

# **Mangere Health Resources Trust**



## **CCTV Policy**

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## Table of Contents

|   |          |
|---|----------|
| <b>1. Background</b>  | <b>2</b> |
| <b>2. Definitions</b>                                       | <b>2</b> |
| <b>3. Purpose of Policy</b>                                 | <b>3</b> |
| <b>4. Purpose of CCTV System</b>                            | <b>4</b> |
| <b>5. Security</b>  | <b>4</b> |
| <b>6. Privacy</b>   | <b>5</b> |
| <b>7. Legislation</b>                                       | <b>6</b> |
| <b>8. Covert CCTV</b>                                       | <b>6</b> |
| <b>9. Provision of CCTV System Information</b>              | <b>6</b> |
| <b>10. Storage and Retention of CCTV System Information</b> | <b>7</b> |
| <b>11. CCTV Signage</b>                                     | <b>7</b> |
| <b>12. Complaints</b>                                       | <b>8</b> |
| <b>13. Application</b>                                      | <b>8</b> |

### 1. Background

The Mangere Health Resources Trust (“**MHRT**”) provides resources for the community. Protecting people and our property is a critical priority for us and having effective security measures including the use of CCTV technologies supports our organisational objectives. Specifically, our premises have ongoing problems with criminal activity and the main purpose of CCTV is to detect and capture evidence of crime as well as actively deter it and to manage vandalism and dumping. Our premises are located in the heart of the Mangere Town Centre and cameras have been strategically placed to allow a quick response to traffic accidents or other emergency situations. This document has been prepared in accordance with the Privacy Commissioner’s Privacy and CCTV Guidelines.<sup>1</sup>

### 2. Definitions

The table below defines terms used in this policy:

|                         |  |
|-------------------------|--|
| CCTV System             | Management of any hardware, equipment, software, cabling, associated IT and communications, control and monitoring centre and any information created by the system. |
| CCTV System Information | Any video images or associated data generated, logged, processed, stored on, retrievable from or produced from/by the  |

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<sup>1</sup> Office of the Privacy Commissioner, *Privacy and CCTV: A Guide to the Privacy Act for businesses, agencies and organisations* (2009)

|                    |  |
|--------------------|--|
|                    | CCTV system.   |
| Covert CCTV camera | Refers to a CCTV video camera that is not visible and which people do not know exists.   |
| Footage            | Any video data acquired from a CCTV camera, including a single image, or sequence of frames.   |
| Guidelines         | Published by the Officer of the Privacy Commissioner, referred to in clause 1 of this policy.  |
| Incident           | An event where there is a credible prospect of, or there has been a breach of security to a person or property, or threat of harm, or damage to property.  |
| Procedures         | Standard Operating Procedures, being the documented processes to be followed in association with using and managing the CCTV system, and security incident interventions.  |
| Property (assets)  | Buildings, plant and equipment, other MHRT vehicles, revenue and assets, information, property and chattels, land, and such other property directly associated with MHRT operations.                             |
| Resources          | Templates, plans, specifications and the like associated with the CCTV system.   |
| Safety             | Freedom from real and perceived harm. Protective arrangements intended to provide safety from harm and to prevent crime.   |
| Security           | Any third party contracted to support MHRT with the design installation, commissioning, maintenance and support of the CCTV System and/ or supporting security objectives including security threat assessments. |
| Security Partners  | Security personnel including the Security Manager, Security Services coordinator and their subordinate security workers who are authorised to operate the CCTV System 'CCTV Operators'.                          |
| Standards          | Mandatory performance requirements associated with any aspect of the CCTV System that must be met which are linked to the requirements of the Privacy Act.   |
| Worker             | "Worker" refers to all trustees, employees, contractors, and members of partner organisations working on MHRT premises.  |

### 3. Purpose of Policy

The overall purpose of this policy is to ensure MHRT operates and manages its CCTV systems

lawfully, effectively and in a socially responsible manner.

MHRT's CCTV system is one tool in a suite of security arrangements utilised to support the protection of people and property on MHRT premises. When used in accordance with this policy, the CCTV systems support and demonstrate MHRT's values.

This policy also:

- Allows MHRT to demonstrate that thoughtful and appropriate governance mechanisms are in place for the Security CCTV system; and
- Gives authority to the CCTV Standards and Guidelines, Procedures and Practices for consistency with the Policy.

## 4. Purpose of CCTV System

The purpose of the CCTV system is to:

- a) Enhance peoples' perceptions and expectations of safety and security.
- b) Detect and/or deter circumstances that place the safety of people and the security of property at risk from security threats.
- c) Initiate early intervention for circumstances that place people and property at risk.
- d) Monitor people's temperatures as an indicator of potential symptoms of virus or other health and safety concerns.
- e) Assist in the safest and most efficient management of emergency responses.
- f) Assist workers to manage authorised access to restricted or access controlled areas.
- g) Investigate alarm conditions alerted on the security management system, including duress alarms and access security breaches.
- h) Investigate security and safety incidents with reference to stored CCTV system information for remedial and investigative purposes.
- i) Allow the security team to conduct virtual guard tours much more often, more quickly and efficiently, and when workers have priority deployments elsewhere, than when they are done in person.
- j) Monitor pedestrian and vehicular movement, car park capacities and the like, for assisting users.
- k) Be operated as a refined motion detector when conventional intrusion detectors are impractical.

Various forms of data will be collected to fulfil the purposes described above. MHRT considers that these forms of data collected are proportionate to fulfilling these needs. The following forms data will be recorded and stored by the CCTV system:

- a) Video recordings;
- b) Audio recordings;
- c) Thermal imaging;
- d) facial recognition footage; and
- e) any other metadata associated with the CCTV system to fulfil MHRT's usual business needs.

## 5. Security

- a) MHRT supports the use of a CCTV system for the purposes of fulfilling its safety and security commitments and obligations.
- b) Any information collected by any CCTV system must be used for a lawful purpose connected with a function or activity of MHRT and that the collection of information is necessary for

- that purpose.
- c) MHRT will:
    - i. use the CCTV system to help it meet its obligations to protect people and property from security and safety risks;
    - ii. have appropriate governance mechanisms in place for the CCTV system to be operated and managed lawfully, effectively and in a socially responsible manner;
    - iii. support the policy with standards, guidelines and procedures to ensure that lawful, responsible, ethical and auditable practices are followed; and
    - iv. use CCTV to increase efficiency and to reduce all costs associated with crime prevention.
  - d) This policy covers any and all elements of the MHRT's CCTV system installed in any of its premises.
  - e) CCTV cameras will operate 24 hours, 7 days' a week and only have their images recorded when initiated by activity within their programmed field of view.
  - f) Any person who uses or interacts with the CCTV system in any way must do so solely for the purposes as described at clause 3 and 4 of this policy as well as in accordance with all related legislation, standards, guidelines, procedures and other supporting material associated with this policy, as is applicable to their use or interaction with the system.
  - g) MHRT will not use the CCTV System for any purpose other than those stated in clause 3.
  - h) Any person who, despite the controls put in place through this policy and associated supporting documents, misuses the CCTV system:
    - i. will be investigated for breach of this policy, and mandatory employee or contractor confidentiality obligations;
    - ii. may be subject to disciplinary procedures.
  - i) Any changes to the CCTV design, implementation of new or additional resources to the CCTV infrastructure and network or related changes must be in consultation with the Security the Security Manager and the Privacy Officer.
  - ii) CCTV operators will monitor CCTV system images in real time or from stored archives for the purposes set out in clause 3 and 4. Only the operator on duty or others with an immediate operational need are permitted to view images from the CCTV system. The designated CCTV receiving location must be securely locked, at all times to prevent images being seen by unauthorised persons.
  - iii) CCTV monitors may be on display in public areas showing coverage of those areas. The purpose of this is to provide an additional level of security by demonstrating full and effective operation.
  - iv) CCTV Operators must maintain a record of all incidents in the Incident Log. All images will be time logged in the system along with identification of the operator.
  - v) As part of MHRT's improvement process, the operation and management of the CCTV system shall be subject to regular audit for compliance with this Policy and confirmation of its purpose.

## 6. Privacy

MHRT stands by the following privacy principles as they relate to the collection and use of CCTV data:

- a) CCTV systems will only be used for the purpose of protecting people and property.
- b) MHRT will be transparent about the use of CCTV systems on its sites through the display of simple and clear signage.
- c) The placement of the CCTV system must not unreasonably intrude on the privacy of individuals, but will be designed to support the purpose of protection, security and investigation of incidents. Cameras may be blinkered and adjusted as required to prevent

parts of their field of view from being 'seen' and recorded where there are potential privacy implications.

- d) MHRT will not use overt or covert CCTV recordings in any areas where persons would reasonably expect to have privacy, such as showers, toilets and dressing rooms.
- e) The assessment of privacy risks for the addition of new CCTV cameras will be completed prior to installation of new equipment through a Privacy Impact Assessment.
- f) CCTV data will only be shared or used if it aligns to the purpose of collection and if the release of this information has been appropriately approved.
- g) CCTV recorded video footage will only be held for at least 30 days and is stored securely within the IT network.

## 7. Legislation

This policy complies with the Privacy Act 1993 and any related regulations and guidelines concerning the operation and management of CCTV systems. Specifically, this document was drafted in accordance with the Guidelines published by the Office of the Privacy Commissioner as referred to under clause 1 of this policy.

## 8. Covert CCTV

The use of covert CCTV is likely to be considered a 'search' for the purposes of the New Zealand Bill of Rights Act 1990 ("NZBORA"). Under the NZBORA, everyone has the right to be secure against unreasonable searches. Consequently, any 'search' by Covert CCTV would need to be both lawful and reasonable.

Covert CCTV will only be used:

- a) in support of MHRT fulfilling its safety and security commitments and obligations; and
- b) where there is a very compelling security or safety interest that necessitates its use, for example to gather evidence of some conduct that threatens the security or safety interest that could not be obtained if the person was aware of the presence of CCTV cameras; and
- c) where all other measures have been considered and deemed inadequate.

Only authorised Covert CCTV cameras installed by – or on behalf of – MHRT are permitted on MHRT sites and must be integrated with the CCTV System. If an unauthorised Covert CCTV camera is discovered, the unit will be removed immediately, an investigation carried out, and disciplinary actions may be taken.

Applications for authorisation of Covert CCTV cameras must be made to MHRT. MHRT will review the application and carefully consider the reasons why the covert system should be allowed. If the application is approved, conditions of operation in addition to those required for overt CCTV will be specified, for example, how long the camera may operate, who may complete installation (and removal), who may access the CCTV system information recorded by Covert CCTV cameras. If the application is denied, MHRT must specify, in writing the reasons for declining the use of the covert system and consider any feedback from the applicant before closing the application completely.

## 9. Provision of CCTV System Information

- a) The provision of CCTV System Information may be considered in regards to:
  - i) a request for information based on CCTV System Information. For example, whether there is footage of someone committing a particular crime; or
  - ii) a request to view or receive a copy of CCTV System Information; or
  - iii) access to CCTV System Information before a request has been made.

- b) Details - including the date, description, status, approver(s) and outcome - of all CCTV System Information must be logged in the CCTV Access Register.
- c) Regarding requests for information based on CCTV System Information, and requests to view or receive a copy of CCTV System Information.
- d) All requests must be considered in regards to the purposes of CCTV as stated in this policy.
- e) All requests will be responded to within 20 working days.
- f) Requests to view or receive a copy of CCTV System Information must be made in writing to the CCTV Manager. The CCTV manager is responsible for ensuring that the request for CCTV footage is provided within the prerequisite time, approving or declining the request, and for referring the request for authorisation by MHRT.
- g) If a request to view or receive a copy of CCTV System Information is unable to be granted without unreasonably breaching another's privacy, a written description may be provided of the actions under enquiry in the footage.
- h) Any criminal activity detected by means of the CCTV System shall be forwarded to the New Zealand Police for investigation.

## 10. Storage and Retention of CCTV System Information

- a) Access to the CCTV System area is strictly controlled. Access to the CCTV System recording equipment is monitored by a CCTV camera.
- b) CCTV System Information will be stored at the MHRT data centre housed in 12 Waddon Place, Mangere, Auckland.
- c) The quality of recorded images is to be checked regularly to ensure no unreasonable loss of functionality. Servicing of equipment and recording quality checks will be carried out on a regular basis and as required.
- d) Recorded CCTV footage must be stored in a secure environment.
- e) A portion of the footage is to be retained for evidential purposes when an incident or suspected incident has been identified. Retention is subject to the approval of the MHRT Security Manager or the Privacy Officer.
- f) All recorded CCTV footage must be retained for at least 30 days before being overwritten. The exception to this is footage which is securely stored until the purpose it was stored for is resolved.

## 11. CCTV Signage

- a) Signage must be erected in all MHRT sites where CCTV cameras are installed.
- b) Signage must be readily visible and installed where necessary to notify people before they enter any area covered by CCTV cameras, including public entrances to the site and buildings.
- c) The signage will also give contact information for any queries regarding the CCTV System.
- d) The signs will make clear who owns and operates the CCTV System and the contact details of that agency.
- e) A full privacy notice to let people know more about the operation of CCTV at MHRT is available at [www.mhrt.org.nz/cctvpolicy](http://www.mhrt.org.nz/cctvpolicy), and in hard copy on request.
- f) The following signage will be displayed at MHRT's premises.



Mangere Health Resources Trust operates these cameras under the guidelines set out in the CCTV Policy Statement published at [www.mhrt.org.nz/cctv](http://www.mhrt.org.nz/cctv) or Contact [cctv@mhrt.org.nz](mailto:cctv@mhrt.org.nz)

## 12. Complaints

- a) Anyone who believes information about them has been obtained through CCTV may apply to the CCTV Manager or the Privacy Officer for access to that information.
- b) If access is refused or not fully granted, the individual concerned may make a complaint to MHRT or refer the request to the Privacy Commissioner for investigation.

## 13. Application

This policy applies to anyone who designs, installs, operates, manages, alters, maintains, reviews or uses any element of the CCTV System or the information obtained from it, including all tenants of MHRT premises.