

## Document 1

# Closed Circuit Television Policy

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## Policy Statement

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.

## Purpose

This 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, this 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.

## **Application**

This Policy applies to all City Ottawa employees, contractors, and agents who procure, install, use and/or operate CCTV equipment at any property owned or operated by the City of Ottawa.

This 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.

## **Policy Requirements**

### **Use of CCTV System**

CCTV Equipment is any physical, mechanical, electronic, digital or wireless device or apparatus such as cameras, monitors and recording devices used to observe and/or record actions or events in a certain area.

The use and installation of any City of Ottawa CCTV system consists of the process described below.

### **Purposes of Collection and Use of Information**

The City of Ottawa utilizes CCTV in its overall strategy for the safety and security of all City of Ottawa employees, clients, residents, visitors, and property. CCTV, when properly deployed, is effective in ensuring a safe and secure environment at City of Ottawa property.

Post-event, the City of Ottawa may use CCTV recordings to assist with the investigation and resolution of the full spectrum of facility related incidents, claims and complaints and to assist with responding to requests from law enforcement agencies that are for evidentiary or investigative purposes.

### **Design and Installation**

The Program Manager, Corporate Security prior to the installation of any CCTV equipment, must approve a completed Privacy Impact Assessment (PIA). PIAs are required to identify and mitigate potential privacy risks. They include a determination of the camera's field of view and confirm that security counter measures/tools other than the use of cameras have been considered and determined to be impractical.

### **Field of View**

The field of view captured by cameras will be determined on the basis of reasonable and justifiable grounds for the provision of safety and security. CCTV equipment shall not be positioned in a manner that allows viewing into areas where individuals generally have a higher expectation of privacy, such as washrooms, change rooms and private

buildings. Furthermore, video monitors shall not be located in an area that enables viewing by the general public.

Any alteration of a camera's field of view must be approved by the Program Manager, Corporate Security.

### **Securing Video Recording Equipment**

Video recording equipment shall be secured to prevent unauthorized access in accordance with the City of Ottawa Information Security Policy and the Information and Privacy Commissioner of Ontario's *Guidelines for the Use of Video Surveillance*.

### **Hours of Operation**

CCTV may be in operation at any time. While CCTV cameras are continuously recording, they are only periodically monitored by Authorized Personnel.

### **Notice of Collection of Personal Information**

Notification to the public of the use of CCTV shall be provided by ensuring:

- 1) Signs are posted at all entrances to areas under CCTV to provide the public with reasonable notice that CCTV is or may be in operation. Refer to Appendix A: Sample CCTV Sign.
- 2) The following written notice is posted on the City of Ottawa website.

#### Notification – City of Ottawa CCTV

The use of a Closed Circuit Television (CCTV) system is undertaken in accordance with the City of Ottawa's CCTV Policy. Personal information is collected for security purposes in and around facilities that are operated by the City of Ottawa to ensure the safety and security of users and visitors. CCTV cameras are continuously recording but only periodically monitored by Authorized Personnel.

Further information concerning the use of CCTV is available in the City of Ottawa Closed Circuit Television Policy and by contacting the Program Manager, Corporate Security at 613-580-2580, 110 Laurier Avenue West, Ottawa, ON K1P 1J1.

## **Retention and Disposal of CCTV Recordings and Records**

### ***CCTV Recordings***

CCTV recordings shall be retained for up to 30 days from the date of collection. The recordings will automatically be overwritten (erased) after the 30-day period. The City of Ottawa shall not retain CCTV recordings beyond 30 days except in circumstances where the City has created a Record in accordance with this Policy, including in response to a request for disclosure or retention.

### ***CCTV Records***

Records from CCTV recordings shall only be created in respect to security and safety incidents, or in response to a request for preservation or disclosure. Records shall be retained in accordance with the retention period specified in the applicable schedule under the *Records Retention and Disposition By-law*. All Records shall be retained and disposed of in accordance with the Records Management Policy and Procedures.

## **Access to Equipment, Images or Recordings**

Access to CCTV Equipment, images, and recordings shall be restricted to Authorized Personnel for purposes that are consistent with the purposes of collection and use only.

## **Control and Responsibility of Records**

All City Ottawa employees, contractors, and agents acknowledge that all records created or used by the CCTV system are under the control of the City of Ottawa and are subject to the provisions of applicable legislation.

## **Viewing Live Video**

Access to live video from CCTV cameras for operational purposes is restricted to Authorized Personnel at the Security Operations Centre (SOC) or at authorized city facilities.

The viewing of live video during Special and Emergency Events may also occur within a secure location, and may include authorized external stakeholders and City of Ottawa staff, as required.

## **Disclosure of Images or Recordings**

The City of Ottawa shall not disclose CCTV images or recordings to any individual or organization except:

- a) Internally within the City of Ottawa to authorized staff for purposes that are consistent with the purposes for collection and use of CCTV images or recordings such as in respect of security and safety incidents or in respect of facility related incidents, claims and complaints.

- b) To a member of the public for access to records obtained through the use of CCTV upon receipt of a written request to the Access to Information and Privacy (ATIP) Office. Individuals must complete the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) - Access/Correction Form* that is available at [ottawa.ca](http://ottawa.ca).
- c) To a law enforcement agency in Canada as requested for evidentiary or investigative purposes. The records may be released upon submission of a Disclosure of Personal Information to a Law Enforcement Officer form.
- d) As otherwise permitted or required by the application of MFIPPA or other legislation.

Authorized Personnel shall document all instances where CCTV recordings are preserved as a Record in accordance with this policy, disclosed internally to authorized staff within the City of Ottawa, and/or disclosed externally. These entries shall detail the requesting staff name, other parties involved, date, time and activity that had occurred. This information shall remain in a secure location and shall be restricted to Authorized Personnel.

### **Unauthorized Access and/or Disclosure (Privacy Breach)**

A City employee or contractor who becomes aware of any unauthorized access, disclosure, use, copying, modification or destruction of any record that contains personal information shall immediately notify the Program Manager, Corporate Security. The Program Manager, Corporate Security shall investigate any instances of unauthorized access or disclosure of personal information and mitigate the extent of the privacy breach with assistance from the City's ATIP Office.

### **Responsibilities**

**Manager, Security and Emergency Management** is responsible for:

- Reviewing this Policy every three (3) years after it is approved in accordance with the City of Ottawa Corporate Administrative Policy Framework.

**Program Manager, Corporate Security** is responsible for:

- The procurement, installation, use and/or operation of CCTV equipment at properties owned and operated by the City of Ottawa;
- Developing specific procedures and practices for the administration of CCTV to ensure compliance with the requirements set out in this Policy;
- Ensuring that the design and installation of all CCTV equipment meets the requirements set out in this Policy;
- Ensuring that CCTV equipment is functioning properly at all times;
- Ensuring that recorded CCTV footage is only accessed and used for its originally intended purpose;

- Perform annual reviews of all CCTV systems to determine whether their installation and continued use it is still justified in accordance with the requirements under FIPPA and MFIPPA;
- Complying with a requirement disclose information pursuant to MFIPPA or other applicable legislation;
- Investigating any instances of unauthorized access or disclosure of personal information and mitigating the extent of the privacy breach with assistance from the City's ATIP Office;
- Ensuring compliance with this Policy.

**Authorized Personnel** whose duties require them to operate CCTV equipment or access CCTV information and records are responsible for:

- Ensuring that personal information is only accessed for the purposes set out in this Policy;
- Ensuring that the appropriate documentation is completed any time CCTV information is accessed or disclosed;
- Responding to law enforcement agency requests
- Ensuring compliance with this Policy.

## **Monitoring/Contraventions**

This Policy shall be monitored by the Manager, Security and Emergency Management. The Manager, Security and Emergency Management shall investigate and address any possible or founded contraventions of this Policy and related legislation. Failure to comply with this Policy may result in disciplinary action, up to and including termination of employment or contract.

## **References**

[Discipline Policy](#), City of Ottawa, July 27, 2001, as amended

[Guidelines for Overt Video Surveillance in the Private Sector](#), Privacy Commissioner of Canada, March 2008

[Information Security Policy](#), City of Ottawa, August 29, 2011, as amended

[Records Management Policy](#), City of Ottawa, June 6, 2003, as amended

[Records Management Procedures](#), City of Ottawa, June 6, 2003, as amended

[Responsible Computing Policy](#), City of Ottawa, August 13, 2001, as amended

## **Legislative and Administrative Authorities**

City of Ottawa [Records Retention and Disposition By-law 2003-527](#), as amended

[Guidelines for the Use of Video Surveillance](#), Information and Privacy Commissioner of Ontario, October 2015, or as amended

[Municipal Freedom of Information and Protection of Privacy Act](#), R.S.O. 1990, c.M.56

## Definitions

**Authorized Personnel:** City of Ottawa employees, contractors and agents whose duties require them to operate CCTV equipment and/or access CCTV information and records.

**CCTV:** A Closed Circuit Television system in which video signals are transmitted from one or more cameras by a cable to restricted digital video recorders.

**CCTV Equipment:** Any physical, mechanical, electronic, digital or wireless device or apparatus such as cameras, monitors and recording devices used to observe and/or record actions or events in a certain area.

**Design:** To plan for the installation of CCTV equipment; includes equipment and camera location(s) and positioning.

**Facility:** Buildings that are leased or owned by the City of Ottawa out of which employees work.

**Personal Information:** Defined by Section 2(1) of *MFIPPA* as recorded information about an identifiable individual which includes, but is not limited to, information relating to an individual's race, colour, national or ethnic origin, sex and age. If a video system displays these characteristics of an identifiable individual or the activities in which he or she is engaged, its contents will be considered "personal information" under MFIPPA.

**Record:** A record is created any time information collected through CCTV has been preserved electronically or otherwise. It includes CCTV recordings or images that have been saved to a computer, a computer disk (CD), a USB flash drive or any other device used to store or transfer information or images captured by CCTV equipment.

**Special and Emergency Events:** Both planned and unplanned events that occur within the City of Ottawa that have an impact on the City of Ottawa's Facilities. Special events include such activities as Canada Day celebrations, sporting events, festivals. Emergency events include traffic disruptions, failure of infrastructure, unplanned construction, protests and emergency situations.

## Keywords

ATIP

Access

Assessment

CCTV

Closed Circuit Television  
Collection  
Disclosure  
MFIPPA  
Information  
Investigation  
Personal Information  
Privacy  
Safety  
Security

## **Enquiries**

For more information on this Policy, contact:

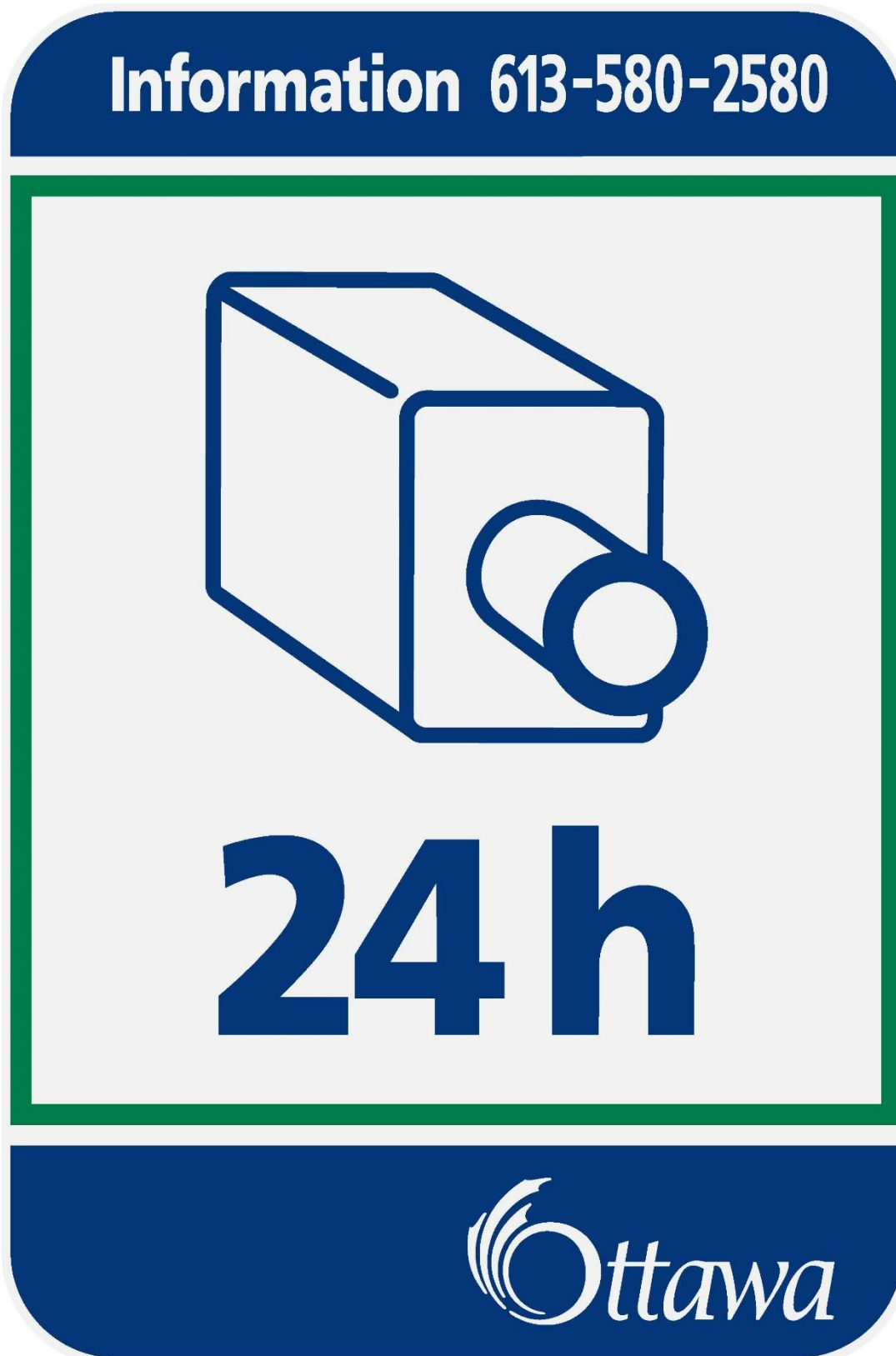
Program Manager, Corporate Security  
Tel: 613-580-2580

## **Appendices**

- 1) Appendix A: Sample CCTV Sign
- 2) Appendix B: Disclosure of Personal Information to Law Enforcement Officer Form



Appendix A: Sample CCTV Sign



# Appendix B: Disclosure of Personal Information to Law Enforcement Officer Form

## Record of Disclosure to Law Enforcement Agency

### Disclosure Information *(Print information)*

|                                    |  |
|------------------------------------|--|
| Name of Law Enforcement Officer    |  |
| Badge Number                       |  |
| Agency                             |  |
| Description of Record Being Seized |  |
| Police Report #                    |  |
| Date Record Sought                 |  |

By signing below, the representative of the law enforcement agency certifies that the record(s) sought are required by the named law enforcement agency to aid in an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result.

### After Use Record Shall Be *(Please check appropriate)*

Destroyed:

Returned:

### Disclosure Record *(Printed name and signature)*

Date: \_\_\_\_\_

\_\_\_\_\_

**Corporate Security Member**

Printed Name:

Date: \_\_\_\_\_

\_\_\_\_\_

**Law Enforcement Officer**

Printed Name: