

Village of Innisfree
Procedure No: 1200-06
Video Surveillance Policy



Policy

The Village of Innisfree recognizes the need to balance an individual's right to protection of privacy against the Village's duty to promote a safe environment to all citizens and to protect Village property. The objective of video surveillance in public areas is to apprehend those who are committing more serious crimes against both persons and property, as well as to discourage those who may consider committing crimes.

Purpose

To develop a video surveillance system policy that complies with the *Freedom of Information and Protection of Privacy Act* thereby ensuring consistency of surveillance measures.

This policy may apply to interior or exterior areas of all Village owned facilities/property subject to a determination by the Chief Administrative Officer (CAO) to install video surveillance equipment.

These guidelines do not apply to covert or overt surveillance cameras being used as a case-specific investigation tool for law enforcement purposes or in contemplation of litigation.

DEFINITIONS:

- a) **Authorized Person** refers to the **CAO** or their designated representative
- b) **Chief Administrative Officer** also known as the **CAO** means the person, or delegate appointed by Council to the position of Chief Administrative Officer under the *Municipal Government Act* for the Village of Innisfree;
- c) **Covert Surveillance** refers to the secretive continuous or periodic observation of person, vehicles, places or objects to obtain information concerning the activities of individuals;
- d) **Council** means the Mayor and Council Members duly elected in the Village of Innisfree and who continue to hold office;
- e) **Disclosure** refers to the release of relevant information. Disclosure includes viewing a recording as well as making a copy of a recording;
- f) **Freedom of Information and Protection of Privacy Act** means the *Freedom of Information and Protection of Privacy Act*, RSA 2000, Chapter F-25, as amended thereto, also known as *FOIP*;



- g) **Overt Surveillance** refers to the non-secretive continuous or periodic observation of person, vehicles, places or objects to obtain information concerning the activities of individuals;
- h) **Person** includes an individual, partnership, association, corporation, trustee, executor, administrator, or legal representative;
- i) **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, nation, ethnic origin; the individual's age and sex; the individual's inheritable characteristics; information about an individual's physical or mental disability; and any other identifiable characteristics listed in that section;
- j) **Reception Equipment** refers to the equipment or device used to receive or record the personal information collected through a surveillance system, including a videomonitor;
- k) **Storage Device** refers to a videotape, computer disk or drive, CD ROM or computer chip, etc, used to store the recorded visual images captured by a surveillance system;
- l) **Video Surveillance System** refers to a mechanical or electronic system or device that enables continuous or periodic video recording, observing or monitoring of personal information about individuals in open, public spaces, public buildings or public transportation.
- m) **Village** refers to the Village of Innisfree.

1. RESPONSIBILITIES:

- 1.1 The Chief Administrative Officer is responsible for ensuring the requirements of this Policy are adhered to.
- 1.2 Employees and contractors are responsible to review and comply with this policy in performing their duties and functions related to the operation and maintenance of a video surveillance system. If a contractor fails to comply with this policy or *FOIP*, it will be considered a breach of contract. Employees who breach this policy may be subject to disciplinary action.

2. PROCEDURES:

2.1 Designing and installing 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;

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- b) Cameras shall not be directed or aimed into areas where people have a heightened expectation of privacy, i.e. through windows or adjacent buildings, showers, washrooms.etc.;
- c) Only authorized persons shall have access to the video surveillance system's controls and reception equipment;
- d) Reception equipment shall only be in a controlled access area.
- e) The public shall be notified that they will be under video surveillance through clearly written signs prominently displayed at the perimeter of video surveillance areas;
- f) The following sign will be displayed at the perimeter of the surveillance areas:
Notice - Security Cameras in Use

2.2 Use, disclosure and retention of personal information:

- a) All storage devices shall be stored securely in a receptacle located in a controlled access area. All storage devices that have been used shall be numbered and dated.
- b) Access to the storage devices shall only be by authorized personnel.
- c) All images that are captured will be kept for a maximum of twelve months, unless requisitioned by an individual under the *FOIP* or by a police/peace officer as part of a criminal investigation;
- d) If the images noted above are disclosed to a police/peace officer, they shall be retained for a minimum of three years pursuant to s.16(b) of the Peace Officer (Ministerial) Regulation AR 312/2006.;
- e) An individual who is the subject of the information has a right of access to his or her recorded information. Access may be granted in full or in part depending upon whether any of the exceptions in *FOIP* apply and whether the excepted information can reasonably be severed from the record;
- f) All access requests shall be made in writing to the Village's FOIP Coordinator, who will consider the request;
- g) Old storage devices or recorded images kept for the maximum time period must be securely disposed of by shredding, burning or magnetically erasing the information;

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- h) The Law Enforcement Disclosure Form (Schedule A) shall be completed before any storage device is disclosed for Law Enforcement purposes. This personal information/ images will be disclosed to Law Enforcement Authorities and the individual who is subject of the information and only for Law Enforcement purposes.

CONFIDENTIALITY:

The use and interpretation of this Village Policy and schedules will comply with all aspects of the *Freedom of Information and Protection of Privacy Act*. Any breaches of the *FOIP Act* will be subject to disciplinary action.

RECORDS MANAGEMENT REQUIREMENTS:

All documentation will be filed in accordance with the Village of Innisfree's Records and Retention Management Policy and will comply with the *Municipal Government Act*, *Freedom of Information & Protection of Privacy Act* and any other applicable legislation, regulation, or act.

NON- COMPLIANCE:

The consequences of non-compliance of this Policy will be at the discretion of the CAO or their designate and may include disciplinary action up to and including termination.

ATTACHMENTS:

Schedule A – FOIP Law Enforcement Disclosure Form

Schedule B – Display Notice sign

END OF PROCEDURE