



POLICY MANUAL

Legal References:	Policy Department: Administration
Cross References:	Policy Number: A11
Adoption Date: September 25, 2017	Policy Title: Video Surveillance
Revision Date:	Review Date:

POLICY PURPOSE:

To develop a video surveillance system policy that complies with the Freedom of Information and Protection of Privacy Act thereby ensuring consistency of surveillance measures.

This policy may apply to interior or exterior areas of all Town facilities subject to a determination by the Chief Administrative Officer (CAO) and the person responsible for such facilities to install video surveillance equipment.

These guidelines do not apply to covert or overt surveillance cameras being used as a case-specific investigation tool for law enforcement purposes or in contemplation of litigation. They are also not intended to apply to workplace surveillance systems installed to conduct surveillance of employees.

POLICY STATEMENT AND GUIDELINES:

The Town of Wembley recognizes the need to balance an individual's right to protection of privacy against the Town's duty to promote a safe environment to all citizens and to protect Town property. The objective of video surveillance in public areas is to apprehend those who are committing more serious crimes against both persons and property, as well as to discourage those who may consider committing crimes.

DEFINITIONS:

- a) **Chief Administrative Officer** also known as the **CAO** means the person, or delegate appointed by Council to the position of Chief Administrative Officer under the Municipal Government Act for the Town of Wembley;
- b) **Covert Surveillance** refers to the secretive continuous or periodic observation of person, vehicles, places or objects to obtain information concerning the activities of individuals;
- c) **Council** means the Mayor and Council Members duly elected in the Town of Wembley and who continue to hold office;
- d) **Town** means the Municipal Corporation of the Town of Wembley having jurisdiction under the *Municipal Government Act* and other applicable legislation;
- e) **Disclosure** refers to the release of relevant information. Disclosure includes viewing a recording as well as making a copy of a recording;
- f) **Freedom of Information and Protection of Privacy Act** means the Freedom of Information and Protection of Privacy Act, RSA 2000, Chapter F-25, as amended thereto, also known as FOIP;
- g) **Overt Surveillance** refers to the non-secretive continuous or periodic observation of person, vehicles, places or objects to obtain information concerning the activities of individuals;
- h) **Person** includes an individual, partnership, association, corporation, trustee, executor, administrator, or legal representative;
- i) **Personal Information** is defined in Section 1(1)(n) of FOIP as recorded information about an identifiable individual. It includes the individual's race, colour, nation, ethnic origin; the individual's age and sex; the individual's inheritable characteristics; information about an individual's physical or mental disability; and any other identifiable characteristics listed in that section;
- j) **Reception Equipment** refers to the equipment or device used to receive or record the personal information collected through a surveillance system, including a video monitor;
- k) **Storage Device** refers to a videotape, computer disk or drive, CD ROM or computer chip used to store the recorded visual images captured by a surveillance system;
- l) **Video Surveillance System** refers to a mechanical or electronic system or device that enables continuous or periodic video recording, observing or monitoring of personal information about individuals in open, public spaces, public buildings or public transportation

ROLES AND RESPONSIBILITIES:

Council is responsible to:

- Approve the Policy and any subsequent amendments;
- Appoint the CAO or designate as the custodian of the surveillance system program;

Chief Administrative Officer is responsible to:

- Ensure the requirements of the Policy are adhered to;
- Delegate authority to maintain the system.

Employees and Contractors with access to Video Surveillance Equipment are responsible to:

- Review and comply with this policy in performing their duties and functions related to the operation and maintenance of a video surveillance system. If a contractor fails to comply with this policy or FOIP, it will be considered a breach of contract. Employees who breach this policy may be subject to disciplinary action.

PROCEDURES:

Designing and installing surveillance equipment:

- a) Reception equipment such as video cameras may be installed in identified public areas where surveillance is a necessary and viable detection or deterrence activity;
- b) Cameras shall not be directed or aimed into areas where people have a heightened expectation of privacy i.e. through windows or adjacent buildings, showers, washrooms, etc.;
- c) Only authorized persons shall have access to the video surveillance system's controls and reception equipment;
- d) Reception equipment shall only be in a controlled access area.

Public awareness of cameras:

- a) The public shall be notified that they will be under video surveillance through clearly written signs prominently displayed at the perimeter of video surveillance areas;
- b) The following sign will be displayed at the perimeter of the surveillance areas:
Security Notice: All Activities Monitored by Video Camera.

Use, disclosure and retention of personal information:

- a) Access to the storage devices shall only be by authorized personnel.
- b) All images that are captured will be kept for a maximum of three months, unless requisitioned by an individual under the FOIP or by a police/peace officer as part of a criminal investigation;

- c) If the images noted above are disclosed to a police/peace officer, they shall be retained for a minimum of one year pursuant to s.16(b) of AR312/2006.;
- d) An individual who is the subject of the information has a right of access to his or her recorded information. Access may be granted in full or in part depending upon whether any of the exceptions in FOIP apply and whether the excepted information can reasonably be severed from the record;
- e) All access requests shall be made to the Town 's FOIP Coordinator, who will consider the request;
- f) Old storage devices or recorded images kept for the maximum time period must be securely disposed of by shredding, burning or magnetically erasing the information;
- g) The Law Enforcement Disclosure Form (Schedule A) shall be completed before any storage device is disclosed for Law Enforcement purposes. This personal information / images will be disclosed to Law Enforcement Authorities and the individual who is subject of the information and only for Law Enforcement purposes.

CONFIDENTIALITY:

The use and interpretation of all Town Policies and schedules will comply with all aspects of the Freedom of Information and Protection of Privacy Act (FOIP). Any breaches of the FOIP Act will be subject to disciplinary action.

RECORDS MANAGEMENT REQUIREMENTS:

All documentation will be filed in accordance with the Records Management Policy and to comply with the Municipal Government Act (MGA), Freedom of Information & Protection of Privacy Act (FOIP) and any other applicable legislation, regulation, or act.

NON COMPLIANCE:

The consequences of non-compliance of this Policy will be at the discretion of the CAO or their designate, and may include disciplinary action up to and including termination.

POLICY AUTHORITY:

The Town CAO has the authority to amend the related Schedules of Policy 155 from time to time to keep current, enforceable and compliant with statutes and legislation in the Province of Alberta. Any changes that are made to Policy are to be approved by Council.

ATTACHMENTS:

- Schedule A – Law Enforcement Disclosure Form
- Schedule B – Display sign

Policy Name: Video Surveillance
Policy Number: A11

Schedule A



Law Enforcement Disclosure
Request for Disclosure under Section 40(1)(q) of the
Freedom of Information and Protection of Privacy Act

Date

In accordance with section 40(1)(q) of the Freedom of Information and Protection of Privacy Act, the

Name of Public Body

requests disclosure of personal information pertaining to

Name of Individual or Other Identifier

which may be generally described as:

General Description of Information Requested

This information is required by this public body to assist in an investigation pursuant to:

Reference to a Federal or Provincial Statute or Local Public Body Bylaw by Section or Description of Purpose

Requesting Official

Name

Title

Signature

Badge Number (if applicable)

I, [Name of Disclosing Official] [] consent to, or [] refuse this disclosure of personal information.

If disclosure has been authorized, the personal information bank(s) is:

Name(s) of Personal Information Bank(s)

Authorized Disclosing Official

Name

Title

Signature

Name of Public Body

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SECURITY NOTICE



**All Activities
Monitored by
Video Camera**

Town of Wembley