

TITLE: Use of Wearable Cameras and Other Camera devices - Protocol
PROTOCOL NO: GR-PROT-01-15
KEYWORDS: Wearable devices, Camera devices and Dashboard Cameras
RESPONSIBLE OFFICER: Manager Corporate Governance

1. PURPOSE AND SCOPE:

The objective of this Protocol is to state Council's position in relation to the implementation and operation of wearable cameras and devices for the purpose of evidence collection for actual or suspected breaches of legislation, to promote, maintain and improve community safety and to ensure the safety and wellbeing of Council Officers and assets.

Council's use of wearable cameras and other camera devices is limited to Council owned or managed land ('public land') or assets within the Manly Local Government Area and within Council's workplaces.

Council aims at all times to meet the legislative and regulatory requirements relating to the management of captured images through this Protocol and supporting Procedure.

2. PROTOCOL

- All devices are to be operated fairly, within applicable law and only for the purposes for which they have been provided.
- All devices and their associated systems are to be operated with due regard to the privacy of individual members of the public. All information is to be obtained fairly and in accordance with privacy and confidentiality provisions of relevant legislation.
- The public interest in the operation of these devices and their systems is to be recognised by ensuring that the operation, security and integrity of these activities is supported by operational procedures and appropriately trained staff.
- The public are to be provided with clear and easily accessible information in relation to the devices and informed when they are being recorded by a device.
- Information collected should not exceed that which is strictly necessary to fulfill the aims and objectives of this Protocol.
- The retention of, and access to recorded material is only for the purposes provided by this Protocol or as otherwise permitted by law.
- Recorded material is to be retained for a maximum period of 60 calendar days unless it is required in relation to a reported incident, in which case it will become part of Council's official Recording Keeping system. Once this 60 day period has elapsed footage which has not been flagged in the system will be deleted and the footage will no longer be available.
- Communications relating to the system between Council Staff, law enforcement agencies and any other interested person(s) is to be conducted strictly in accordance with the current supporting operational procedures.
- Members of the public who require additional information about the cameras and devices, including operational aspects and issues relating to privacy should be directed to Council's Corporate Governance Unit.
- Council reserves the right to remove or relocate these devices, without notice, based on results of any evaluation and review. Additionally, Council and/or the General Manager may, during a civil emergency situation, set aside any policy terms to ensure public safety.

Access to Information:

Information recorded by wearable cameras and other camera devices will be stored by Council in a secure environment. As the information may contain personal information it shall only be disclosed to persons who have a legitimate and lawful right or interest in receiving such information to the extent required or permitted by law.

Requests for copies of information are to be made by completing Council's 'Wearable Cameras and Other Camera Devices' form, available from www.manly.nsw.gov.au.

Rights to Privacy:

The Privacy and Personal Information Protection

Act 1998 ("PIPPA") provides that a public sector agency must not collect personal information unless the information is collected for and directly related to an activity of the Council and that collection must be reasonably necessary for that purpose.

All footage recorded on a Wearable Cameras and Other Camera Devices is subject to legal safeguards of the PIPPA Act and the guidance provided by Council's Privacy Management Plan.

Complaints:

Complaints relating to the operation of this system in the first instance should be referred to Council's Corporate Governance Unit on 02 9976 1500. Complaints alleging breaches of privacy should be referred to Council's Privacy Officer, currently Council's Principal Analyst – Corporate Performance and Strategy on 02 9976 1500.

All complaints received will be reviewed as per the requirements of Council's Policies and procedures any applicable legislation.

3. DEFINITIONS:**Wearable Cameras and Other Camera Devices:**

Cameras deployed by Council to capture video and audio recordings. These include but are not limited to wearable devices and in-car (dashboard) cameras.

Law Enforcement Agency:

As defined in the Workplace Surveillance Act 2005

Privacy:

The interest of a person in sheltering his or her life from unwanted interference or public scrutiny.

Public interest:

A concern common to the public at large, or a significant portion of the public, which may or may not involve the personal or proprietary rights of individual people.

Public Land:

Refers to land owned or managed by Manly Council and as defined in the Local Government Act, 1993, including public reserves, swimming pools, public roads and public transport and car parks. It may also refer to sites owned and managed by State Agencies.

4. PROTOCOL REVIEW:

This Protocol is subject to review every 2 years.

For the purpose of carrying out and giving effect to this policy, the General Manager may from time to time prepare, adopt or vary, and otherwise issue to Council staff, guidelines and directions relating to any aspect of this Protocol.

Any recognised change to relevant legislation or directives or guidelines issued by agencies including the NSW Ombudsman and the Division of Local Government or to Manly Council's related guidelines and procedures will activate an immediate review of this Protocol to ensure it remains current and aligned to best practice.

5. RELEVANT EXTERNAL REFERENCES INCL. LEGISLATION

Government Information (Public Access) Act 2009
 Local Government Act 1993
 Privacy and Personal Information Protection Act 1988
 State Records Act 1998
 Surveillance Devices Act 2007
 Workplace Surveillance Act 2005

6. RELEVANT INTERNAL COUNCIL REFERENCES

Closed Circuit Television (CCTV) on Public Land Policy (C51)
 Use of Wearable Cameras and Other Camera Devices Procedures
 Workplace Surveillance Guidelines

7. REVISION SCHEDULE

Minute No	Date of Issue	Action	Author	Checked by
	4 May 2015	1 st Draft	Manager Corporate Governance	SMM
	8 May 2015	2 nd Draft	Manager Corporate Governance	General Manager
	23.06.15	Submitted to GM for approval and release	Manager Corporate Governance	
	23.06.15	Approved for release	General Manager	
	01.06.15	Provided to all Rangers, Parking Officers and Manager Regulatory Services	Manager Corporate Governance	