

Policy on Public and School Bus Closed Circuit Television Systems (CCTV)

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1.1	March 2017	Connie Gore	Formatting
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Acronyms The following acronyms are used in this document	
Acronyms	Full form
NTG	Northern Territory Government
CCTV	Closed Circuit Television

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1 Introduction

This Policy establishes the primary purposes of, and the standards required for, the collection, viewing, downloading and use of CCTV images captured on the public bus and school bus networks for both network users and bus service providers.

2 Background

The use of CCTV systems has been shown to be an important strategy in improving passenger safety and increasing community confidence in public transport.

CCTV was first introduced to the public transport network in 1998 at bus interchanges, with mobile CCTV units introduced on public buses in 2002. All urban public buses, interchanges and most school buses are equipped with CCTV.

The CCTV system on the public and school bus network captures and records images and sometimes audio of people including passengers and bus drivers. This type of record can be 'personal information', which is protected under privacy legislation. As a result, every effort is made to keep CCTV records secure and avoid misuse in order to maintain public confidence in the use of the CCTV system.

3 Objectives and Purposes of CCTV

The installation and use of CCTV is to respond to the following key objectives:

- to reduce the fear of crime and reassure the public; and
- to prevent, deter and detect crime, criminal damage, public disorder, unlawful behaviour and inappropriate conduct.

CCTV systems collect information for a wide range of reasons. The purpose of the collection of information via CCTV on the public and school bus network is to:

- monitor, identify, apprehend and prosecute offenders in relation to crime, criminal damage, public disorder, road traffic accidents and harassment;
- investigate complaints or offences and provide the Police the Department, other agencies and service providers with evidence upon which to take criminal, civil and disciplinary actions; and
- collect passenger and transport data to monitor and support Departmental transport and network planning objectives and initiatives.

4 Collection, Use and Disclosure

The images collected by the CCTV system on the bus network are 'information' under the *Information Act* (NT) (the Act). As such, the Act and the associated Information Privacy Principles govern the collection, use, management and disclosure of CCTV images.

Under the Act, CCTV images may also constitute 'personal information'. The privacy regime in the Act protects personal information.

Nevertheless, personal information is permitted to be disclosed or used for the purpose for which it was collected. This means bus service providers are permitted to utilise the footage and investigate where necessary to carry out their day to day business and to disclose information collected by CCTV for the primary purposes outlined in this Policy.

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Requests made outside of normal day to day business for CCTV images or information are to be dealt with in accordance with the Department's Freedom of Information procedures or otherwise as approved by the Director of Passenger Transport.

For further information refer to the Government's Privacy Statement at:

<https://nt.gov.au/copyright-disclaimer-and-privacy>

5 Security and Protection

CCTV data can be exposed to a range of internal and external security risks including tampering, misuse or loss of personal information. Physical and electronic security of images is critical to the integrity of the system.

Organisations are to take reasonable steps to ensure that the personal information they hold is appropriately protected in terms of good records management procedures, good internal security and good external security.

In particular, service providers and Department staff are required to ensure:

- clear policies and procedures are developed with respect to operational and system management that meet the requirements of the Act and applicable Australian Standards;
- policies and procedures are not inconsistent with this Policy and include disciplinary procedures for breach;
- CCTV equipment, control room, monitors, footage and images are kept secure at all times and are protected from unauthorised access;
- access to and operation of CCTV, including viewing monitors and footage, is strictly limited to fully trained authorised staff of an appropriate managerial level, for operational and official purposes only;
- the CCTV system has a high level of data security including encryption and authentication processes, with all access by personnel uniquely identified and logged electronically; and
- operating staff are adequately trained in the use of CCTV and any applicable policies and procedures, including confidentiality and privacy requirements.

The CCTV system is not to be used in a manner intended solely to invade the privacy of any individual, which is frivolous, for private purposes or otherwise inconsistent with the Objectives and Purpose outlined above.

All persons involved in the operation of the CCTV system are to exercise care to prevent improper disclosure of material.

6 Signage

The public is entitled to be on notice that an area is subject to CCTV surveillance. An awareness of the existence of CCTV can deter inappropriate conduct and may help alleviate concerns about intrusions into privacy.

Signage on the use of CCTV is to be displayed in all areas where CCTV is operating, including at entry points on buses and at interchanges.

7 Operation, Quality and Maintenance

The usefulness of CCTV is dependent on the equipment performing continuously and the images being of a sufficient quality for identification and evidential purposes.

CCTV systems are to provide images of a sufficient quality and in a suitable format for tendering as evidence in the courts and contain appropriate identifiers, including a date and time stamp.

Procedures and programs are to be implemented to ensure that CCTV equipment is and continues to be:

- fully operational, including a daily functionality check, with malfunctions promptly rectified;
- positioned appropriately such that cameras capture an appropriate field of view;
- maintained routinely in line with manufacturer's specifications, with faults promptly repaired;
- protected from failure by adequate back-up systems; and
- synchronised with the appropriate time standard.

8 Data Retention, Incident Recording and Reporting

CCTV data at interchanges is to be retained for a minimum of 30 days and data from buses is to be retained for a minimum of 10 days.

As a means of meeting the Objectives and Purpose of this policy, all known incidents recorded by CCTV are to be downloaded and reported to the Contact below in accordance with agreed procedures. Such images will be securely stored and retained until such time as they are no longer needed for any purpose.

Incidents that are:

- not minor in nature;
- may give rise to a claim against the Territory, including a public liability claim, workers' compensation claim or a claim under the *Motor Accidents (Compensation) Act*;
- concern the safety or security of a user of the bus network; or
- involve the commission of a criminal offence,

are to be promptly reported to the Director of Passenger Transport and the Director will determine what further investigation or action to take, if any, on behalf of the Territory.

Nothing in this policy is intended to prevent or inhibit a service provider from making its own determination on what further action to take, including reporting the incident to the Police or other appropriate authority or take disciplinary action.

Storage, retention and disposal of images will otherwise be in accordance with the Act and, if applicable, Northern Territory Government Records Management Standards.

9 Breach of this Policy

Breaches of this Policy may be investigated by the Department. The Department reserves the right to apply contractual or disciplinary sanctions for breaches of this policy and may, if appropriate, refer the matter to the Police.

10 Documentation

To support this Policy, the following documentation is to be maintained by CCTV administrators and kept in either electronic or hard copy form and be made available to the Department for audit:

1. copies of all CCTV policies and procedures;
2. a list of authorised staff;
3. a register of all recorded images copied and released and to whom;
4. records of staff training with respect to CCTV, including the training package;
5. a log of the results of daily functionality checks and actions taken; and
6. a record of the maintenance program, including faults reported and repaired.

11 Feedback and Complaints

Customer feedback or complaints regarding the CCTV system may be made at <https://dipl.nt.gov.au/contact/website-feedback-form> or by phone on 8924 7666 or email Public Transport at Public.Transport@nt.gov.au.