



POLICY

OWNER DEPT: COMMUNITY SERVICES	
EFFECTIVE DATE: Sept. 1, 2020	REVISED DATE:
SUPERSEDES:	MOTION NUMBER: #250-20

TITLE: VIDEO SURVEILLANCE

POLICY STATEMENT:

The Town of Slave Lake recognizes the need to balance an individual's right to protection of privacy against the Town's duty to promote a safe environment for all citizens, and to protect Town staff and property. The objective of video surveillance is to ensure the safety of employees and the public, as well as to discourage those who may consider committing crimes. A secondary objective is to aid in internal processes such as staff training, and incident investigation, while ensuring individual privacy is maintained.

In order to enhance the safety and protection of people using Town facilities and public spaces within the town, the Town of Slave Lake may install video surveillance systems as needed.

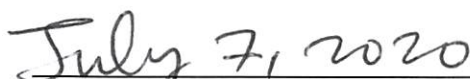
This policy does not apply to covert or overt surveillance cameras being used as a case specific investigation tool for law enforcement, purposed or in contemplation of litigation. This also is not intended to apply to workplace surveillance systems installed to conduct surveillance of employees.

POLICY OBJECTIVES:

The purpose of this policy is to:

1. Comply with the *Freedom of Information and Protection of Privacy Act* &
2. Ensure consistency in surveillance measures.


David Kim, CAO


Date Approved

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PROCEDURE

Definition

1. **Town** shall include all departments and offices which make up the Town of Slave Lake, and may refer to the Town of Slave Lake corporate entity, as the case may be.
2. **FOIP** means the Freedom of Information and Protection of Privacy Act, RSA 2000 Chapter F-25.
3. **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, 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.
4. **Reception Equipment** refers to the equipment or device(s) used to receive or record the personal information collected through a surveillance system, including a video monitor.
5. **Record** is defined in Section 1(1)(q) of FOIP as a record of information in any form and includes books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information that is written, photographed, recorded or stored in any manner, but does not include software or any mechanism that produces records.
6. **Staff** means an employee of the Town of Slave Lake.
7. **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.

Responsibilities

1. **Town Council:**
 - a) To approve the Policy and any subsequent amendments;
 - b) To appoint the Chief Administrative Officer or designate as the custodian of the surveillance system program; and
 - c) Review the policy from time to time or upon changes in legislation.
2. **Chief Administrative Officer (CAO):**
 - a) Ensure the requirements of this policy and procedure are followed;
 - b) Ensure that any new legislation and guidelines pertaining to the use of video surveillance is incorporated into this Policy, as required; and
 - c) Delegate authority to the Community Services Dept. to manage the records retention and to the Information Services Coordinator to maintain the system.

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3. Employees and Contractors with access to Surveillance Equipment:

- a) Review and comply with this Policy and Procedure in performing their duties and functions related to the operation of a surveillance system;
- b) Employees and contractor who breach this Policy and Procedure may be subject to disciplinary action (see s. 5)

Standards/Guidelines

1. This Policy and Procedure allows for the installation of video surveillance equipment in Town facilities only within the parameters and subject to the conditions established by this policy.
2. The use of surveillance cameras is for public and employee safety (Section 33 of FOIP).
3. Any record may also be used for staff training, or internal investigation of an incident relating to employee or public health and safety.
4. All personal information will be property of the Town.

Policy and Procedures

1. Design and Installation of 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) Reception equipment shall not be positioned, internal or externally, to monitor areas outside a Town owned building, or to monitor other buildings, unless necessary to protect external assets or to ensure personal safety. Cameras should not be directed to look through the windows of adjacent buildings.
 - c) The Town may install public crime reduction cameras at strategic locations to ensure personal safety and aid in the apprehension of criminals. The Reception equipment for this system shall not be directed to look through the windows of adjacent buildings.
 - d) Equipment shall not monitor areas where the public and employees have a reasonable expectation of privacy (for example, showers, restrooms, etc.)

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- e) Consideration should be given to the use of surveillance being restricted to periods when there is a demonstrably higher likelihood of crime being committed and detected in the area under surveillance. Only authorized persons should have access to the system's controls and to its reception equipment.
- f) Reception equipment should be in a controlled access area. Only the controlling personnel or those properly authorized should have access to the reception equipment. Video monitors should not be located in a position that enables public viewing.

2. Public Awareness of Cameras:

- a) The public must be notified, using clearly written signs prominently displayed at the perimeter of surveillance areas, so the public has ample warning that surveillance is or may be in operation before entering any area under surveillance.
- b) Unless the public has otherwise been made aware of surveillance cameras at a surveillance area, the main entrance of the area will display the following notice:

Surveillance cameras may be operating in <location of camera> to deter and/or detect criminal activity and for public security. The collection of recorded images is authorized under s. 33(c) of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about this surveillance, contact <name of position> at <phone number>.

- c) In addition, the following sign will be displayed at the surveillance location:

Surveillance camera may be operating in this area to detect and/or deter unlawful activity (such as vandalism, theft and persons crimes) and for public security. For more information, contact <name of position> at <phone number>.

3. Limiting Use, Disclosure and Retention of Personal Information:

- a) The information collected may only be used for:
 - (i). To assess the effectiveness of safety and security measures taken at a particular location;
 - (ii). To aid internal staff training.
 - (iii). To investigate an incident involving the safety or security of people, facilities or assets;
 - (iv). To provide law enforcement agencies with evidence related to an incident under investigation;
 - (v). To provide evidence as required to protect the Town's legal rights;

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- (vi). To respond to a request for information under FOIP.
 - (vii). To investigate an incident or allegation of employee misconduct, or
 - (viii). To investigate an incident involving an insurance claim.
- b) All storage devices that are not in use should be stored securely in a locked receptacle located in a controlled access area. All storage devices that have been used should be numbered and dated.
- c) A logbook will be kept with regard to the use of each recording device. Storage devices will only be removed when an incident occurs. The employee will take the control of the storage device in question and secure it in a sealed envelope with the date and time of the seizure and initials of the employee on the seal of the envelope.
- d) Access to the system is limited to:
- (i). Individuals responsible for the operations and administration of the system;
 - (ii). Individuals who have a legitimate need to access the information for one of the purposes listed in s. 3(a) of this procedure; and
 - (iii). Individuals whose request for access under FOIP has been granted.
- e) Records collected through video surveillance are retained in accordance with the system requirements and capacity (data may be routinely re-written). The aim is to keep 30 days of footage available for retrieval, where possible. The maximum a record can be retained is for 1 year, unless it is documented that further retention is required (such as for court purposes).
- f) If the surveillance system has been installed for public safety or deterrence purposes but detects possible criminal activity or non-compliance with or breach of a statute or bylaw that could lead to a penalty or sanction, the storage devices required for evidentiary purposes should be retained and stored according to standard procedures.
- g) A storage device release form (Appendix A – Law Enforcement Disclosure Form) should be completed before any storage device is disclosed for law enforcement purposes.
- h) An individual who is the subject of the information has a right to access to his or her recorded information. Access may be granted in full or in part depending upon whether any of the exemptions in FOIP apply and whether the excepted information can reasonably be severed from the record.

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- i) Old storage devices must be securely disposed of by shredding, burning, or magnetically erasing the information.

4. Use for Internal Training & Internal Investigation:

- j) Records may be used internal training purposes or internal investigation of incidents where public or employee health and safety are concerned.
- k) Training – a record may be used for internal staff training purposes. A copy of a record may be made for this purpose. The record may be displayed or viewed by staff only. No staff member will be permitted to make a copy of the record. The viewing of the record shall only be for the purposes of training on customer service, prevention of a safety incident, or response to a safety incident.
- l) Incident Investigation – a record may be used for internal incident investigation. This includes the investigation of “near misses.” A copy of a record may be provided to the staff member who is investigating a health & safety related incident involving another staff member or member of the public. The record shall form part of the incident investigation and shall be kept confidential as part of the files and records related to the incident. Further disclosure of the record is not permitted unless it is required for a law enforcement investigation – see s. 3(f) of this procedure.
- m) After the purpose of the internal use of the record is completed, the record shall be immediately destroyed or deleted.

5. Unauthorized Disclosure:

- a) Any Town of Slave Lake employee, elected official or contractor having knowledge of an unauthorized disclosure of a record must immediately inform the Chief Administrative Officer (CAO) of the breach. The CAO will inform the appropriate Director or Manager who will take all reasonable actions to recover and limit the record's exposure.
- b) Any unauthorized disclosure is cause for disciplinary action up to and including termination of employment. If a contractor who breeches this policy and procedure it shall be deemed breach of contract and further legal action may be taken.

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LAW ENFORCEMENT DISCLOSURE

Request for Disclosure under s. 40(1)(q) of the
Freedom of Information and Protection of Privacy Act

DATE: _____

Name of Agency _____

Requests disclosure of personal information pertaining to: _____

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 Municipal Bylaw by Section or Description of Purpose)

Requesting Official

Name

Title

Signature

Date

I, _____ ☐ consent to ☐ refuse this disclosure of personal information.

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

Authorized Disclosing Official:

Name

Title

Signature

Date

NOTE: This completed record may qualify for exemption to disclosure under s. 20 of the FOIPP Act.