STAFF REPORT

Date: 01 May 2018
File Policies

To: Chair Martin and Members of the Policy and Personnel Committee

From: Mark Andison, Chief Administrative Officer

Re: Policy Review - Use of Surveillance Cameras for Monitoring Public Activities

Issue Introduction
A staff report from Mark Andison, Chief Administrative Officer presenting the Use of Surveillance Cameras for Monitoring Public Activities at RDKB Facilities Policy for the Committee’s review.

History/Background Factors
The Use of Surveillance Cameras for Monitoring Public Activities at RDKB Facilities Policy was adopted in February of 2010. The intent of the policy is to establish: how surveillance cameras may be used at RDKB facilities; who may be involved in reviewing material captured on surveillance cameras, how the use of surveillance cameras will be communicated to users of facilities; information retention requirements for surveillance cameras; and how information collected on surveillance cameras may be used.

Implications
The policy, as it is currently written, continues to be relevant. The Freedom of Information and Protection of Privacy Act (RSBC 1996) remains as the legislative basis for the policy. There are a couple of minor amendments to the policy that are proposed by staff:

1. The policy currently refers to the Freedom of Information and Privacy Act three times. The correct title of that legislation is the Freedom of Information and Protection of Privacy Act. Staff recommends that the policy be amended to include the correct legislative reference throughout the policy.
2. Under the "Procedure" heading, the second bullet references "the village administrator or C.A.O.". Staff recommends that this wording be changed to "the municipal C.A.O." to ensure that it is broadly applicable to all types of municipalities within the RDKB.

Advancement of Strategic Planning Goals
This review of the Use of Surveillance Cameras for Monitoring Public Activities at RDKB Facilities Policy advances the Board's strategic objective of ensuring we will continue to focus on good management and governance.

Background Information Provided
1. Current Use of Surveillance Cameras for Monitoring Public Activities at RDKB Facilities Policy
2. Draft Use of Surveillance Cameras for Monitoring Public Activities at RDKB Facilities Policy

Alternatives
1. Receive the staff report.
2. Amend the policy as recommended by staff and distribute to Board of Directors for comment.
3. Make additional amendments to the policy and distribute to Board of Directors for comment.
4. Defer consideration of the proposed policy amendments pending further information from staff.

Recommendation(s)
That the Use of Surveillance Cameras for Monitoring Public Activities at RDKB Facilities Policy be amended to:

1. include the proper legislative reference to the Freedom of Information and Protection of Privacy Act and
2. change the current reference in the policy to "the village administrator or C.A.O." to "the municipal C.A.O." to ensure that the reference is broadly applicable to all types of municipalities within the RDKB.

Further, that the amended draft policy be circulated to members of the Board of Directors for comment in accordance with the Policy Development and Review Policy.
POLICY TITLE: Use of Surveillance Cameras for Monitoring Public Activities at RDKB Facilities

APPROVAL DATE: February 25, 2010

Policy: The Board of Directors of the RDKB hereby establishes criteria and procedures for the use of video surveillance cameras at RDKB facilities in order to comply with the *BC Freedom of Information and Privacy Act*.

Purpose: The purpose of the Policy is to direct the use of images gathered by surveillance cameras monitoring public activities at RDKB facilities. The Policy will direct proper image-gathering techniques, use of the images, dissemination of images, and describe a schedule for retaining and destroying images.

Policy Criteria: The Policy will be consistent with relevant sections of the *Freedom of Information and Privacy Act (1996 and Amendment Act, 2002)* and subsequent amendments to Provincial laws and regulations. The Policy will direct RDKB staff on the proper use of images gathered for the purpose of maintaining good governance of RDKB facilities and the use of images in gathering evidence for the purposes of RDKB bylaw enforcement.

Procedure:

- Video surveillance cameras may be used to monitor public activities at RDKB facilities such as recycling depots and landfills for the purpose of:
  
  - observing and analyzing usage patterns at recycling and landfill facilities;
  - observing, reporting and assisting prosecution of activities that contravene RDKB bylaws;
  - observing, reporting and assisting law enforcement agencies in the gathering of evidence of contraventions of the laws of British Columbia or Canada;
  - allow staff to monitor the images from the site from designated computers to determine maintenance requirements of the facilities.
• The images collected by the video surveillance cameras may only be reviewed by RDKB staff designated by the authority of the C.A.O. The C.A.O. or RDKB authorized staff may then share the images with staff of member municipalities designated by the village administrator or C.A.O. These images may be distributed only for the purposes described above and may not be used for any other purposes.

• The equipment used to gather images must be guarded in such a manner as to prevent unauthorized access to the images.

• Cameras must not be positioned in such a manner as to collect images on property not managed by the RDKB. Cameras shall not be positioned in such a way as to record images in areas where people have a reasonable expectation of privacy.

• Signs shall be posted at RDKB facilities that inform people that their activities may be monitored by cameras for the purposes of security and compliance. Persons wishing to not be subject to surveillance have the option to not use the facility.

• Images collected by the video surveillance cameras will be automatically deleted within 6 months unless required for the purposes of informing improved program delivery. Images that may be used for the purposes of gathering evidence for the prosecution of infractions to the RDKB bylaws, laws of British Columbia or laws of Canada may be retained until such time as they are no longer relevant to the specific case.

• Persons who can be identified in images collected by the cameras have a right of access to these, and only these, images.

• Images collected by the video cameras may be posted on an RDKB website, posted at the facility or published in local newspapers to educate the public of proper use of RDKB facilities. Persons who may be identified in these images may petition for the removal of these images.

• Images collected by video cameras may be used by the RDKB or law enforcement authorities to seek assistance from the public in identifying individuals who are suspected of contravening RDKB bylaws, laws of British Columbia or laws of Canada.

• Cameras should be used only in areas where there are perceived to be high occurrences of damage to RDKB assets or regular contraventions of a RDKB bylaw.
The use of cameras must be conducted in accordance with the *Freedom of Information and Privacy Act*. As the use of image recording devices represents a potential impact on privacy, the use of cameras to achieve managerial control of RDKB facilities should be evaluated periodically.
POLICY TITLE: Use of Surveillance Cameras for Monitoring Public Activities at RDKB Facilities

APPROVAL DATE: February 25, 2010

Policy: The Board of Directors of the RDKB hereby establishes criteria and procedures for the use of video surveillance cameras at RDKB facilities in order to comply with the BC Freedom of Information and Protection of Privacy Act.

Purpose: The purpose of the Policy is to direct the use of images gathered by surveillance cameras monitoring public activities at RDKB facilities. The Policy will direct proper image-gathering techniques, use of the images, dissemination of images, and describe a schedule for retaining and destroying images.

Policy Criteria: The Policy will be consistent with relevant sections of the Freedom of Information and Protection of Privacy Act and subsequent amendments to Provincial laws and regulations. The Policy will direct RDKB staff on the proper use of images gathered for the purpose of maintaining good governance of RDKB facilities and the use of images in gathering evidence for the purposes of RDKB bylaw enforcement.

Procedure: Video surveillance cameras may be used to monitor public activities at RDKB facilities such as recycling depots and landfills for the purpose of:

- observing and analyzing usage patterns at recycling and landfill facilities;
- observing, reporting and assisting prosecution of activities that contravene RDKB bylaws;
- observing, reporting and assisting law enforcement agencies in the gathering of evidence of contraventions of the laws of British Columbia or Canada;
- allow staff to monitor the images from the site from designated computers to determine maintenance requirements of the facilities.
• The images collected by the video surveillance cameras may only be reviewed by RDKB staff designated by the authority of the C.A.O. The C.A.O. or RDKB authorized staff may then share the images with staff of member municipalities designated by the municipal C.A.O.. These images may be distributed only for the purposes described above and may not be used for any other purposes.

• The equipment used to gather images must be guarded in such a manner as to prevent unauthorized access to the images.

• Cameras must not be positioned in such a manner as to collect images on property not managed by the RDKB. Cameras shall not be positioned in such a way as to record images in areas where people have a reasonable expectation of privacy.

• Signs shall be posted at RDKB facilities that inform people that their activities may be monitored by cameras for the purposes of security and compliance. Persons wishing to not be subject to surveillance have the option to not use the facility.

• Images collected by the video surveillance cameras will be automatically deleted within 6 months unless required for the purposes of informing improved program delivery. Images that may be used for the purposes of gathering evidence for the prosecution of infractions to the RDKB bylaws, laws of British Columbia or laws of Canada may be retained until such time as they are no longer relevant to the specific case.

• Persons who can be identified in images collected by the cameras have a right of access to these, and only these, images.

• Images collected by the video cameras may be posted on an RDKB website, posted at the facility or published in local newspapers to educate the public of proper use of RDKB facilities. Persons who may be identified in these images may petition for the removal of these images.

• Images collected by video cameras may be used by the RDKB or law enforcement authorities to seek assistance from the public in identifying individuals who are suspected of contravening RDKB bylaws, laws of British Columbia or laws of Canada.

• Cameras should be used only in areas where there are perceived to be high occurrences of damage to RDKB assets or regular contraventions of a RDKB bylaw.
The use of cameras must be conducted in accordance with the *Freedom of Information and Protection of Privacy Act*. As the use of image recording devices represents a potential impact on privacy, the use of cameras to achieve managerial control of RDKB facilities should be evaluated periodically.