

Policy No.: 140.20 Policy Title: Video Surveillance Policy Department: Administration/Corporate Services Effective Date: Reviewed: January 15, 2020 Supersedes Policy/Bylaw: 126/16	Resolution No. M022/20 Date: January 28, 2020
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1. Policy Statement

- 1.1 The purpose of this policy is to govern the operation of a public video surveillance system by the Town of Blackfalds (the Town).
- 1.2 This policy is subject to any specific provision of the Municipal Government Act or other relevant legislation or Union Agreement.

2. Reason for Policy

- 2.1 This policy relates solely to the operation of the public surveillance system and is to be read in conjunction with the town's procedures regarding the Freedom of Information and Protection of Privacy (FOIP), and in general accordance with the principles contained within the Service Alberta Guide to Using Surveillance Cameras in Public Areas & the FOIP Act.
- 2.2 The use of video surveillance for the collection of Personal Information, under Section 33(b) of the FOIP Act is strictly for the purposes of crime prevention, crime detection and aiding law enforcement.
- 2.3 Unless transferred to the RCMP, all Personal Information and data collected through the use of video surveillance will remain the property of the Town of Blackfalds.

3. Related Information

- 3.1 Service Alberta, Access and Privacy, Guide to using Surveillance Cameras in Public Areas, Revised June 2004.

4. Definitions

- 4.1 Authorizing Official – In accordance with the FOIP Delegation and Assignment of Responsibility document, the CAO, Executive Assistant, Records Management & FOIP Coordinator and Emergency Management & Protective Services Manager are deemed authorizing officials for the purpose of this policy.
- 4.2 Designated Staff - The CAO, Directors, Records Management & FOIP Coordinator, Information Technology Manager, Information Technology Analyst, Emergency Management & Protective Services Manager and Enforcement Services personnel are Designated Staff for the purposes of this policy.

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- 4.3 Evidence - Any record including, but not limited to, video footage, still picture, written or electronically stored information that is or will be used for the purpose of investigation of an event, whether for a criminal proceeding, bylaw prosecution, civil action, administrative hearing or otherwise.
- 4.4 Formal Information Request – The process by which information may be disclosed pursuant to the provisions of the *Freedom of Information and Protection of Privacy Act* and is subject to specific and limited exceptions.
- 4.5 Freedom of Information and Protection of Privacy Act (FOIP) – The legislation that guides the collection, use, and disclosure and protection of personal information in Alberta (hereinafter referred to as the Act).
- 4.6 Record - In accordance with the definition of “record” contained in the Act, Section 1(q), a record includes all digitally recorded or stored visual images captured by the surveillance system.
- 4.7 Records Management & FOIP Coordinator – The person delegated, in writing, to administer the provisions of the Act on behalf of the Town of Blackfalds. This includes the processing of formal information requests and the redaction of personal information as required.
- 4.7 Surveillance System - Refers to all mechanical and electronic equipment that enables the video recording of designated areas. This equipment is to include all cameras, computers, storage devices (disk, tape, HDD, DVD, etc.) and video monitors that receive, record and store collected information.
- 4.8 Personal Information - Defined in Section 1(n) of the Act as recorded information about an identifiable individual, including: the individual’s race, colour, national or ethnic origin; the individual’s age or sex; the individual’s inheritable characteristics; information about an individual’s physical or mental disability; and any other identifiable characteristics listed in that section.

5. Responsibilities

5.1 Municipal Council to:

5.1.1 Approve by resolution this policy and any amendments.

5.1.2 Consider the allocation of resources for successful implementation of this policy in the annual budget process.

5.2 Chief Administrative Officer to:

5.2.1 Implement this policy and approve procedures.

5.2.2 Ensure policy and procedure reviews occur and verify the implementation of policies and procedures.

5.3 Director of the Department to:

5.3.1 Ensure implementation of this policy and procedure.

5.3.2 Ensure that this policy and procedure is reviewed every three years.

5.3.3 Make recommendations to the Chief Administrative Officer of necessary policy or procedure amendments.

5.4 Manager to:

5.4.1 Understand, and adhere to this policy and procedure.

5.4.2 Ensure employees are aware of this policy and procedure.

5.5 All Employees to:

5.5.1 Understand and adhere to this policy and procedure.

6. Exclusions

6.1 This policy does not apply to placement of cameras for overt or covert surveillance as a case-specific investigation tool for law enforcement purposes, where a statute or search warrant authorizes the surveillance.

6.2 This policy is not intended to apply to dedicated systems installed by the Town for surveillance of employees and/or monitoring job performance.

6.3 This policy does not apply to live streaming of Town of Blackfalds Council meetings.

7. Special Situations

7.1 In the event of a disaster or emergency, where a given facility is being utilized as a reception centre, the CAO may direct the evaluation, adjustment and/or discontinuation of camera use.

8. Appendix

8.1 Appendix "A" Video Surveillance - Incident Report Form

8.2 Appendix "B" Video Surveillance Sign Template

8.3 Appendix "C" Law Enforcement Disclosure Form

8.4 Appendix "D" Surveillance System Access Request Form

9. End of Policy

PROCEDURE	Policy No.: 140.20 Policy Title: Video Surveillance Policy Department: Corporate Services/Administration
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1. Preamble

1.1 The video surveillance program used by the Town is a valuable tool in terms of crime prevention and risk management. The visibility of the surveillance cameras and signage, in indoor and outdoor spaces, should act as a deterrent to criminal or illegal activity. It will also facilitate effective incident investigation and evidence gathering in the case of criminal matters.

2. General

2.1 Confidentiality

2.1.1 In the event of an incident, the Town will have the ability to review and collect necessary evidence, through the video recording. With this in mind, Town staff must constantly be aware of an individual's right to privacy and shall ensure that:

2.1.2 Activities captured on the surveillance system are kept strictly confidential and used solely for the purpose of investigation and evidence. Unauthorized or inappropriate use or viewing of activities captured on the surveillance system is prohibited and violators will be dealt with in accordance with the Town's Code of Conduct or Ethics Policy.

2.1.3 Video cameras shall not be focused through the windows of a residential dwelling or any other privately owned land where an individual has the reasonable expectation of privacy.

2.1.4 All public areas, in which a person or persons can be recorded, must have signage indicating that video surveillance may be taking place.

2.1.5 Only Designated Staff will handle and view recorded information and only in accordance with this Policy.

2.1.6 The disclosure of recorded information, to an applicant or third party, will only be done in accordance with the Act and the Town's Access to Information Bylaw 1242.20. All formal information requests will be processed by the Records Management & FOIP Coordinator.

3. System Equipment Location

3.1 The computer operating system for the surveillance system will be located in a secured location within each building being monitored.

3.2 The operating system will be encrypted and secured by password which only the Designated Staff will have access.

3.3 Monitors must be placed so they are, at no time, visible to the general public.

4. Monitoring, Viewing and System Access

4.1 Real-time camera feeds are available on monitors in the Multiplex (arena office), the Fire Department, the RCMP Detachment, the Operations Centre, in server closets at the Community Centre and Public Works Building and at the reception desk of the Abbey Centre. Additionally, real-time monitoring is in operation on the computers of Information Technology management and staff as well as the Abbey Centre Manager and Abbey Centre Guest Services Officer.

4.2 Surveillance cameras in all facilities and municipally owned areas are recorded on a 30-day loop and all camera feeds will be displayed on viewing devices at the Operations Centre.

4.3 Staff members who wish to be granted real time monitoring privileges or access to recordings will be expected to complete a Surveillance System Access Request form and forward it to the Records Management & FOIP Coordinator.

4.4 The Records Management & FOIP Coordinator will review all requests (on a case-by-case basis) to determine compliance with the Act and provide recommendation to the CAO. The CAO will be responsible for approval or denial of requests for access to the system.

4.5 Only those staff members that are specifically authorized by the CAO, in writing, will have access to video recordings.

5. System Parameters

5.1 It is the intention of the Town that the cameras and the computer system that make up the surveillance system will operate 24 hrs per day, 7 days per week unless shut down for maintenance or mechanical failure.

5.2 The computer system will be set up on a 30-day recording loop where information will be recorded from each camera over a 30-day period. The computer will automatically begin overwriting stored information at the end of the thirtieth day. Designated Staff will perform regular maintenance checks to ensure the equipment is functioning properly.

6. Incident Protocol

6.1 In the event that a reportable incident or event occurs, where evidence may have been captured on camera and recorded, or under specific direction by the CAO, a Designated Staff member will ensure that the recording medium (tape, disc, HDFD, etc.) is removed and stored so that information and images can be retrieved.

6.1.1 Notice of Incident:

6.1.1.1 The person reporting the incident or event, or seeking information, must contact facility staff, the CAO, the Records Management & FOIP Coordinator or other Designated Staff and inform them of the occurrence.

6.1.1.2 Facility staff, the CAO, the Records Management & FOIP Coordinator or other Designated Staff will begin a Video Surveillance – Incident Report form (*Appendix “A”*) (indicating the type of incident being reported, the location of the incident and the details of the incident.

In the event of an incident that may be criminal in nature, facility staff are expected to contact the RCMP immediately.

In terms of alternate emergency situations, facility staff are to contact the appropriate responder (fire, ambulance) without delay.

6.1.1.3 The CAO, the Records Management & FOIP Coordinator or other Designated Staff will forward the Video Surveillance – Incident Report to Information Technology and contact managers of departments that may be impacted, the RCMP and the Town’s insurance adjustor where appropriate.

6.1.1.4 The Information Technology Manager or Information Technology Analyst (the Analyst) will ensure that the recording medium (tape, disc, HDD, etc.) is removed from the system and replaced.

6.1.2 Information Review and Retrieval

6.1.2.1 Once contacted, the Information Technology Manager or the Analyst will review and retrieve the data for the time(s) and date(s) that have been requested. A minimum of 1 other Designated Staff must be present during this process. This will verify the credibility of the recorded information and ensure that it has not been altered in any way.

6.1.2.2 Once the required data has been obtained, it will be saved to a separate storage medium. The Information Technology Manager or the Analyst will verify that all information has been properly recorded and complete the Video Surveillance – Incident Report (Information Technology Detail). The incident form will be forwarded to an Authorizing Official for signature.

Completed forms will be sent to the Records Management & FOIP Coordinator for appropriate retention.

6.1.2.3 If the data being reviewed is the result of a request from the RCMP, the requestor will be required to complete the Law Enforcement Disclosure Form (*Appendix “C”*) prior to receiving access to recorded footage.

6.1.2.4 In accordance with the FOIP Delegation and Assignment of Responsibility document, law enforcement access may only be authorized by the CAO, Executive Assistant, Records Management & FOIP Coordinator or Emergency Management & Protective Services Manager. This approval may be given verbally, provided the Law Enforcement Disclosure Form is signed by the Authorizing Official within 24 hours.

6.1.2.5 Once RCMP access has been authorized, a minimum of 1 other Designated Staff must be present at the time of retrieval. The Records Management & FOIP Coordinator will retain the completed Law

Enforcement Disclosure Forms and ensure that the matter is processed in accordance with the Act and Access to Information Bylaw 1242.20.

6.1.2.6 When recordings are requested by way of a formal information request, once data has been put onto a separate storage medium, the Records Management & FOIP Coordinator will review all footage for compliance with the Act and apply all necessary redactions prior to its use or disclosure.

6.1.2.7 Recordings which remain in the custody and/or control of the Town and result in a decision(s) that directly affect the subject(s) of the footage, will be retained for a period of no less than one year after use, in accordance with Section 35(b) of the Act.

7. Public Notification and Signage

7.1 Signage (*Appendix B*) will be erected, in visible public locations, in all areas where video surveillance is being conducted.

7.2 Where practicable, signage will be displayed at the perimeter of surveillance areas, so the public has ample warning before entering the area.

7.3 In accordance with the Act, signage will express the purpose of surveillance, cite the Town's legal authority to collect recorded information and provide the contact information of the Records Management & FOIP Coordinator.

7.4 In order to increase visibility, durability and resistance to tampering, signage will utilize materials similar to those used in the fabrication of the Town's street marking signage.

8. End of Procedure