



The Corporation of the Municipality of Arran-Elderslie

PO Box 70, 1925 Bruce Road 10, Chesley, ON N0G 1L0
t 519.363.3039 | f 519.363.2203 | info@arran-elderslie.ca

Policy Name:	Video Surveillance Policy	Policy No: 03-2019
Department:	Municipal Wide	
Effective Date:	November 1, 2019	
Date Revised:		
Authority:	Council	

POLICY STATEMENT:

The Municipality of Arran-Elderslie is committed to the ongoing safety of its employees, patrons, residents and visitors. It is also committed to the ongoing protection of Municipally owned and occupied property.

The Municipality of Arran-Elderslie recognizes the need to balance an individual's right to privacy and its responsibility to promote a safe and secure environment. To that end, The Municipality of Arran-Elderslie is committed to ensuring and enhancing the safety and security of the public, its employees and property by integrating best practices with the responsible use of technology.

While video surveillance cameras are installed for safety and security reasons, the Municipality's video surveillance systems must be designed to minimize privacy intrusion. The Municipality of Arran-Elderslie supports the safe use of video surveillance, where deemed necessary, to promote a safe and secure environment and to protect Municipal assets and property in accordance with established standards and procedures.

PURPOSE:

The purpose of this policy is to enhance safety and security of employees, public, residents, visitors and municipally owned and occupied property to prevent unauthorized activities on or involving Municipal properties to reduce risk and exposure to liability.



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SCOPE:

This policy applies to all types of video surveillance systems, surveillance monitors, and camera recording devices used for security purposes and municipally owned and leased properties.

This policy does not apply to video surveillance used for employment related or labour-related information, nor to the videotaping, audiotaping and broadcast of Council or Committee meetings. In the event that taping of a Council or Committee meeting takes place, disclosure must be made to the participants and attendees through posted signage.

This policy does not apply to covert surveillance used as an investigation tool for law enforcement purposes or in conjunction with litigation.

DEFINITIONS:

“MFIPPA” means Municipal Freedom of Information and Protection of Privacy Act

“Municipality” means the Corporation of the Municipality of Arran-Elderslie

LEGISLATIVE AUTHORITY:

Video surveillance involves the collection, retention, use, disclosure and disposal of personal information. These activities must be in compliance with MFIPPA.

ROLES AND RESPONSIBILITIES:

Municipal Clerk

The Municipal Clerk shall be responsible for:

- a. Providing oversight and compliance with this policy by all Municipal employees.
- b. Implementation, administration and evaluation of the Municipality’s Video Surveillance Policy.
- c. Storage of recorded information being kept for a specified purpose.
- d. Ensuring that information obtained through video surveillance is used exclusively for lawful purposes.
- e. Responding to requests for information regarding video surveillance records.
- f. Responding to requests for information, by-law enforcement or other regulatory/legal authority.
- g. Making reports to the Information and Privacy Commissioner.
- h. Conducting the annual audit and acting upon reported breaches of this policy (if required).



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Senior Management

Senior Management staff shall be responsible for:

- a. Any site under their responsibility with a video surveillance system.
- b. Ensuring that the site complies with this policy and any site-specific procedures that may be required.
- c. Ensuring that staff with authorized access to monitoring equipment and recording information is trained to do so in accordance with this policy.

Municipal Staff

All Municipal staff shall be responsible for:

- a. Adhering 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.

GOVERNANCE, RULES AND REGULATIONS:

Location of Video Surveillance

- a. The Municipality shall complete a Security Threat Assessment (Appendix A) when considering video surveillance equipment locations.
- b. The Municipality shall install video surveillance equipment in identified public areas where video surveillance is deemed to be necessary in the detection and deterrent of unauthorized or unlawful activity.
- c. In locations where video surveillance equipment is not visible, the Municipality shall ensure appropriate signage is installed, in accordance with this Policy.
- d. Video surveillance equipment shall not be installed in areas where the public and employees have higher expectations of privacy, such as changerooms and washrooms.

Use of Video Surveillance

The information collected through video surveillance is used for the purposes of:

- a. Enhancing the safety and security of employees, public and municipal assets.
- b. Preventing unauthorized activities upon or involving Municipal property.
- c. Assisting in investigating unlawful activity including police, municipal or other government body investigation of an incident involving the safety or security of people, facilities or assets.
- d. Providing evidence as needed to protect the legal rights of the Municipality.
- e. Investigating an incident or allegations of serious employee misconduct.
- f. Investigating an incident involving a potential or active insurable claim against the Municipality.



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Custody and Control of Video Surveillance Recordings

The Municipality shall retain custody and control of all original video surveillance recordings. Video records are subject to the access and privacy requirements of the MFIPPA, which includes but is not limited to the prohibition of all municipal staff from access or use of information from the video surveillance equipment, its components, files or database for personal reasons.

Retention of Video Surveillance Recordings

Video recordings will be digitally secured and stored on Municipal servers in accordance with applicable security and information management protocols. For clarity, this policy shall supersede the Municipality's Retention By-Law.

The livestream access and video surveillance storage systems will be kept in a secure, non-public location at all times and will only be accessible to the Municipal Clerk, Manager of Public Works and the Manager of Facilities, Parks & Recreation, unless otherwise directed by the Clerk. Exceptions shall be made, as needed, for secure on-site viewing of live streaming services only when such viewing assists with security monitoring within a facility.

Recordings will be kept for a maximum of thirty (30) days on the system's hard drive, unless identified pursuant to this Policy as being related to a potential security, insurance or liability risk, potential municipal by-law/policy breaches and/or potential occurrence of provincial or criminal offenses.

In the event a video recording reaches a lifetime of thirty (30) days without having been identified as potentially being related to a security, insurance or liability risk, potential breach of a municipal by-law/policy and/or potential occurrence of a provincial or criminal offense, it will be overwritten by subsequent security camera recordings. Despite the forgoing, technological capacity issues may, from time to time, cause video recordings to be overwritten prior to the thirty (30) day lifetime.

Recordings and copies thereof retained by the Municipality due to potential security, insurance or liability risk, potential breach of a municipal by-law/policy and/or potential occurrence of a provincial or criminal offenses in accordance with this Policy may be retained by the Municipality for as long as is required in order for the Municipality to address the concerns and shall be securely stored by the Municipality for a period of not less than one (1) year. Following one (1) year, when hard drive recordings retained for security purposes are identified by the Clerk, for security issues only, as no longer being necessary to address security concerns, such recordings will be destroyed by the Clerk, using a method that complies with Communications Security Establishment Canada's (CSEC) publication ITSG-06, as amended or replaced.



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Video Surveillance and Law Enforcement

The Municipality shall ensure that video recordings requiring viewing by law enforcement be set aside in a clearly marked manner in a locked storage unit until retrieved by the law enforcement agency.

The Municipality shall ensure that if personal information on video record is used for law enforcement or public safety purposes under MFIPPA, the recorded information shall be retained for at least one (1) year after its use, which may be extended if the video recording is used as evidence in a legal proceeding.

Following an investigation and any corresponding legal action, the law enforcement agency shall be encouraged to return the video record to the original site for retention and disposal. If the law enforcement agency does not wish to return the video record, they will be asked to provide written confirmation to the Clerk that the agency will take full responsibility for the information or that they will destroy the record.

If access to video surveillance is required for the purpose of a law enforcement investigation, the requesting officer must complete the Municipality's Release of Record to Law Enforcement Form (Appendix B) and forward the request to the Clerk.

Access to Recorded Information

Video surveillance recordings will not be monitored in a constant real time surveillance manner.

Video surveillance recordings, both live stream and hard drive recordings, will only be viewed by the Clerk, Manager of Public Works and Manager of Facilities, Parks and Recreation, unless otherwise directed by the Clerk. Viewing will occur in the event of a potential security, insurance or liability risk, potential breach of Municipal by-law/policy and/or potential occurrence of a provincial or criminal offense has come to the attention of authorized viewing personnel, as described in this Policy.

Exceptions shall be made for secure on-site viewing of live streaming services only as when such viewing assists with security monitoring within a facility.

When reviewed, video surveillance recordings will only be viewed by the authorized viewing personnel described in this Policy.

In the event that no potential security, insurance or liability risk, potential breach of Municipal by-law/policy and/or potential occurrence of a provincial or criminal offense has been identified as a concern by authorized viewing personnel, neither the live stream or hard drive recordings will be viewed by anyone and the security camera recordings will be overwritten by subsequent video surveillance recordings in accordance with this Policy.



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Any requests from the general public for access to video surveillance recordings created through the video surveillance system will be processed through the MFIPPA procedure or directed to a law enforcement agency, if appropriate.

Public Notification

The Municipality will provide notice that an area is under video surveillance. Signage will be installed in a clearly visible location at all facilities that are subject to video surveillance. The signage will advise all persons entering a facility or public area that there is video surveillance and will provide contact information to inquire further. Signage shall be a consistent size and format that will identify the Municipality's legal authority for collection of personal information through (S.28(2) of MFIPPA and contact information regarding questions about the system.

The Municipality shall ensure that information regarding this Policy and the Policy itself is readily available at all sites where video surveillance systems are located, and on the Municipality's website, www.arran-elderslie.com.

Annual Audit

An audit shall be completed annually to ensure that roles, responsibilities and practices comply with this Policy and to ensure that:

- a. Video surveillance continues to be justified and, if so, whether its use can be restricted.
- b. Logbooks, recording all activities related to video devices and records are being kept and maintained, including proper recording of all reported incidents and police contact.
- c. Video records are being properly retained.
- d. Video records are being properly destroyed in accordance with time frames and security measures.
- e. Any formal or information requests from public have been tracked.

Policy Review

The Municipality shall periodically review this Policy pending the outcome of the annual audit and evaluation or at any time that the Municipality considers changing or adding additional video surveillance.



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APPENDIX A | SURVEILLANCE VIDEO SECURITY THREAT ASSESSMENT FORM

To Determine the Requirements for a Video Surveillance System:

Site Name: _____

Location: _____

Proposed Video Location: _____

Requestor: _____

Department: _____

Date: _____

1. Is there already a video surveillance system and/or camera on site? If so, please describe and advise if their set-up adheres to the Municipality of Arran-Elderslie's 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 counter-measures been considered and rejected as unworkable?

Security Counter Measure	Yes	No	Comments
a. Security Procedures			
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			



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3. The use of each video surveillance camera should be justified on the basis of 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	Comments
a. Corporate Security Occurrence Reports			
b. Police Reports			
c. Health & Safety Consultants Report			
d. Health & Safety Committee Minutes			
e. Internal Memos			
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	Comments
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?			



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g. Other			
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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?

Effects & Mitigation Strategies	Yes	No	Comments
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: _____
Position: _____

Signature: _____
Date: _____



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APPENDIX B | RELEASE OF RECORD TO LAW ENFORCEMENT AGENCY

(Under Section 32(g) of the *Municipal Freedom of Information and Protection of Privacy Act*)

To: Municipality of Arran-Elderslie

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: _____

To aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result. _____
(Reason)

I confirm that the record will be returned to the Clerk at the Municipality of Arran-Elderslie or written confirmation regarding its disposition after use by the agency.

Signature of Officer: _____ Date: _____

Return completed original forms to the Clerk at the Municipality of Arran-Elderslie Municipal Office, 1925 Bruce Road 10, Chesley, ON, N0G 1L0

Personal information is collected under the authority of the *Municipal Act, 2001, S.O. 2001, c. 25* 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 Clerk at the Municipality of Arran-Elderslie Municipal Office, 1925 Bruce Road 10, Chesley, ON, N0G 1L0, Phone: 519.363.3039