

TOWN OF STONY PLAIN

POLICIES MANUAL

Surveillance Systems

Date Approved: February 14, 2005
Resolution No: 049/02/05/SP

Department: Finance & Admin
Division: Administration

Purpose

The Town owns and operates various facilities throughout the town, some of which may have surveillance systems installed to protect the Town's assets and to ensure personal safety of staff and citizens. Surveillance systems pose a privacy issue, and it is necessary to have standards for the operation of these systems in accordance with the *Freedom of Information and Protection of Privacy Act* and any other applicable legislation.

1.0 Definitions

- 1.1 Covert Surveillance refers to the secretive continuous or periodic observation of person, vehicles, places or objects to obtain information concerning the activities of individuals.
- 1.2 FOIP means the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c.F-25.
- 1.3 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.
- 1.4 Personal Information is defined in section 1(n) of the FOIP Act as recorded information about an identifiable individual, including: the individual's race, color, 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.
- 1.5 Record is defined in section 1(q) of the FOIP Act as a record of information in any form and includes notes, images, audio-visual recordings, x-rays, 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. In the context of this *Guide*, "record" includes digitally recorded or stored media such as images on videotape
- 1.6 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.



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- 1.7 Surveillance System refers to any mechanical and electronic equipment that enables the video reception or recording of designated areas. This equipment may include cameras, computers and video monitors that receive, record and/or store collected site information.

2.0 Exclusions

- 2.1 This policy does not apply to covert or overt surveillance cameras being used by the Town as a case-specific investigation tool for law enforcement purposes, where there is statutory authority and/or the authority of a search warrant to conduct the surveillance.
- 2.2 This policy is not intended to apply to workplace surveillance systems installed by the Town to conduct surveillance of employees. Other considerations may apply to this type of surveillance and will not be covered in this policy.

3.0 Responsibility and Authority

- 3.1 The FOIP Coordinator and, ultimately, the FOIP Head are responsible for:
- management of surveillance-related records
 - release of information
 - amendments to Appendix A
 - management of surveillance systems
 - any disciplinary action required
 - periodic audit of system and use
- 3.2 Authorized personnel for the purpose of this policy include the IT Staff, Building Director, FOIP Coordinator and FOIP Head. Any one of the foregoing may delegate authority as deemed necessary. Appendix A identifies site-specific authorized personnel.

4.0 Procedures

- 4.1 The surveillance recording system shall be located in a locked receptacle or room, accessible only to authorized personnel.
- 4.2 Current locations of surveillance systems include the Town Office and the Pool. Appendix A lists system specifications at each location and may be amended as surveillance systems are changed and upgraded.
- 4.3 Recording equipment should not be positioned, internally or externally, to monitor areas outside a 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 not owned or operated by the Town.
- 4.4 Surveillance equipment should not monitor areas where the public and employees have a reasonable expectation of privacy (e.g. change rooms, washrooms). There may be situations where surveillance equipment is installed close to or at an entry to a children's washroom in a public building to monitor or deter potential criminal activity against children.

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- 4.5 The public shall be notified, using clearly written signs prominently displayed in the surveillance areas, that surveillance equipment may be in operation under the authority of s.33(c) of the FOIP Act. The signs should identify who can answer questions about the surveillance system and include a telephone number for contact purposes.
- 4.6 Only authorized personnel will have access to the system's controls and to its reception equipment. Video monitors should not be located in a position that enables public viewing.
- 4.7 Any authorized person accessing the Town's surveillance systems should be aware that his or her operations are subject to audit and that he or she may have to justify his or her surveillance interest.
- 4.8 Activities received or recorded by the surveillance system shall be considered confidential, in accordance with the FOIP Act and applicable legislation.
- 4.9 Any person breaching this policy or the provisions of the FOIP Act or other relevant statute may be subject to disciplinary or legal action.

5.0 Records Management and Release of Information

- 5.1 The Town's surveillance systems have the ability to create a record by recording visual information that is personal information, resulting in access, use, disclosure, retention and destruction of the record.
- 5.2 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. Access to the storage devices should only be by authorized personnel.
- 5.3 When no incident has occurred or no request has been made, the records shall be kept only for as long as the surveillance system is programmed, as indicated in Appendix A.
- 5.4 Any request for release of or access to personal information shall be submitted in writing to the FOIP Coordinator.
- 5.5 When an incident has occurred or a request has been made, the recorded personal information used to make a decision that directly affects the individual shall be kept for at least one year after the decision has been made (s.35 FOIP Act).
- 5.6 The surveillance systems have been installed for public safety and deterrence purposes but, if any detect possible criminal activity or non-compliance with or breach of a statute that could lead to a penalty or sanction under an enactment of Alberta or Canada, the storage devices required for evidentiary purposes shall be retained and stored according to standard procedures until law enforcement authorities request them.

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- 5.7 A storage device release form or letter should be completed before any storage device is disclosed to law enforcement authorities. The form or letter should state who took the device and when, under what authority, and if it will be returned or destroyed after use.
- 5.8 An individual who is the subject of the information has a right of access to his or her recorded information under section 6 of the FOIP Act. Access may be granted in full or in part depending upon whether any of the exceptions in Division 2, Part 1 of the FOIP Act apply and whether the excepted information can reasonably be severed from the record.
- 5.9 Old storage devices must be securely disposed of by shredding, burning or magnetically erasing the information.

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Appendix A - System Specifications

	Town Office	Pool
Recording system location	locked computer room	locked cabinet in pool office
Camera locations	– main reception – north parking lot	– outside pool deck – inside lobby
Recording system hours	24/7	24/7, seasonal
Recording retention	overwrites every 48 to 160 hours, currently programmed at 72 hours	overwrites every 72 hours
Authorized personnel	IT Staff, Building Director, FOIP Head and Coordinator	Pool Manager, IT Staff, Building Director, FOIP Head and Coordinator
Contact Person	FOIP Coordinator	Building Director