



# Whakatāne District Electronic Surveillance *(Closed Circuit Television)* Policy

[www.whakatane.govt.nz](http://www.whakatane.govt.nz)



## 1.0 INTRODUCTION

This policy sets out the intended practice for the Whakatane District Council (the Council) with regard to Electronic Surveillance (Closed Circuit Television) (CCTV). It also represents an agreement between the Council, the Eastern Bay of Plenty Area and Murupara Police and the Whakatane Community Safety (WCS) Group.

## 2.0 PURPOSE

The purpose of the Council's Electronic Surveillance (CCTV) network is to;

- a) Detect and capture evidence of crime to allow for a quick response from the Police and emergency services and assist with the investigation and prosecution of criminal offending in the Whakatane District;
- b) Actively deter crime in the Whakatane District, including that which relates to Council assets or facilities; and
- c) Allow the Council to monitor its assets and facilities to enhance public safety, deter vandalism and monitor use of assets and facilities (including traffic management).

## 3.0 PRINCIPLES

The implementation of the surveillance system and the use (including monitoring, release and storage) of information collected by CCTV is governed by applicable legislation and Council policies. The following are of particular relevance:

- Privacy Act 1993 - Information Privacy Principles 1 – 12, set out in section 6 of the Privacy Act 1993;
- Local Government Act 2002 - In particular, section 3 (Purpose) and section 14 (Principles relating to Local Authorities);

These principles must be adhered to by decision-makers (individuals and key groups) when applying this Policy.

## 4.0 STRATEGIC ALIGNMENT

The cameras will work alongside other strategies such as:

- The deployment of Police Constables
- A higher police profile at known problem times and locations
- The multi-agency approach to alcohol including a liquor ban policy
- Re-vitalisation projects and beautification of the Whakatane central business area and wharf
- WCS Group initiatives
- The presence of CPNZ New Zealand (CPNZ) at peak times and locations.

### 4.1 Relevant Council Policies:

The implementation of a CCTV Policy reflects the Council's community outcome:

*Community Needs: A caring community with the goal "create vibrant, connected and safe communities".*

It also links to the Council Community Action Plan goals:

- Creating a safe place to live work and play
- Shaping public spaces and places that people enjoy.

#### **4.2 Relevant Privacy Commission Policies:**

Privacy and CCTV: A guide to the Privacy Act for businesses, agencies and organisations (2009)

#### **4.3 Relevant New Zealand Police Policies:**

Policy on Crime Prevention Cameras (CCTV) in Public Places (New Zealand Police, 2003) available at <https://www.police.govt.nz/resources/2003/cctv>.

### **5.0 USE OF INFORMATION COLLECTED**

Information collected by CCTV:

- Will be used for the deterrence or immediate detection of criminal offences which are recorded by the cameras;
- May be used, with the prior approval of a member of the Police of the rank of senior sergeant or above for the following related purposes:
  - to assist in the collection of evidence after the fact;
  - inquiries relating to the investigation and prosecution of other criminal offences;
  - training of Police Officers and persons authorised by the Officer in Charge of the station and Public Safety Police staff (OC);
  - authorised research (for example, into the nature of particular offences, foot or vehicular traffic use and patterns, or the evaluation of the operation of camera equipment.
- Will be used to monitor Council assets and facilities to support asset management and to inform decision-making by monitoring use and demand.

### **6.0 CONSULTATION**

Prior to the installation or expansion of the CCTV system, targeted stakeholder engagement will be undertaken as appropriate to determine, for example, the appropriateness of monitoring in certain locations, any concerns about privacy, information gathering and access to information and the auditing and review of the CCTV system.

### **7.0 POLICY**

#### **7.1 Cameras**

This policy applies to CCTV cameras installed at fixed sites in public areas within the Whakatane District for general crime prevention and community safety purposes as well as to monitor Council facilities and activities.

This policy applies to any expansion of the existing CCTV system and to trials of new systems. Further locations may be added to the current locations of fixed sites in the future. Any extension to the Council's CCTV network will only be installed at sites in public places

where there is specific, identifiable need that relates to the purpose of the network as defined under section 2.0 of this Policy. This need will be evidence based and justification documented and approved by the WCS prior to installation. New camera locations will be publicly notified in accordance with the procedure outlined in section 7.4 of this policy.

This Policy does not apply to the use of Unmanned Aerial Vehicles (drones), which may be used to allow the Council to monitor its assets and facilities to enhance public safety and monitor use of assets and facilities.

## **7.2 Governance**

The system will be governed by the Council and will be supported by the WCS Group, which will consist of the following members:

- representative from the Council's Strategy & Community group (Chair);
- OC Response Whakatane or Murupara as appointed by the Police Area Commander or the officer in charge of the Whakatāne and Murupara Police Stations;
- representative of the Council's Information & Communication Technology group as appointed by the Council's General Manager Planning, Regulatory & Corporate Services; and
- representative of the CPNZ.

The WCS Group will meet at least six monthly as required. Meetings may be attended by other Council or Police staff as required or by a representative from the system's supplier to provide technical advice.

## **7.3 General Camera Operation**

CCTV must be used in a manner that complies with relevant legislation and policy including the Privacy Act 1993, the Privacy Commissioners CCTV Guidelines 2009 and this Policy.

Operating times for camera use will be 24 hours per day, seven days per week, with specific monitoring periods set by the Police that reflect when a higher than average incidence of criminal offending is expected and can be statistically quantified.

Monitoring of the CCTV cameras for crime prevention is the responsibility of the Police and further details regarding the operation of the cameras can be found in the Policy on Crime Prevention Cameras (CCTV) in Public Places (New Zealand Police, 2003).

Central operational monitoring control rooms are set up in a designated area of the Watchhouse at the Whakatane Police Station and the Murupara Police Station. Operating times for camera use will be set by the Police as outlined in the Policy on Crime Prevention Cameras (CCTV) in Public Places (New Zealand Police, 2003).

Council staff may, from time to time, access the footage from those cameras that are installed for the purpose of monitoring and managing Council facilities. This operation will be of a nature that enables staff to fulfil the defined purpose for which the cameras are installed as defined in section 2.0 of this Policy.

Bay of Plenty District Command Centre (BOP DCC) may also monitor the CCTV system.

## **7.4 Monitoring room**

For monitors installed on Police premises; only members of the Police and persons authorised by the Police shall be allowed access to the monitors when they are in operation. Equivalent measures shall be taken to ensure the security of monitors that are not operated by the Police. Monitors shall not be located in such a position as would enable them to be viewed or accessed by members of the public. Systems will be put in place to allow for an audit of how Police and Council staff used the CCTV system. For further details on current Police procedures, refer to the Policy on Crime Prevention Cameras (CCTV) in Public Places (New Zealand Police, 2003).

## **7.5 Signs**

The Privacy Act 1993 requires that persons from whom personal information is collected are made aware that information is being gathered about them and the purpose for doing so. Accordingly, the sites selected for camera installation must be clearly sign posted at the extremities to notify the public that a camera is or may be in operation. The signs will also act as a crime deterrent.

The erection and maintenance of the signs is the responsibility of the Whakatane District Council.

Public notices will be placed in local newspapers at the time the system is about to start operating and at regular intervals during the life of the system to ensure that the public is aware that CCTV is operating.

Public notices will also be issued in local newspapers to inform the public of any changes to the CCTV system.

## **7.6 Expansion of System**

Requests and proposals for the expansion of the current CCTV system will be received by the Council for consideration and evaluation. The following shall be considered when assessing any request or proposal for expansion of the current system:

- alignment with the purpose of the CCTV network as outlined in section 2 of this Policy
- the crime statistics and proposed benefits for locating a camera at the proposed site;
- how well the existing system is working and whether there is a need for review or audit of the system;
- costs involved in extending the system;
- potential funding options;
- the priority of installation;
- the Council's LTP and budget implications;
- The Privacy Act 1993.

Council staff will work with the WCS Group to consider any proposal that is intended to achieve purpose a) or b) as defined under section 2.0 of this policy. The Council may approve, decline or approve in part the proposal, or refer it back to Council staff for further information or consideration. Any expansion proposal to achieve purpose c) will be considered by staff.

## 7.7 Audit and Evaluation

Crime statistics and operational use of the CCTV system will be analysed and reported by the Police to the WCS Group at the request of the group.

The collection of statistics will assist with assessment of the strengths and weaknesses of the CCTV system and in particular will assist with the determination of whether the system is helping to achieve the purpose of the system, as set out in Section 2.

The Council and the Police will be responsible for ensuring the CCTV system is implemented and operated in accordance with this policy. Regular internal audits of equipment, operation, storage and use of information will be conducted periodically to ensure the effectiveness of the system and its continued viability. The Council and the Police will remain vigilant to ensure that the system is operated in accordance with legislation, including but not limited to, the Privacy Act 1993, Council policy and best practice principles.

The Office of the Privacy Commissioner shall have the right to review the need for, and the use of, crime prevention camera operation in Whakatane. The Office of the Privacy Commissioner shall be supplied with the following information:

- Any proposal to install new cameras or to expand an existing scheme, including a justification for the installation of the cameras;
- Following installation copies of all relevant policies and guidelines, including information about signs and public notices.

## 7.8 Access to information by individual concerned

An individual whose activities have been recorded by a CCTV camera has a right to access and view that personal information provided it is readily retrievable (as it would be in the case of an identifiable offender). Access can only be refused on one of the grounds set out in sections 27 to 29 of the Privacy Act 1993.

## 7.9 Complaint Procedure

Any group or individual who wishes to make a complaint regarding the operation or use of the cameras may address their concerns in the usual manner by:

- a) Making a complaint to the senior member of Police working at the time; or
- b) Making a complaint to the Police Complaints Authority, P O Box 5025, Wellington 6145 or online at [www.ipca.govt.nz](http://www.ipca.govt.nz); or
- c) Making a complaint to the Chief Executive, Whakatane District Council, or
- d) If the complaint relates to privacy or the use of or access to personal information, a complaint may be made to the Privacy Commissioner, P O Box 10094, Wellington.

## 7.10 Responsibility and Accountability

The following table details the responsibilities of the key groups giving effect to this CCTV policy.

Key groups		Responsibilities
Whakatane		Ownership of the cameras, software, hardware and

<p><b>District Council</b></p>		<p>infrastructure of the CCTV system and any other items purchased by the Council.</p> <p>Provide the capital outlay, installation, maintenance and line costs of the cameras in all monitored areas.</p> <p>Installation and placement of cameras in public places in a way that (a) enhances privacy as much as possible and (b) ensures that the privacy of individuals or semi-private places (e.g. offices, parked cars, neighbouring windows) are not unduly affected.</p> <p>Make decisions which are consistent with this policy based on recommendations from the WCS Group regarding expansion and improvements of the system.</p> <p>Expansion proposals must be supported by clear evidence and analysis or justification that shows expansion is necessary in order to achieve the purpose set out in section 2.0 of this Policy, recognising the principles set out in section 3.0.</p> <p>Erect, install and maintain signage and provide relevant public notification in the media.</p> <p>Liaise with media in relation to the installation and maintenance of cameras.</p>
	<p>Whakatane District Council Community &amp; Strategy Group</p>	<p>Appoint a representative to chair the WCS Group.</p> <p>Facilitate funding to service future expansion and/or improvements of the system.</p> <p>Liaise with Council staff to support their monitoring of the system, including ensuring that necessary security access and training are given to authorised staff members who need access to the system for the purposes of which the cameras are installed.</p> <p>Ensure use of the cameras by Council staff is consistent with this policy and access is limited to those staff authorised to use the system.</p> <p>Oversight and overall responsibility for the system to ensure compliance with this policy and applicable legislation, including the Local Government Act 2002 and the Privacy Act 1993.</p>
	<p>Whakatane District Council Information Technology Team</p>	<p>Monitor that all the cameras are physically working (Note there is no responsibility for monitoring activity recorded by the cameras).</p> <p>Maintain a Help Desk facility to receive calls from the OC Response Whakatane or Murupara regarding issues/faults with the system and training requirements from the supplier.</p> <p>Liaise with the supplier in the provision of training and resolution of issues/faults.</p> <p>Manage the service contract with the supplier.</p> <p>Budget for the on-going maintenance and support of the system.</p>

		<p>Initiate any new extension of the system approved by the Council and for which funding has been approved.</p>
<b>Police</b>	Police Area Commander	<p>Appoint OC Response Whakatane or Murupara.</p> <p>Provide the housing of electronic monitoring and recording equipment within the Whakatāne and Murupara Police Stations.</p> <p>Ensure that the installation and operation of the cameras complies with this Policy and with the Policy on Crime Prevention Cameras (CCTV) in Public Places (New Zealand Police, 2003).</p> <p>Set the operating times for active camera monitoring, as set out in the Policy on Crime Prevention Cameras (CCTV) in Public Places (New Zealand Police, 2003).</p> <p>Review crime data annually and share results with the WCS Group on request.</p> <p>Carry out an internal audit of the operation, storage and use of information periodically.</p> <p>Regularly monitor crime data to assist in the identification and prioritisation of sites for further expansion of the surveillance network.</p>
	OC Response Whakatane or Murupara	<p>Represent the Police on the WCS Group.</p> <p>Manage the day to day operations of the CCTV, including the management and training of volunteer groups (e.g. CPNZ) who monitor live data over peak times.</p> <p>Manage the data recorded on the CCTV system including data extraction, safe storage and release to authorised persons, for example for court evidence purposes, and destruction of the information at the appropriate time (for example, at the end of court proceedings or at regular intervals).</p> <p>Provide training in the use of the system, either directly or through the supplier, to all new personnel at the Whakatane Police Station.</p> <p>Liaise with the CPNZ to support their monitoring of the system, including setting the required monitoring periods and ensuring that necessary security access and training are given to new CPNZ members.</p> <p>Liaise with media in relation to data collected by cameras, including any criminal offending.</p> <p>Notify the WDC Help Desk of any issues/faults with the system or training required from the supplier.</p>
<b>Whakatane Community Safety Group</b>		<p>Advise and support planning for the future development of the surveillance system.</p> <p>Identify and prioritise sites for further expansion of the surveillance network and submit these to the Council for</p>



		<p>approval.</p> <p>Maintain effective liaison with community groups and community boards to feed in to planning for the future development of the surveillance system.</p> <p>Present applications for funding to the Council to support future plans.</p> <p>Monitor the overall performance of the system and supplier support.</p>
<b>CPNZ</b>		<p>Appoint a representative to the WCS Group.</p> <p>Liaise with the OC Response Whakatane or Murupara to agree the monitoring requirements.</p> <p>Prepare a monthly roster &amp; personnel to satisfy the monitoring requirements.</p> <p>Notify the OC Response Whakatane or Murupara if any new people require training and/or security access.</p> <p>Notify the OC Response Whakatane or Murupara of any issues/faults with the system.</p> <p>Advise the Police patrols of any activity requiring direct intervention noted during their period of monitoring.</p>
<b>Supplier</b>		<p>Provide maintenance and support of the system as defined in the service agreement.</p> <p>Provide technical advice to the WCS Group as requested.</p> <p>Provide additional training as required and at a fee to be agreed at the time.</p>

## 8.0 SUMMARY OF ACRONYMS

The following acronyms are used throughout this Policy

CCTV	Closed Circuit Television
WCS Group	Whakatāne Community Safety Group
OC Response	Officer in Charge of Whakatāne or Murupara station and Public Safety Police staff
BOP DCC	Bay of Plenty District Command Centre
CPNZ	Citizen Patrol New Zealand