



**The Public Trustee**

# **Closed Circuit Television (CCTV) Policy**

**March 2015**

## Document Information

### Approved

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### Revision History

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## 1. Purpose

The purpose of this policy is to outline how the Public Trustee of Queensland (Public Trustee) will manage the use of Closed Circuit Television (CCTV) on its premises.

## 2. Application

This policy applies to all Public Trustee employees including permanent full-time or part-time employees, temporary full-time or part-time employees, and casual or contractor.

It also applies to individuals when CCTV captures pictures or video footage of an identifiable individual. For example, if the footage is clear enough to make out the features of the individual, or in some cases unique clothing, markings, or tattoos, it is highly likely to be personal information.

## 3. Policy Statement

The Public Trustee aims to protect people and assets by providing a safe environment in and around its premises in the most effective manner possible including, where necessary, through the appropriate application of CCTV surveillance systems.

The primary security use of CCTV is to discourage and/or detect unlawful behaviour in and around Public Trustee premises thereby enhancing safety and security.

In operating CCTV, the Public Trustee may capture personal information due to footage being clear enough to make out identifiable features of an individual. As a result of the likelihood of capturing personal information, in operating CCTV the Public Trustee will comply with the *Information Privacy Act 2009* (IP Act). The IP Act does not preclude the use of camera surveillance. However, in operating CCTV, the privacy principles (refer to definitions) must be complied with in relation to any personal information that is collected and subsequently stored, used or disclosed.

## 4. Relevant Legislation

- *Information Privacy Act 2009*
- *Public Records Act 2002*

## 5. Principles

In managing CCTV the Public Trustee will:

- comply with the IP Act. In particular the privacy principles will be complied with in relation to any personal information that is collected and subsequently stored, used or disclosed.
- place signs near a camera's location and put information about our camera surveillance program on the Public Trustee website and in our CCTV Procedure.
- securely store images as digital files within the CCTV software, which is only accessible to authorised officers. The digital files are stored for a maximum of 10 days after which they are programmed to be automatically erased unless required by a law enforcement agency.
- ensure images are viewed only by authorised officers and controlled access to the secured footage is strictly maintained.

- copies of recordings will not be made for other purposes unless they are relevant to the purpose of surveillance or are required by law.
- provide a procedure which will include details of how individuals can obtain from the Public Trustee any camera surveillance footage which contains images of them, subject to exemptions prescribed in the IP Act.

## 6. Roles and Responsibilities

Role	Responsibility
Public Trustee of Queensland	Overall responsibility for privacy compliance within the organisation.
Executive Directors	Ensuring compliance with this policy and the associated procedure within their program.
Regional Managers	Ensuring compliance with this policy and the associated procedure within their region.
Employees	Employees are responsible for familiarising themselves with this policy and its associated procedure and with compliance.
Authorised Officers	<p>Comply with the privacy principles and requirements of the IP Act.</p> <p>Maintain and ensure the security of records, including downloaded and retained CCTV footage, is in accordance with the <i>Public Records Act 2002</i> as well as Information Standards <i>IS33 (Access)</i> ;<i>IS40 (Storage)</i> and <i>IS18 (Security)</i>.</p> <p>Carry out work involving CCTV in a safe and secure manner.</p> <p>Report breaches of this policy to their manager.</p>

## 7. Policy review and evaluation

This policy and its associated procedure will be reviewed annually.

## 8. Definitions

Term	Definition
Authorised Officers	Employees who are charged with the responsibility to manage the CCTV program. In relation to regional offices, these are the Regional Manager and Assistant Manager unless otherwise specified by the Director, Client Services Capability and Performance. In relation to 444 Queen Street, these are the Director, Property and Manager, Property Operations. A record of Authorised Officers will be maintained by GED.
Closed Circuit Television (CCTV)	A television system that transmits images in a 'closed loop'. Images are only available to people directly connected to the transmission system or given access rights to a closed user group within an information and communications technology network*.

\*National code of practice for CCTV systems for counter-terrorism purposes in the

Term	Definition
	mass passenger transport sector, <a href="http://www.coag.gov.au/coag_meeting_outcomes/2006-07-14/docs/cctv_code_practice.pdf">www.coag.gov.au/coag_meeting_outcomes/2006-07-14/docs/cctv_code_practice.pdf</a>
Individual	'Individual' is not defined in the IP Act, but it is defined in the <i>Acts Interpretation Act 1954</i> as a natural person. This means that only living people can have personal information.
Information Privacy Principles (IPPs)	The eleven (11) IPPs are set out in schedule 3 of the IP Act. The IPPs place strict obligations on an agency when it collects, stores, uses and discloses personal information. However, some exemptions can apply to certain agencies when dealing with particular personal information.
Law enforcement agency	<p>Defined in schedule 5 of the IP Act, law enforcement agency means:</p> <p>(1) for the purposes of IPP 11(1)(e) - an enforcement body within the meaning of the <i>Privacy Act 1988</i> (Cwlth) or any entity mentioned in paragraph (b); or</p> <p>(2) otherwise:</p> <p>(a) the Queensland Police Service under the <i>Police Service Administration Act 1990</i>; or</p> <p>(b) the Crime and Corruption Commission under the <i>Crime and Corruption Act 2001</i>; or</p> <p>(c) the community safety department; or</p> <p>(d) any other agency, to the extent it has responsibility for:</p> <p>(i) the performance of functions or activities directed to the prevention, detection, investigation, prosecution or punishment of offences and other breaches of laws for which penalties or sanctions may be imposed; or</p> <p>(ii) the management of property seized or restrained under a law relating to the confiscation of the proceeds of crime; or</p> <p>(iii) the enforcement of a law, or of an order made under a law, relating to the confiscation of the proceeds of crime; or</p> <p>(iv) the execution or implementation of an order or decision made by a court or tribunal.</p>
Personal Information	Section 12 of the IP Act defines personal information as <i>'information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonable be ascertained, from the information or opinion'</i> .
Premises	Physical location of a building or property owned or used by the Public Trustee.

Term	Definition
Privacy Principles	<p>There are four sets of privacy principles in the IP Act which set out how an agency must manage the personal information it holds:</p> <ol style="list-style-type: none"> <li>(1) the <b>overseas transfer rules</b>; and</li> <li>(2) the <b>contracted service provider rules</b>, which apply to all agencies; and</li> <li>(3) the <b>Information Privacy Principles (IPPs)</b>, which apply to all agencies except health agencies; and</li> <li>(4) the <b>National Privacy Principles (NPPs)</b>, which apply to health agencies.</li> </ol>
Recorded images	Any image captured by CCTV Systems operated and maintained by the Public Trustee.

## 9. References

- *Managing Closed Circuit Television* – Queensland State Archives
- *Privacy Compliance & Camera Surveillance* - Office of the Information Commissioner (Qld)
- Information Standards *IS33 (Access)*; *IS40 (Storage)* and *IS18 (Security)*.