

RM of Pleasantdale Policy Manual

POLICY TITLE: Security Surveillance Policy	POLICY NUMBER: 480/22	EFFECTIVE DATE: October 13/2022
ORIGIN: Administration	ADOPTED BY COUNCIL ON: October 13/2022	AMENDED DATE:

Policy Statement

The Rural Municipality of Pleasantdale No. 398 (the municipality) recognizes the need to balance an individual's right to privacy and the need to ensure the safety and security of the municipal employees, clients, visitors and property.

As an institution governed by *The Local Authority Freedom of Information and Protection of Privacy Act (LAFOIP)*, the municipality has obligations with respect to notice, access, use disclosure, retention and disposal of records. While video surveillance cameras are installed for safety and security reasons, the Municipality's video surveillance and audio systems must also be designed to minimize privacy intrusions.

Proper video surveillance and audio systems, where deemed necessary, is one of the most effective means of helping to keep Municipal facilities and properties operating in a way that protects security, safety, and privacy. Personal information collected by our surveillance equipment includes video and sound.

Policy Description

This Municipal policy has been developed to govern video and audio surveillance at the RM office location at 208 1st Ave, North, Naicam Saskatchewan, at RM Municipal Shop in Naicam, Saskatchewan and Municipal Shop in Village of Pleasantdale, Saskatchewan, in accordance with the privacy provisions of *The Local Authority Freedom of Information and Protection of Privacy Act (LAFOIP)*.

LAFOIP Section 23 in interprets "personal information" as meaning personal information about an identifiable individual that is recorded in any form.

Application

This policy applies to all types of camera surveillance and audio systems, surveillance monitors, and camera recording devices at the RM office that are used for security purposes.

Responsibilities

The Reeve is the Municipality's Head under LAFOIP, and is responsible for providing a response to video and audio surveillance access requests.

The Administrator is responsible for the safekeeping of all the RM's records, including those falling under the Video Surveillance Policy, compliance of the policy, acting as the primary contact for all requests by law enforcement for access to video and audio records, overseeing day to day operations of video surveillance system, ensuring monitoring and recording devices are stored in a safe and secure location, ensuring that no copies of data/images in any format (hardcopy, electronic, etc.) is taken from the video surveillance system inappropriately, providing status updates to Council, annually, regarding staff adherence to the responsibilities within the policy.

All Staff must adhere to the video surveillance policy and must not access or use information contained in the video surveillance system, its components, files, or data base for personal reasons, nor dispose, destroy, erase, or alter any record without proper authorization and without following the regulations contained in the Security Video Surveillance Policy.

Guidelines to Follow Prior to the Installation of a Video Surveillance System

Before deciding to install surveillance systems, the following factors must be considered:

- The use of video and audio surveillance should be justified on the bases of verifiable, specific reports of incidents of crime or significant safety concerns
- A video and audio surveillance system should only be considered after other measures of deterrence or detection have been considered and rejected as unworkable
- An assessment must be conducted on the effects that the proposed video and audio surveillance system may have on personal privacy, and the ways in which any adverse effects can be mitigated.
- The proposed design and operation of the video and audio surveillance systems should minimize privacy intrusion
- Whether or not additional sensory information, such as sound, is directly related to potential problems or does not need to be recorded.

When Designing a Video and Audio Surveillance System and Installing Equipment, this criteria should be considered:

- The surveillance systems may operate at any time in a 24 hour period
- The surveillance equipment should be installed to only monitor those spaces that have been identified as requiring surveillance
- The ability to adjust cameras should be restricted, if possible, so that the cameras do not record and operators cannot adjust or manipulate cameras/audio systems to overlook spaces that are not intended to be covered by the video surveillance program, such as through windows in adjacent buildings or onto adjacent properties
- Equipment should never monitor the inside of areas where the public and employees have a higher expectation of privacy (e.g. washrooms)
- Where possible, surveillance systems should be restricted to periods when there is a demonstrably higher likelihood or crime being committed and detected in the area under surveillance

- Viewing and recording equipment must be located in a strictly controlled access area.
- Only identified and trained staff shall have access to the controlled access area and the recording equipment
- Every reasonable attempt should be made to ensure video monitors are not in a position that enable the public and/or unauthorized staff to view the monitors.

Notice of Use of Surveillance Systems

In order to provide notice to individuals that video is in use:

- The Municipality shall post signs, visible to members of the public, at all entrances and/or prominently displayed on the perimeter of the grounds under video and audio surveillance (see Appendix #2)

Personal Authorized to Operate Video Equipment

Only the Administrator/Designate shall be permitted to operate the surveillance system

Video Equipment/Records Types of Recording Devices

Recorders will retain these records for a period of up to 30 days. A record of an incident will only be stored longer than 30 days where it may be required as part of a criminal, safety, or security investigation or for evidentiary purposes.

Monitors will be kept in a secure location where they are not visible to the public.

Record Identification

All records (storage devices) shall be clearly identified (labeled) as to the date and location of the origin. The DVR that stores information directly on a hard drive, the computer time and date stamp shall be understood to be this identification.

Access to Video Records

Access

Access to the surveillance records shall be restricted to authorized personnel only in order to comply with their roles and responsibilities as outlined in this Surveillance Policy.

Any staff accessing records should sign a written agreement to adhere to this policy, including an undertaking of confidentiality.

Storage

All storage devices that are not in use must be stored securely in a secure receptacle located in an access-controlled area.

Formal Access Requests Process

With exception of requests by law enforcement agencies, all requests for surveillance records shall be directed to the main office at 208 1st Street, PO Box 70, Naicam, Saskatchewan, S0K 2Z0 for processing. A person requesting access to a record should make a request in writing on the prescribed LAFOIP form and submit to the Administrator. A copy of this form is available in our office, or at <http://publications.saskatchewan.ca/#/products/1243> on page 13-14

The individual requesting the record must:

- Provide sufficient detail (the appropriate time and date, the location – if known – of the incident, etc.) to enable an experienced employee, upon a reasonable effort, to identify the record; and
- At the time of making the request, pay the prescribed fees as provided for under the Act

Records shall be supplied as per Section 10 of The LAFOIP Act.

Access: Law Enforcement

If access to a surveillance record is required for the purpose of a law enforcement investigation, the requesting Officer must complete the Law Enforcement Officer Request Form (see Appendix #1) and forward this form to the Administrator.

While there may be other situations where the disclosure of surveillance footage is permitted, surveillance may be disclosed:

- To a law enforcement agency as per Section 9 of LAFOIP, or
- If staff observe an illegal activity on RM property and disclose the footage to a law enforcement agency to aid an investigation from which a proceeding is likely to result. Staff will provide the recording for the specified date and time of the incident as requested by the Law Enforcement Officer and record the following information in the facility's video logbook:
 - The date and time of the original, recorded incident including the designated name/number of the applicable camera;
 - The time and date the copy of the original record was sealed;
 - The time and date the sealed record was provided to the requesting Officer;
 - The case file number of the investigation;
 - A description of the circumstances justifying the disclosure;
 - The amount of footage involved;
 - The name, title and agency to whom the footage is being disclosed to the legal authority for the disclosure
 - The means used to disclose the footage, and
 - If there record will be returned or destroyed after use by the Law enforcement Agency.
 - This must only be completed by the Administrator in a private, controlled area that is not accessible to other staff and/or visitors

Custody, Control, Retention and Disposal of Video Records/Recordings

The Municipality retains custody and control of all original surveillance records not provided to law enforcement. Surveillance records are subject to the access and privacy requirements of the LAFOIP, which includes but is not limited to the prohibition of all Staff from access or use of information from the surveillance system, its components, files, or database for personal reasons.

With the exception of records retained for criminal, safety, or security investigations or evidentiary purposes, or as otherwise required by law, the Municipality must not maintain a copy of recordings for longer than 30 days.

Any records that are accessed or disclosed will be retained for three years.

The Municipality will take all reasonable efforts to ensure the security of records in the control/custody and ensure their safe and secure disposal. Old storage devices must be disposed of in accordance with an applicable technology asset disposal process ensuring personal information is erased prior to disposal, and cannot be retrieved or reconstructed. Disposal methods may include shredding, burning, or erasing, depending on the type of storage device.

Unauthorized Access and/or Disclosure (Privacy Breach)

Staff who become aware of any unauthorized disclosures of a surveillance record in contravention of this Policy and/or potential privacy breach are to immediately notify the Administrator. After this unauthorized disclosure or potential privacy breach is reported:

- Upon confirmation of the existence of a privacy breach, the Administrator shall notify the Information and Privacy Officer of Saskatchewan (IPC) and work constructively with the IPC staff to mitigate the extent of the privacy breach and to review the adequacy of privacy protection with the existing policy.
- The Administrator will investigate events that have led up to the privacy breach
- The staff member shall work with the Administrator to take all reasonable actions to recover the record and limit the record's disclosure
- The Administrator will notify affected parties whose personal information was inappropriately disclosed.
- The Administrator shall investigate the cause of the disclosure with the goal of eliminating potential future occurrences.
- Intentional wrongful disclosure or disclosure caused by negligence by employees may result in disciplinary action up to and including dismissal
- Intentional wrongful disclosure or disclosure caused by negligence by service providers (contractors) may result in termination of their contract.

Inquiries from the Public Related to the Surveillance Policy

A staff member receiving an inquiry from the public regarding the Surveillance Policy shall direct the inquiry to the Administrator.

Review of Surveillance Policy

The policy shall be reviewed every 2 (two) years by the Administrator who will forward recommendations for update, if any, to Council for approval.

Policy 341/22 be Rescinded

**Security Surveillance Policy
Rural Municipality of Pleasantdale No. 398**

Appendix 1 – Law Enforcement Officer Request Form

RELEASE OF RECORD TO LAW ENFORCEMENT AGENCY UNDER SECTION 9 of the Local Authority Freedom of Information and Protection of Privacy Act (LAFOIP)

I, _____, of the _____
(print name of officer) (print name of police force)

Request a copy of the following record(s):

- 1.
- 2.
- 3.

Containing the personal information of _____
(print name(s) of individual(s))

To aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result.

Signature of Officer Badge/Identification No. Date

Signature of Administrator Date

Return all completed ORIGINAL forms to the:
Administrator at the Rural Municipality of Pleasantdale No. 398
PO Box 70, Naicam, Saskatchewan, S0K 2Z0

**Security Surveillance Policy
Rural Municipality of Pleasantdale No. 398**

Appendix #2 - Notice of Collection

ATTENTION

This area is monitored by Video and Audio Surveillance Cameras

**The personal information obtained from the Video and Audio Surveillance Camera
At this site is collected in compliance with The Local Authority Freedom of
Information and Protection of Privacy Act (LAFOIP) and the information
Your provide may be used for the purpose of promoting public safety and
Reduction of crime at the site.**

**Any questions about this collection can be directed to the
Administrator, Rural Municipality of Pleasantdale No. 398
208 1st Avenue North, PO Box 70, Naicam, Saskatchewan, S0K 2Z0**