

POLICY MANUAL	Policy No. 1-17
Municipality of South Dundas	Effective Date: December 18, 2018
Subject: Video Surveillance Policy	Department: All

PURPOSE

It is the policy of the Municipality of South Dundas to utilize video surveillance as necessary.

This policy/procedure defines the criteria and processes associated with the installation and use of video surveillance equipment by the Municipality. Video surveillance shall be used to promote the safety and security of the public, as well as the Municipality's assets, employees and property in accordance with the provisions of relevant legislation and established policies and procedures.

This procedure applies to all Municipal Staff or others who may request, install, access and/or monitor video surveillance equipment and/or video footage at any Municipality facility or property but does not apply to videotaping or audio taping of Council or Committee meetings, events, or any covert surveillance that may be undertaken for the purposes of law enforcement.

This policy does not require or guarantee that a camera or recording equipment will be recording or monitored in real time at all times.

COLLECTION, USE AND DISCLOSURE

- a) Personal information collected pursuant to this Policy will be recorded and will only be used for the purposes set out herein, or as may otherwise be permitted or required by law. For example, Personal Information may be disclosed to the police or other law enforcement agencies in Canada to aid an investigation. In the event of a reported or observed incident, the review of recorded information may be used to assist in the investigation of the incident.
- b) Disclosure of storage devices will only be made to authorities and upon the presentation by the authorities of a warrant or court order for the same and upon completion of Appendix 'A' setting out the name of the individual(s) who took the storage device, under what legal authority, the date, and whether the storage device will be returned or destroyed after its use by the authorities.

- c) Storage devices containing Personal Information may be shared with third party service providers who have a need to access such information and only upon them entering an agreement to keep such information confidential and handling the Personal Information in accordance with the terms of this Policy and applicable law.

PROTECTING PERSONAL INFORMATION

- a) Personal Information collected by the Municipality is protected to avoid unauthorized access. Access to the storage devices where recorded Personal Information is retained, is only permitted, by personnel authorized in accordance with this Policy.

ACCESS

- a) The Personal Information recorded by video surveillance is subject to Freedom of Information and privacy laws. Individuals have the right to access the Personal Information held by the Municipality, including video recordings. Access may be requested by contacting the Municipal Clerk at the address listed below. Requests for access may be denied in certain circumstances as set out in MFIPPA or FIPPA, including where disclosure would interfere with a law enforcement matter or investigation or unjustifiably invade another person's privacy.

Municipality of South Dundas
c/o Municipal Clerk
34 Ottawa Street, Box 740
Morrisburg ON K0C 1X0

RETENTION

- a) Records containing Personal Information will only be retained as long as necessary to fulfill the purposes for which they were collected pursuant to this Policy, or as otherwise permitted or required by law.
- b) Records containing Personal Information that have not been viewed for internal investigation, law enforcement or public safety purposes will be erased one (1) month after recording.
- c) Records containing Personal Information that will be retained in excess of one (1) month may include:
 - a. Personal Information that has been viewed for law enforcement and public safety purposes which must be retained for a certain period thereafter.
 - b. Personal Information that is associated with an internal investigation. Such material will be maintained until the investigation has been resolved.

DISPOSAL

Old storage devices will be securely disposed of in a way that the Personal Information cannot be reconstructed or retrieved. Secure disposal methods may include shredding, burning or magnetically erasing the Personal Information.

BREACH

In the event of a collection, use, disclosure or retention in violation of applicable privacy laws, the Municipality will comply with the recommendations of the Office of Information and Privacy Commissioner of Ontario in responding to breaches. The Clerk will respond to any inadvertent disclosure of Personal Information.

TRAINING AND ADHERENCE REQUIREMENTS

- a) Municipal Staff and service providers are required to review and comply with this Policy and applicable privacy laws in performing their obligations related to the video surveillance system.
- b) As appropriate, this Policy and related processes or guidelines will be incorporated into training programs for Municipal Staff involved with video surveillance.

DESIGNATED RESPONSIBILITIES

- a) The Municipality will maintain control of and responsibility for the video surveillance system on its premises at all times.
- b) The Chief Administrative Officer and Municipal Clerk are responsible for compliance with applicable privacy laws and this Policy.
- c) Municipal Directors and Information Technology Staff are responsible for ensuring the establishment of procedures for video surveillance equipment, in accordance with this Policy and any legal requirements.
- d) Municipal Directors and Information Technology staff are further responsible for the life-cycle management of authorized video security surveillance systems, specifications, equipment standards, installation, maintenance, replacement, disposal, and any related requirements (e.g. signage installation), including:
 - a. Documenting the reason for implementing a video surveillance system in a designated area.
 - b. Maintaining a list of reception equipment locations.
 - c. Maintaining a list of personnel who are authorized to operate the systems and access any recordings, including the circumstances under which access is permitted. Logs must be kept of any access to such recordings.

- d. Assigning a person responsible for the day-to-day operation of the system in accordance with policies, procedures, and direction/guidance that may be issued from time-to-time.

INSTALLATION AND PLACEMENT

When using video surveillance equipment, the Municipality will comply with the following:

- a) Video surveillance shall occur only in identified public areas where such monitoring is necessary to protect public safety, Corporate assets and property, including detection and deterring criminal activity and vandalism.
- b) Privacy intrusion should be minimized to that which is necessary to achieve required, lawful goals.
- c) Equipment to monitor video surveillance will be installed in a controlled access area. Only personnel authorized under this Policy may have access to monitoring equipment. Monitors showing Personal Information captured by the video surveillance equipment will not be located in a way that enables the public to view it.
- d) Surveillance cameras shall not be installed in areas where the public and/or employees have a reasonable expectation of privacy, including, but not necessarily limited to, washrooms, change rooms and residential areas.

SERVICE PROVIDERS

- a) The Municipality will ensure that agreements between the Municipality and its service providers state that records under the video surveillance program remain under the Municipality's control and subject to applicable privacy laws.
- b) Violation of this Policy or applicable privacy laws by service providers will be considered a breach of the contract.

NOTIFICATION

Signage, as attached hereto, will be placed at a prominent location to ensure that Municipal employees and the public are aware of the security cameras.

DEFINITIONS

"MFIPPA"

Municipal Freedom of Information and Protection of Privacy Act, RSO 1990, c.M. 56.

"Personal Information"

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 video surveillance system displays 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.

"Record"

Information, however recorded, whether in printed form, on film, by electronic means or otherwise, and includes: a photograph, a film, a microfilm, a videotape, a machine-readable record, and any record that is capable of being produced from a machine-readable record.

"Third Party Services Providers" are external investigators hired by the Municipality of South Dundas to review safety or security issues.

"Video Surveillance System"

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.