

**Report to
Rapport au:**

**Community and Protective Services Committee
Comité des services communautaires et de protection
17 May 2018 / 17 mai 2018**

**and Council
et au Conseil
23 May 2018 / 23 mai 2018**

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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2018-EPS-GEN-0007

SUBJECT: Updates to the Closed Circuit Television (CCTV) Policy

OBJET: Modification de la Politique sur la télévision en circuit fermé (TVCF)

REPORT RECOMMENDATIONS

That the Community and Protective Services Committee recommend that Council approve the Closed Circuit Television Policy, as described in this report and set out in Document 1.

RECOMMANDATIONS DU RAPPORT

Que le Comité des services communautaires et de protection recommande au Conseil d'approuver la Politique sur la télévision en circuit fermé décrite dans le présent rapport et jointe séparément (document 1).

EXECUTIVE SUMMARY

Council approved the original Closed Circuit Television (CCTV) Policy in 2002. As such, the Updates to the Closed Circuit Television (CCTV) Policy report will address specific issues, such as legislative changes, organizational changes, changes in technology, changes in business process and other administrative changes and clarifications.

The changes to the policy do not alter the intent of the policy and the majority are minor, administrative, and housekeeping in nature.

BACKGROUND

At its meeting of June 18, 2002 the former Corporate Services and Economic Development Committee approved the Proposed Closed Circuit Television Surveillance report ([ACS2002-CRS-RPR-0051](#)), which enacted the Closed Circuit Television (CCTV) Surveillance policy. The CCTV policy aims to enhance security at City of Ottawa facilities while respecting privacy issues through compliance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and the Information and Privacy Commissioner (IPC) of Ontario's Guidelines for the Use of Video Surveillance.

Since the enactment of the CCTV Policy in 2002, the policy has not been updated. Therefore, in 2015, the CCTV Policy was added to the Corporate Policy review work plan with the former Corporate Business Services. As a result, Corporate Security completed a best practice review and held stakeholder consultations with various administrators and end-users of CCTV Systems including the former Public Works, Transit Services, Community and Social Services and Parks, Recreation and Cultural

Services departments prior to the 2016 re-alignment. In addition, Legal Services was consulted to ensure compliance with privacy legislation.

On 19 October 2016, Transit Commission approved the Surveillance System for Transit Network Access and Privacy Policy ([ACS2016-TSD-OCT-0003](#)). This policy has been expanded to encompass all CCTV cameras on Transit Services property and vehicles. Subsequently, in the review of this Corporate CCTV policy, staff reviewed the Surveillance System for Transit Network Access and Privacy Policy to ensure that where applicable, both policies aligned.

Furthermore, in 2018 staff worked closely with the Office of the City Clerk and Solicitor (Legal Services) in revising the CCTV Policy.

The revised CCTV Policy (attached as Document 1), provides the same safeguards as the original policy and further includes updates that reflect recent changes in legislation and guidelines, advances in technology, as well as changes to roles and responsibilities within the City's organizational structure. The changes to the policy do not alter the intent of the policy and are minor, administrative, and housekeeping in nature.

DISCUSSION

The City of Ottawa is committed to balancing the safety and security benefits derived from the use of Closed Circuit Television (CCTV) with an individual's right to be free from invasion of privacy.

The City of Ottawa utilizes CCTV as one tool in its overall safety and security strategy. CCTV shall only be used where other measures designed to enhance security and safety are not feasible.

The CCTV policy is intended to govern the use of CCTV by the City of Ottawa in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and the Information and Privacy Commissioner (IPC) of Ontario's Guidelines for the Use of Video Surveillance. Specifically, the policy addresses requirements and responsibilities with respect to the installation of CCTV equipment and the collection, use, retention and disclosure of video-recorded personal information.

The CCTV Policy has been updated to reflect existing operations and align with current best practices, while capturing the feedback obtained through the stakeholder consultations.

Key Features of Policy Amendments

Staff worked with Legal Services to update the policy. Staff incorporated the policy into the new Corporate Administrative Policy Framework template, provided clarifications to language, and consolidated sections for simplicity. The changes to the policy do not alter the intent of the policy and are minor, administrative, and housekeeping in nature.

The key updates to the policy are summarized below (as compared to the original):

- Incorporated Transit Services, Surveillance System for Transit Network Access and Privacy Policy as it relates to Corporate CCTV policy, specifically by:
 - Incorporating a new heading “Viewing Live Video” which outlines restricted/authorized access to view live video from CCTV for operational purposes in the Security Operations Centre, the Emergency Operations Centre (when applicable), or by authorized staff at City facilities for security and safety purposes.
 - Incorporating a definition of “Special and Emergency Events” which describes both planned and unplanned events that occur within the City of Ottawa that have an impact on the City of Ottawa’s facilities.
- Incorporated a new section entitled “Purpose of Collection and Use of Information” to clarify the purpose of the CCTV system. While this was implied in the original policy, it was not explicitly stated.
- Incorporated the “Notice of Collection of Personal Information” into the body of the Policy. This was in the original policy as Appendix 5.
- Clarified the updated retention period and how a record is created.
- Incorporated a new section entitled “Disclosure of Images or Recordings” that restricts the internal sharing of video images and recordings to authorized City employees. Further, that such sharing shall only be with respect to the investigation of particular safety and security events. This is a long-standing operational requirement, and was addressed in the original policy, yet, it has been updated for clarity and ease of reference.
- Updated to reflect the 2009 transfer of responsibility for Corporate Security from Real Property Asset Branch to the Security and Emergency Management (SEM) branch of the Emergency and Protective Services department.

- Updated and clarified the roles and responsibilities of the Manager, SEM, the Program Manager, Corporate Security and Authorized Personnel.
- Updated the applicable legislative and administrative authorities.
- Incorporated a definition of a City of Ottawa facility, as this policy relates to City facilities only.
- Removed Appendix 2 Access/Correction Form and Appendix 3 Facilities with CCTV Cameras, as these are no longer accurate or valid.

Through stakeholder consultations, it was also noted that the CCTV policy does not apply to City of Ottawa traffic cameras that are operated by Traffic Services, or CCTV equipment located on Transit properties and vehicles that are operated by Transit Services, both within the Transportation Services department. Previously, Transit Services utilized the 2002 Closed Circuit Television Policy and their own Access and Privacy Policy Surveillance System for Transit Buses for all on-board video surveillance systems that was approved by Transit Commission in 2014. The new Surveillance System for Transit Network Access and Privacy Policy has taken effect ([ACS2016-TSD-OCT-0003](#)), and Transit Services will no longer use this corporate policy. Previously, these exemptions were implied in the original policy but not stated; therefore, the policy was updated to explicitly state the exemptions.

Future Policy Review

The Closed Circuit Television (CCTV) policy is administrative and governed by the Corporate Administrative Policy Framework. As per the established framework, the authority for approval of any future updates to the CCTV Policy will reside with the General Manager, Emergency and Protective Services department and will be reviewed at a minimum of every four years.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

There was no public consultation required, as the policy and report are administrative and/or housekeeping amendments.

The Office of the City Clerk and Solicitor (Legal Services); Recreation, Cultural and Facility Services; Public Works and Environmental Services, Community and Social

Services, Transportation Services; and Emergency and Protective Services were consulted on the proposed revisions to the policy.

ADVISORY COMMITTEE(S) COMMENTS

There are no comments from any Advisory Committee associated with this report.

LEGAL IMPLICATIONS

There are no legal impediments associated with the recommendation of this report. The proposed CCTV policy meets the requirements of applicable Provincial legislation, and provides a comprehensive framework for both access to information and protection of privacy obligations relating to the operation of the CCTV system.

RISK MANAGEMENT IMPLICATIONS

The updated CCTV Policy is in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and the Information and Privacy Commissioner (IPC) of Ontario's Guidelines for the Use of Video Surveillance, as well as other applicable legislation.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

TERM OF COUNCIL PRIORITIES

This report supports the 2014-2018 Term of Council Priorities of Healthy and Caring Communities priority that provides "healthy, safe, secure, accessible and inclusive places and services", as well as the Governance, Planning and Decision-Making priority providing "measurable improvement in residents' level of trust in how the City is governed and managed".

SUPPORTING DOCUMENTATION

Document 1: Closed Circuit Television Policy

DISPOSITION

Upon approval, the Closed Circuit Television Policy (attached as Document 1) will supersede the previous version of the Closed Circuit Television Policy.