



## **Security Camera Policy**

**Approved: 2021-07-20**

***Motioned by Commissioner Pitcher***

*"I move that Village of Bible Hill adopt the Security Camera Policy."*

***Seconded by Commissioner Shea***

***Motion carried***

## Purpose

1. To provide procedures for the effective management of video surveillance by the Village that enhances safety and security of employees, members of the public, and Village property, including preventing and deterring crime, identifying suspects, and gathering evidence, while minimizing privacy intrusion.

## Definitions

2. In this policy,
  - a. "Access & Privacy Officer" means the responsible officer under Part XX of the MGA, being the Clerk and Treasurer, or his or her delegate;
  - b. "camera system" or "system" means security camera equipment, including cameras, monitors, and associated control and storage equipment that allow for remote viewing of images and/or audio captured within the field of vision of the cameras;
  - c. "Clerk and Treasurer" means the person employed by the Village as Clerk and Treasurer under the MGA;
  - d. "contractor" means a corporate entity or an individual performing work on behalf of the Village under contract;
  - e. "covert video surveillance" means the use of hidden or non-disclosed system(s) for law enforcement purposes, to respond to a specific threat to the safety and security of employees, members of the public, or Village property, or to assist with internal investigations;
  - f. "digital recordings" means the images, data, and associated records created and retained as a result of the Village's use of a camera system;
  - g. "employee" means any person categorized as permanent, term, full-time, part-time, casual, contract, seasonal, temporary, or student worker in the employ of the Village, as well as volunteers;
  - h. "internal investigation" means an investigation undertaken by the Village where alleged improper conduct by an employee has been identified, including actions or omissions that are in breach of policies, procedures, or work-related instructions;
  - i. "MGA" means Municipal Government Act;
  - j. "personal information" has the same meaning as defined in Part XX of the MGA;
  - k. "secure" means to copy a portion of a digital recording to an external storage device such as a hard drive or flash drive;
  - l. "Village" means Village of Bible Hill; and

m. "Village property" means any real property owned or leased, and operated directly by the Village, including buildings, parks, and recreational facilities.

## **Principles Supporting Policy**

3. The appropriate use of video surveillance, combined with other safety and security measures, is a necessary and effective means of achieving enhanced safety and security of employees, members of the public, and Village property.
4. The Village recognizes the need for synergies between an individual's right to privacy and the Village's duty to promote and maintain safe and secure environments and protect property.

## **Terms of Policy**

### **Application**

5. This policy applies to all camera systems on Village property, except this policy does not apply to a camera system or other recording devices used by Bible Hill Fire Brigade as an autonomous incorporated organization or to the digital records produced by operation of such devices by Bible Hill Fire Brigade.
6. This policy does not apply to covert video surveillance.
7. Nothing in this policy limits the ability to develop and implement policies relating to the use of digital recordings for the management of employees.

### **Installation**

8. The decision to install a camera system on Village property shall be made by the Clerk and Treasurer, or at the direction of the Village Commission.
9. When considering the installation of a camera system on Village property, the following criteria shall be considered and documented by the Clerk and Treasurer or delegate:
  - a. the existence of demonstrated and significant safety or security concerns at the location, or at similar locations to the location, where placement of a camera system is being proposed;
  - b. what measures, other than the installation of a camera system, are available to address identified safety or security concerns;

- c. whether measures other than the installation of a camera system would be effective in addressing the identified safety or security concerns;
  - d. the effect that the proposed placement of a camera system may have on personal privacy, and the ways in which privacy intrusion can be minimized;
  - e. the operational requirements of the Village; and
  - f. any other criteria deemed relevant by the Clerk and Treasurer.
10. The Access & Privacy Officer shall recommend whether a full Privacy Impact Assessment is required.
11. Where circumstances require the immediate installation of a camera system, the criteria in section 9 shall be reviewed as soon after installation as is practicable and adjustments, up to and including removal, will be made if required in respect of the installation once the review is complete.
12. Signage
  - a. Where a camera system is permanently installed on Village property, the Clerk and Treasurer shall post signage in a conspicuous place in proximity to the system, advising that the area is monitored by a camera system, the authority for doing so, the principle purpose(s) for which the digital recordings is intended to be used, and the telephone number of someone who can answer questions about the collection of digital recordings.
  - b. Notwithstanding (a), if a sign cannot physically be posted in a conspicuous place in proximity to the system, it shall be posted in the general vicinity.
  - c. Where a number of camera systems are placed in a location, it shall be sufficient to display a single sign in a conspicuous place at or near the entry point advising those entering the location that it is being monitored by a camera system.
13. A camera system shall not be installed in areas where employees or members of the public have a higher expectation of privacy, including within a washroom or change room.
14. A camera system shall, to the extent possible, be focused on the location identified as having safety or security concerns, and the ability to adjust or manipulate the camera system to focus on spaces not intended to be monitored shall, to the extent possible, be restricted.

15. To the extent possible, video displays of digital recordings should not be located such that the public or unauthorized staff may view the images.
16. A camera system may operate at any time in a twenty-four-hour period.
17. The Clerk and Treasurer shall maintain an inventory of all camera systems under control of the Village.

### **Use of Digital Recordings**

18. Digital recordings obtained through a camera system may be used by the Village to:
  - a. enhance the safety and security of employees, contractors and members of the public who are on Village property;
  - b. safeguard Village property and other assets;
  - c. detect and deter criminal activity by providing law enforcement agencies with evidence related to possible unlawful activities;
  - d. manage risk to the Village, including workplace accidents and/or injuries, incidents, complaints, claims, or potential claims involving the Village; and
  - e. undertake internal investigations, as authorized by the Clerk and Treasurer.
19. The Clerk and Treasurer may secure digital recordings from an identified time and location for any of the purposes set out in (18).

### **Custody and Control of Digital Recordings**

20. The Clerk and Treasurer is responsible for the digital recordings applicable to this policy within the Village's custody and control.
21. Camera system recording equipment shall be located such that only individuals authorized by the Clerk and Treasurer may access the equipment.
22. All wireless transmissions of digital recordings shall be encrypted.
23. The Clerk and Treasurer may designate employees or contractors who are authorized to access a camera system and digital recordings for the purpose of:
  - a. monitoring a given location;
  - b. retrieve, download, view, and/or secure a digital recording; and
  - c. perform maintenance and repairs on the system.

24. The Clerk and Treasurer shall maintain a list of authorized individuals designated pursuant to (23).

### **Third-party Access to Digital Recordings**

25. Third parties may request access to digital recordings in the following manner:
  - a. an application pursuant to MGA Part XX;
  - b. as part of a legal action against the Village; or
  - c. by way of a court order or otherwise as provided for by law.
26. Law enforcement personnel may request access to digital recordings for law enforcement or investigative reasons by contacting the Clerk and Treasurer.
27. A third party who is given access to digital recordings may be required to acknowledge his or her duties, obligations, and responsibilities with respect to the confidentiality, use, and disclosure of the digital recordings in writing.
28. Any unauthorized access to digital recordings or camera system shall be reported to the Access & Privacy Officer for investigation.
29. Any employee who provides digital recordings to unauthorized parties, either as a result of intentional wrongful disclosure or disclosure caused by negligence, may be subject to disciplinary action, up to and including dismissal.
30. Any contractor who provides digital recordings to unauthorized parties, either as a result of intentional wrongful disclosure or disclosure caused by negligence, may be subject to termination of their contract or legal action.

### **Retention and Disposal of Digital Recordings**

31. The Village may develop retention periods for digital recordings, including the length of time such recordings are to be maintained, and the Clerk and Treasurer may develop different retention periods for those digital recordings that have been secured pursuant to (19).
32. Digital recordings that have been secured in response to a request pursuant to (25) shall be retained in accordance with the legal and records management requirements of the request.

33. Notwithstanding (32), where digital recordings that have been secured in response to a request pursuant to (19) are subsequently used to make a decision that directly affects an individual, they shall be retained for a minimum of one year.
34. Digital recordings for which no request to secure has been received by the Clerk and Treasurer shall not be retained for longer than 60 days. A camera system may record over such existing recordings.
35. Secured digital recordings shall be disposed of in a manner that ensures that personal information is erased and cannot be retrieved or reconstructed. Disposal methods may include use of Kill-disk, shredding, burning, or erasing depending on the type of storage device.

### **Transition**

36. The guidelines for installation of a camera system do not apply to a camera system installed prior to the adoption of this policy until three years from the coming into force of this policy.

## Policy Document Attestation

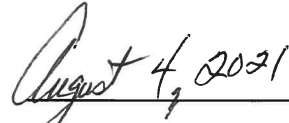
Date of Notice to Village Commission of Intent to Consider: 2021-07-20

Date of Adoption of Policy: 2021-07-20

I certify that this Policy was adopted by Village Commission as documented above:



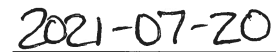
Chair



Dated



Clerk and Treasurer



Dated