and Responsibilities Act 2006
- Public Records Act 1973
- Freedom of Information Act 1982
- Evidence Act 2008

And the following guidelines:

- Victorian Ombudsmen Closed Circuit Television in Public Places Guidelines

Management of the Program

The City of Whittlesea is the owner and Program Manager and is responsible for:

- Managing the contract for all installation, servicing, maintenance and replacement of all CCTV equipment;
- Day to day management of the Program;
- Stakeholder consultation with regard to the implementation and on-going operation of the Program;
- Overseeing access by Victoria Police, review, auditing and evaluation of the Program;
- Promoting the Program and providing information to the public and other agencies about the operations of the Program;
- Working with Victoria Police to ensure all responsible officers are adequately trained to access the CCTV system; and
- Developing and monitoring all policies, procedures and grievances in relation to the Program.

Victoria Police accepts responsibility for:

- Maintaining close liaison with the Program Manager;
- Ensuring that use of the CCTV system by Victoria Police staff is conducted in accordance with the MOU, Victoria Police Manual and Code of Conduct;
- Notifying Council of any damage or fault with the system; and
- In partnership with the Program Manager, assist with developing CCTV Program policies and procedures.

The Program Manager will ensure that the CCTV policies are complied with and has day to day responsibility for the management of the CCTV Program. The Police Manager has responsibility for access to the CCTV system by Victoria Police members in accordance with the MOU.

Public Information

Location of the cameras will not be hidden to the public. In accordance with legislation, clearly visible signs will be displayed in the May Road Lalor precinct and at key locations where CCTV cameras are operating to:

- Inform the public that CCTV cameras operate in the precinct;
- Identify the City of Whittlesea as the owner of the Program; and
- Provide contact details for further information.

Management of CCTV Head Room/s

The CCTV Head Room is in a secure facility. The CCTV system is accessed remotely. Physical access to the Head Room is not required to view and/or download of footage.

Only personnel trained and authorised by the Program Manager or Police Manager will operate any of the equipment located within the CCTV Head Room or other equipment associated with the CCTV system.

Access to the CCTV Head Room is restricted to authorised personnel only.

Any unauthorised access to the CCTV Head Room and/or access to the CCTV system in contravention of CCTV policy and procedures will be subject to the City of Whittlesea and/or Victoria Police discipline/criminal procedures.

Control and Operation of the Cameras

Use of the cameras will be in accordance with May Road Lalor CCTV Program policies, procedures and Code of Practice.

Operation of the CCTV system will be in accordance with Standard Operating Procedures (SOPs) and internal policies.

Cameras will not intentionally be used to look into adjacent or nearby private residential property, unless it is explicitly for the purpose of following (in real time) alleged participants in a crime, which originated in the public domain. Any misuse will be treated as a breach to this Code.

Designated City of Whittlesea representatives and authorised Victoria Police members will have access to the CCTV system.

The Contractor will have access to the CCTV Head room, with the authority of Program Manager, to undertake installation, maintenance and testing of the system.

Operators of the system will act in accordance with the CCTV policy and procedures.

Victoria Police members may access the CCTV system for a legitimate purpose consistent with the objectives of the CCTV Program and the MOU. All personnel accessing the CCTV System will be aware that all recordings are subject to routine

audit by the CCTV Audit Committee and may need to justify their interest in a particular member of the public or premises.

Access to and Security of Control Room

Access to the control room/s will be restricted and protected from all unauthorised access.

The media shall not have access to the CCTV System or Monitoring Room under any circumstances at any time.

Only authorised personnel will be present within the control room. In the event of the control room having to be evacuated for safety or security reasons, the provisions of the City of Whittlesea's Evacuation Plan will be complied with.

Recorded Material

Access to the use of recorded material will only take place:

- In compliance with the needs of Victoria Police in connection with the investigation of a crime or public order issue requiring a police response;
- In compliance with the needs of the City of Whittlesea Authorised Officers, in connection with the investigation of a crime;
- If necessary, for the purpose of legal proceedings;
- When required by a duly authorised subpoena;
- Under the provisions of the Freedom of Information Act 1982; and
- As otherwise required or permitted by law.

Any incident or data downloaded from the CCTV System by Victoria Police will be managed in accordance with the CPDP Standards for Law Enforcement Data and the Victoria Police Manual.

Recorded material will not be sold or used for commercial purposes or the provision of entertainment.

All requests for information regarding the CCTV System operations must be referred to the Network Manager and/or the Police Manager as appropriate.

Requests from the public relating to non-criminal matters will be considered by the Program Manager, who will advise the applicant of Council's Freedom of Information process.

Requests from the public relating to criminal matters will be considered by the Police Manager, who will advise the applicant of the appropriate process pursuant to Victoria Police policy.

Monitoring Officers will not provide any information involving camera network operations to the media or to any person not authorised to receive it.

Security measures will be taken against unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.

All recorded material will be treated according to legislation and standards, to provide continuity of evidence and to avoid contamination of evidence.

Council staff involved in the Program are required to adhere to the City of Whittlesea's internal policies and Code of Conduct.

Recorded information will be kept on hard drives for a period no longer than 30 days. Footage removed under application may be kept for as long as required.

Accountability

The City of Whittlesea has established a CCTV Steering Committee which meets periodically to monitor the operation and effectiveness of the Program and identify opportunities for improvement. In addition, a CCTV Audit Committee will be established to provide public reassurance that the camera network is operated transparently and ethically, and that self-regulatory codes and protocols are being observed.

Audit of the CCTV system records and processes will also be included in workplace inspections undertaken by Victoria Police.

Assessment of the Program

The CCTV Steering Committee will meet periodically to monitor the CCTV Program and determine whether the purposes of the system are being complied and the objectives are being achieved.

In addition, a formal evaluation will be conducted annually and will include:

- An assessment of the impact upon crime;
- An assessment of the impact on May Road Lalor business;
- An assessment of neighbouring areas without CCTV;
- An assessment of community perceptions of safety;
- The views and opinions of the public;
- The operation of the CCTV system protocols;
- Whether the purposes for which the system was established are still relevant; and
- Cost effectiveness.

The results of the annual review may be taken into account in the future functioning, management and operation of the CCTV Program and will be used to inform any future considerations of CCTV in other areas of the municipality.

Compliance Audit

The camera network will be audited to ensure it is compliant with the policies of Council and the Victoria Police and will:

- Review the CCTV Program and report any divergence from the Code of Practice, Protocols and MOUs;
- Identify any further improvements and recommend actions to safeguard the Program from misuse;
- Request steps are undertaken by any party involved in the Program to rectify divergences from, or breaches to, the Code of Practice, protocols or MOUs.

Complaints

All matters of public complaint regarding the CCTV system must be referred to the Program Manager in the first instance for investigation who will decide whether the complaint should be brought to the attention of the Freedom of Information Officer or the Police Manager.

Breaches of the code

The City of Whittlesea has responsibility for ensuring that the Code of Practice is adhered to. The responsibility includes ensuring that breaches of the Code are investigated and remedied to the extent to which the breaches are within the ambit of the City of Whittlesea's power to remedy.

All personnel involved in the Program have responsibility to adhere to the Code of Practice.

Complaints in relation to any aspect of the management, operation or monitoring of the Program may be made in writing to:

Mike George, CCTV Program Manager
City of Whittlesea
Locked Bag 1
Bundoora MDC 3083

Phone: 9217 2170

[Email: info@whittlesea.vic.gov.au](mailto:info@whittlesea.vic.gov.au)

The Privacy and Data Protection Act 2014 authorises the Information Commissioner to receive and investigate complaints about alleged violations of privacy. Any member of the public is entitled to lodge a complaint with the Office of the Victorian Information Commissioner (OVIC):

Victorian Information Commissioner
PO Box 24274
Melbourne Victoria 3001

Phone: 1300 006842

[Email: enquiries@ovic.vic.gov.au](mailto:enquiries@ovic.vic.gov.au)

The City of Whittlesea will cooperate with the investigation of any complaint made to the Information Commissioner.

Definitions

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| CCTV Audit Committee | Independent Committee established to review the CCTV Program and compliance with procedures, protocols and codes of practice. |
| CCTV Program | The camera network and all its components including policies, protocols, codes of practice, standard operating procedures and management arrangements. |
| CCTV System | The physical camera network including CCTV cameras, antennas, monitoring, recording equipment and data management equipment. |
| Council | Whittlesea City Council (owner and manager of the CCTV Program) |
| Network Manager | Council's representative responsible for the overall operation and integrity of the network. |
| Police Manager | Victoria Police representative who is the senior supervisor of the police facility hosting any part of the camera network, such as monitors, and/or digital recording equipment. |
| Contractor | The security Contractor authorised to provide camera equipment, information technology and maintenance for the camera network. |
| Steering Committee | Committee comprised of key stakeholders established to monitor and review the day to day operations of the CCTV program. |

Acronyms

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| CCTV | Closed Circuit Television camera |
| CPDP | Commissioner for Privacy & Data Protection |
| FOI | Freedom of Information |
| MOU | Memorandum of Understanding |
| SOP | Standard Operating Procedures |

Appendix 1 – Camera Location Map

