

Report CCR-CS-06-16

To: Chair and Members of the Corporate Services Committee
From: Heather Morrison
Meeting Date: January 12, 2016
Subject: **Security Camera Procedure**
Status: Recommendation adopted by Committee as presented per Resolution CS15-16; Endorsed by County Council February 2, 2016 per Resolution CC24-16;

Recommendation(s)

WHEREAS the safety and security of the public, property and assets needs to be balanced with an individual's right to privacy;

AND WHEREAS Section 28(2) of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) provides that a municipality may install security cameras and collect personal information for safety and security purposes only;

AND WHEREAS a procedure is necessary to provide consistent direction, implementation, security and access to video footage captured through security cameras;

NOW THEREFORE BE IT RESOLVED THAT report CCR-CS-06-16 be received;

AND THAT G-GEN-001-003 being the Security Camera Procedure be endorsed.

Background

The use of security cameras at various county facilities allows for the monitoring of areas for potential security, insurance or liability risks while providing a safer environment for county staff and patrons and an additional opportunity in the deterrence of criminal activity.

Legislation

Personal information, both access to and protection of, is provided under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). Section 28(2) of MFIPPA provides that a municipality can collect personal information. The County operates several facilities where the safety of individuals, assets and property are part of our legislative requirements such as long-term care homes, housing units and storage facilities. Security cameras should be a last resort in many areas and other options such as increased lighting should be reviewed prior to the installation of any cameras.

County records, which include video footage, are under the care and control of the Clerk's department and are monitored through the county's records retention schedule.

The Information and Privacy Commissioner's Office (IPC) has recently provided guidelines on best practices related to security cameras and those have been incorporated into the procedure.

Overview of Process

There are several county operated facilities that currently have security cameras in place including long-term care homes, housing units, sand/salt domes and administration buildings although no formal procedure in place for many of these buildings. In order to streamline processes and provide consistency, transparency, accountability, security and retention guidelines, a corporate procedure was created and is before the Committee now.

The procedure provides direction for staff in areas such as design and installation, openness and notification, access, use and disclosure, security, retention and disposition, breaches and auditing.

The procedure also clarifies roles of responsibility for staff members and provides a consistent approach to freedom of information requests which currently fall under the Deputy Clerk's role.

Similar to other human resource policies, compliance forms have been completed for staff and third party contractors to sign acknowledging that they have read and understood the procedure.

This procedure will not be applicable to cameras used for weather monitoring or any future video recording of county council or committee meetings.

Financial/Staffing/Legal/Information Technology Considerations

Over the next year, all feeds from security cameras operated by Grey County will be directed through the Information Technology (IT) department to provide another level of consistency and control over the footage captured through these cameras. This transfer can be completed within the current operating budget. There are no other staffing requirements related to this procedure.

MFIPPA provides the legal authority for the County to install and monitor security cameras.

Any additional security cameras installed shall be purchased through approved operating budgets or through a resolution approved by County Council should funds not be available within those operating budgets.

Link to Strategic Goals/Priorities

Not applicable

Attachments

Security Camera Procedure and applicable forms

Respectfully submitted by,

Heather Morrison
Deputy Clerk/Records Manager

Director Sign Off: Sharon Vokes

Security Camera Systems

Approved by: County Council

Date Approved:

Last Modified Date: 2009

Replaces: GCH-PM-001-09

Scheduled for Review by: 2020

Procedure Number: G-GEN-001-003 **Parent Policy:** G-GEN-001

Author: Clerk's Department

References and Related Documents

[Records and Information Policy](#)

[Freedom of Information Requests Procedure](#)

[By-Law 4481-08 Records Retention Bylaw Amended by By-law 4696-10](#)

[Schedule A Records Retention Revised 2010 for By-law 4696-10](#)

[By-Law 4737-11 Designate a Head for Freedom of Information](#)

[Municipal Act 2001 Section 254](#)

Forms

[Form - Request for Release of Personal Information Security Camera](#)

[Form - Security Camera System Report Log](#)

[Form - Service Contractor Compliance with Procedure](#)

[Form - Employee Compliance with Procedure](#)

[Freedom of Information Request Form](#)

Policy Statement

This policy establishes a procedure for balancing the benefits of security cameras with an individual's right to be free of unwanted intrusion.

Purpose

Security cameras will only be used for security and safety purposes. The cameras will assist in monitoring for potential security, insurance or liability risks, the potential breach of by-law and/or the potential occurrence of provincial or criminal offences. The cameras will assist in deterring criminal activity and provide a safe working environment for County staff and patrons.

Scope

This procedure will apply to all security cameras and accompanying footage on property owned by the County of Grey. This procedure shall apply to staff noted within the procedure as having responsibilities for a Security Camera System and any contractor used by the County of Grey for the purpose of installing, maintaining or removing a Security Camera System. This procedure does not apply to current or proposed videotaping or audio taping of County Council meetings or cameras used for weather monitoring only.

Legislative Authority

The County of Grey is governed under several legislative acts including the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). Section 28(2) of MFIPPA has established the legal authority under which a municipality can collect personal information. The County of Grey operates several facilities where the safety of individuals, assets and the security of property are part of the County's legislative requirements. Therefore, under MFIPPA, the County is lawfully authorized to carry out this activity and it is deemed a necessary activity for this purpose. The County's records are under the care and control of the Clerk's department who has the responsibility to ensure the records are managed in accordance with all Legislative Acts, Statutes and Regulations and have fulfilled the retention requirements of the County's Records Management By-law 4696-10 or any subsequent retention by-law.

Definitions

Personal Information-is defined in Section 2 of MFIPPA, as recorded information about an identifiable individual which includes, but is not limited to, information relating to an individual's race, colour, national or ethnic origin, sex and age. If a Security Camera System displays any of these characteristics of an identifiable individual or the activities in which he or she is engaged, its contents will be considered "personal information" under MFIPPA.

Reception Equipment-refers to the equipment or device used to receive or record the personal information collected through a Security Camera System, including a camera or video monitor or any other video, audio, physical or other mechanical, electronic or digital device.

Record-is defined in Section 2 of MFIPPA, as any record of information, however recorded, where in printed form, on film, by electronic means

or otherwise, and includes: a photograph, film, microfilm, videotape, machine-readable record, and any record that is capable of being produced from a machine-readable record.

Security Camera System-refers to a video, physical or other mechanical electronic or digital surveillance system or device that enables continuous or periodic video recording, observing or monitoring of personal information about individuals in open, public spaces (including roads).

Storage Device-refers to a videotape, computer disk or drive, CD ROM, computer chip or other device used to store the recorded data or visual, audio or other images captured by a Security Camera System.

Procedure

General

Grey County wishes to use security cameras for the purposes of ensuring the safety and security of individuals, assets and property. Security Camera Systems should only be used when the benefits of security cameras substantially outweigh the reduction of privacy of individuals. Less obtrusive means of achieving the same goals should be considered prior to the implementation of a Security Camera System such as increased lighting.

Design and Installation

The County will ensure that any Security Camera System installed on County property is only installed in identified areas where it has been identified to ensure the security of individuals, property or assets or for the monitoring of weather conditions on County Roads. The equipment shall be installed in such a way so to only monitor spaces that have been identified as requiring security cameras. Any adjustments to a Security Camera System shall be restricted so that operators cannot view spaces that are not covered by the Security Camera System. Areas in which employees and/or the public have a high expectation of privacy will not generally be monitored unless a specific situation arises where the safety of the public, tenant or resident is in jeopardy. For example a resident's safety in a long-term care home is at risk.

Openness and Notification

The County is committed to accountable and transparent processes. In accordance with this, the public will be notified through the posting of clearly written signs displayed prominently at the entrances, exterior walls and interior of buildings and/or the perimeter of security camera areas.

Access, Use and Disclosure

Information collected via a Security Camera System will only be used for the purposes stated in this procedure. Information shall not be retained longer than identified in this procedure and in accordance with the County's Record Retention By-law or used for any other purpose. Any personal information collected via a Security Camera System shall be subject to MFIPPA. Any individual whose personal information has been collected by a Security Camera System has the right of access under Section 36 of MFIPPA unless it falls under an exemption and if exempt, information can be reasonably severed from the record.

Security, Retention and Disposition

Only the Chief Administrative Officer (CAO), Director of Information Technology, Deputy Clerk/Records Manager, County Solicitor, law enforcement authorities, specified site managers/Supervisors or their designates may review the information. Circumstances that would normally warrant a review will be limited to an incident related to the safety and security of individuals, assets and property that have been reported/observed, in particular, for law enforcement purposes.

All equipment, paper records and recorded information not in use will be kept in a secured, locked area with only authorized access permitted. All removable devices will also be dated, labelled and stored in locked containers in a controlled access area.

The retention of any security camera tapes will be as set out in the County's Records Retention By-law. For the purposes of this procedure, the tapes will be kept for no longer than 14 days and then destroyed or overwritten in a way that does not allow the content to be reconstructed or retrieved, unless staff are notified to keep a specific recording for law enforcement purposes. In accordance with the Records Retention By-law, tapes that have been used for investigations must be kept for one year after the conclusion of the investigation and tapes used for insurance claims shall be kept for two years after the settlement of the claim.

Breaches

County employees and contractors installing, maintaining, monitoring or removing Security Camera Systems shall comply with this procedure. Employees who breach this procedure may be subject to discipline up to and including termination. Authorized employees and contractors shall sign an

acknowledgement form attached to the procedure regarding their understanding and compliance with the procedure.

Auditing and Evaluating

The County shall ensure that the use and security of a Security Camera System is subject to regular review and audit. The audit will address the County's compliance with the procedure and guidelines. Auditing may include but is not limited to review of logbooks and retention and disposal of equipment and recorded information. Any deficiencies will be addressed and corrected.

Responsibilities

Director of Information Technology

The Director of Information Technology or their designate shall have responsibility for the care and control and life-cycle management of the recorded information, access and authorization logs, posting of Notice of Collection of Personal Information equipment, maintenance, replacement and disposal. The Director of Information Technology or designate will have access to all Security Camera Systems and will provide access if requested by the appropriate staff and only for the purposes as outlined in this procedure.

Freedom of Information Coordinator

The Freedom of Information (FOI) Coordinator, currently under the Deputy Clerk's responsibilities, shall be responsible for the administration of MFIPPA including providing individuals with the right to access personal information about themselves, protecting the privacy of individuals, ensuring compliance with MFIPPA, responding to inadvertent disclosures of personal information or complaints made to the Information and Privacy Commissioner (IPC). The FOI Coordinator shall ensure that any request for video footage from a law enforcement agency complies with MFIPPA. All requests for access to information contained in security cameras from the public or law enforcement agency shall be submitted to the Deputy Clerk and dealt with in accordance with MFIPPA.

Site Managers

Site Managers or their designates are responsible for the daily oversight of the Security Camera Systems at their respective facilities, reporting any

incidents or concerns to the appropriate Director, completing appropriate logs as required and following the Security Camera Procedure.

Contractors

Contractors shall be responsible for complying with the Security Camera Procedure and MFIPPA in the performance of their duties related to the operation of a Security Camera System.



Employee Compliance with Procedure

Employee Name	Position
Department	Manager / Supervisor

It is mandatory for authorized employees to comply with the Security Camera Procedure and to understand their role and responsibilities as stated in the procedure.

Unacceptable, unlawful, or unauthorized use of the security camera equipment will result in disciplinary action, and when appropriate, law enforcement authorities may be notified

Authorized employees are required to sign the acknowledgement below:

I acknowledge that I have read and understand the County of Grey’s Security Camera Procedure and that I am responsible for complying with this procedure.

Date: _____ Employee Signature:

Manager/Supervisor Signature: _____

Please return original signed copy of this form to the Human Resources Department upon completion.

Security Camera Policy

Record Keeping Log: Destruction of Security Camera Footage

The following form to be completed any time that staff destroy information gathered through security cameras operated by Grey County.

Date	Name of Staff Person	Tape or File Identification Number	Destruction Method

Service Contractor Compliance with Procedure

Name	Company

It is mandatory for service contractors to comply with the Security Camera Procedure, where applicable, and to understand their role and responsibilities as stated in the procedure.

Unacceptable, unlawful, or unauthorized use of the security camera equipment may result in the termination of the service contract, and where appropriate, law enforcement authorities may be notified.

Service Contractors are required to sign the acknowledgement below:

I undertake to keep confidential, all information received as a result of the performance of my services to the County of Grey.

Date: _____ Contractor Signature:

Please return original signed copy of this form to the Human Resources Department upon completion.



Request for Release of Personal Information / Security Camera

To be completed when a request is received from Police Services or other third parties to release or view information gathered through security cameras operated by Grey County.

Employee Name	Position
Department	Manager / Supervisor

Is information being requested as part of an ongoing police investigation? Yes No

If 'no', why is the information being requested? _____

Has a warrant or court order been produced authorizing the individual(s) to view or remove the information requested? Yes No

Description of Information Sought

Include information such as date, time, camera number, individual(s) or interest, and a description of the incident.

Will the information removed be returned to Grey County or destroyed? Returned Destroyed

The information taken will be transported, stored, and if necessary, destroyed in accordance with all relevant provincial and federal laws governing the use of Personal Information.

Date: _____ Employee Signature: _____

Manager/Supervisor Signature: _____

Please return original signed copy of this form to the Human Resources Department upon completion.