

Code of Conduct for Recorded Material acquired on City of Albany Property (Audio, CCTV, Camera Footage)

Objective

This Code of Conduct has been developed to ensure that the highest ethical standards are maintained by authorised persons who are involved with handling of Recorded Material (Visual & Audio).

Policy Statement

The City of Albany (the City) uses Recorded Material to:

- Deter, detect and respond to criminal offences against person or property at City operated locations;
- Facilitate and support an effective response by City Authorised Personnel, WA Police Officers or other emergency services personnel to situations of concern or interest at City operated locations;
- Manage and maintain health & safety for residents, visitors and City staff whilst on-site at City operated locations; and
- Conduct studies of the natural environment (flora and fauna).

Authorised persons will be required to acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with Commonwealth and Western Australia legislation and amendments which may affect the use of Recorded Material.

Scope

This Code applies to persons who administer the data collected and the operation of:

- CCTV Operations (visual & audio data)
- Portable Video Equipment
- Audio Recording Devices
- Telephones (Mobile & Desktop)

The relevant and primary areas of compliance are privacy laws, camera fields of view and recording parameters, data storage, access control, and freedom of information provisions.

Legislative and Strategic Context

Authorised persons must ensure they are aware of the statutory responsibilities under the following legislation:

- **Privacy Act 1988:** The *Privacy Act 1988* is an Australian law which regulates the handling of personal information about individuals.

- Personal information is information or an opinion about an identified individual, or an individual who is reasonably identifiable.
- **Local Law:** Local Government Property Local Law; in particular; clause 5.3 No use of camera devices in change rooms; and Activities on Thoroughfares & Public Places & Trading Local Law, clause 2.2(1)(k) a person shall not, without a permit on a public place use anything or do anything so as to create a nuisance.
- **Policy Positions:** This policy position (code) is complimented by the Employee Code of Conduct Policy and the City

Review Position and Date

Document Owner to review every three years.

Associated Documents

Other documents that have a bearing on this policy and that may be useful reference material for users of this policy follow:

- Request & Release Form for Recorded Material (Audio, CCTV, Camera Footage).
- Freedom of Information Act 1992 (specifically, the City's prescribed Information Statement published in accordance with section 96).
- State Records Act 2000 (specifically, the City's prescribed Record Keeping Plan).

Definitions

- **Recorded Material** means Audio & Visual Data.
- **Authorised Person** means a person authorised by the City of Albany's local laws to place a recording device on land vested in the care and control of the City of Albany.
- **Camera Device** means an apparatus for taking photographs or moving pictures, and includes a mobile phone when used for this purpose.
- **Authorised Audio & Visual Operations**, allows for the viewing and use of recorded material, with the condition that material is not to be used to 'Performance Manage' staff unless directed and authorised by the Manager People & Culture.

STANDARDS OF CONDUCT:

A. Ethical use of recorded material

At all times, act in an honest and legal manner to carry out duties which reflects community values.

Treat all live and recorded images in an ethical manner and with the utmost of care, respect and dignity.

Interact with WA Police and stakeholders in a timely, courteous and cooperative manner.

In public areas CCTV Camera locations are to be designated by signs and images broadcast to display monitors located behind customer service desks.

B. Confidentiality

Authorised Persons are to ensure confidentiality of information gathered by not disclosing or discussing any events with other people or associates who have no direct responsibility relating to the subject Recorded Material.

In addition, Authorised Persons will explicitly not identify any involved person or party with family, friends, or acquaintances and will not disclose any information to third parties, including the media without prior written approval in accordance with policy.

Authorised Audio and Visual operations, allows for the viewing and use of recorded material by area Line Managers and Supervisors, with the condition that material is not to be used to 'Performance Manage' staff unless directed and authorised by the Manager of People & Culture.

C. Operating conditions

Closed Circuit Television (CCTV):

- Other than Authorised Personnel, written authorisation is required from the Designated Officer(s) for visitors to enter Designated CCTV Surveillance Operation Areas and will sign a Visitor's Book;
- CCTV Cameras should only be used in accordance with this policy when there is an operational necessity or a reasonable belief that an offence has or is likely to occur.
- CCTV Operational records (hard copy or electronic) can only be destroyed with written authorisation by a Designated Officer in accordance with approved CCTV Operating and Recorded Matter Procedures.
- CCTV viewing access to an approved 3rd Party must be recorded on the prescribed "CCTV & Audio Material 3rd Party Access Log".

General:

- In the course of carrying out duties, persons must not use recording equipment for benefit or invade individual or group privacy.
- Recorded material shall only be released to a third party when requested in writing and approved by the designated officer(s).

D. Reporting a breach of the code

Should any person become aware that an Authorised Persons work behaviour is or was inappropriate, and the incident has not been dealt with through normal supervisory procedures, then the person is obliged to report the incident to a Designated Officer.

All reported matters will be handled with sensitivity and without repercussion.

E. Non-compliance with this code

Any breach of this Code of Conduct could result in disciplinary action, up to and including dismissal and criminal proceedings.

F. Responsibility

The following designated positions are responsible for authorising persons to conduct audio and visual operations on local government property:

- **Executive Director Corporate & Commercial Services:** All Recorded Material.
- **Manager Community Health & Safety and Senior Rangers:**
 - Ranger Services Interview Audio & Visual Recordings.
 - Camouflaged surveillance camera footage.
- **Manager Governance & Risk (Airport Operations):**
 - Access to Public CCTV Footage & Release.
 - Camouflaged surveillance camera footage.
 - Ranger Services Interview Audio & Visual Recordings.
 - Airport Visual Recordings.
- **Manager Information Technology (IT):**
 - Access to Public CCTV Footage & Release (WAPOL requests).

Attachments

- CCTV 3rd Party & Audio Material Access Log (attached)

I have read and understood the Code of Conduct for Authorised Persons with Access to Closed Circuit Television (CCTV) Footage and/or Recorded Material and agree to abide by these conditions and implications for any breach.	
Full Name:	
Signature:	Date:

Attachment 1: CCTV and Recorded Material - 3rd Party Log Book

Date & Time of Access	Name/s Of The Person/s or Agency Accessed	Reason for Access	Images Viewed or Recording Accessed <i>(please state location, date & time of original image/s)</i>

Document Approval			
Document Development Officer:		Document Owner:	
Manager Governance & Risk (MGR)		Executive Director Corporate & Commercial Services (EDCCS)	
Document Control			
File Number - Document Type:	CM.STD.7 – City Policy (Code of Conduct)		
Document Ref:	NP22150023		
Status of Document:	Administrative decision: Approved & Reviewed.		
Quality Assurance:	Executive Management Team		
Distribution:	Internal Document		
Document Revision History			
Version	Author	Version Description	Date Completed
1.0	MGR	Approved by Document Owner. NP1434822.	20/01/2014
2.0	MGR	<p>Reviewed & Approved with following amendments:</p> <ul style="list-style-type: none"> Allow for the placement of recording devices on public property vested in the care and control of the City of Albany, including for the purpose of conducting studies of the natural environment (flora and fauna). Included reference to relevant local laws. Extended Authorisation to include: Authorised Audio and Visual Operations, allows for the viewing and use of recorded material, with the condition that material is not to be used to 'Performance Manage' staff unless directed by HR. Synergy Reference: NP1767114 	21/06/2017
2.1	MGR	<p>Reviewed, minor amendments only, in particular title changes:</p> <ul style="list-style-type: none"> Executive Director Corporate & Commercial Services Coordinator Ranger Services Manager Governance & Risk (Airport Operations) <p>And</p> <ul style="list-style-type: none"> Release of Airport Visual Recordings <p>Synergy Ref: NP19106728.</p>	02/12/2019
2.2	MGR	<p>Reviewed, minor amendments applied.</p> <ul style="list-style-type: none"> Authorisation extended to Manager Community Health & Safety and Senior Rangers. Appended with reference to the State Records Act 2000 (specifically, the City's prescribed Information Statement). Review period extended from annually to every three years. Reference to HR replaced with new update role title People & Culture. 	27/06/2022