



## The Corporation of the Town of Tecumseh

### Policy Manual

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## **1.0 Purpose**

To establish guidelines and procedures for the use of video surveillance on any property and/or in any building owned or operated by the Town of Tecumseh.

## **2.0 Policy Statement**

The Corporation of the Town of Tecumseh (Town) is committed to public safety, crime prevention, and stewardship of publicly owned assets. Where warranted, the Town may use video surveillance systems in municipally owned or operated buildings and open spaces to deter and detect crime and anti-social behaviour such as theft, vandalism, and unauthorized entry. The Town shall maintain control and responsibility for its video surveillance system at all times.

## **3.0 Scope**

These guidelines apply only to video security surveillance systems used in connection with Town facilities. These guidelines do not apply to any form of surveillance by law enforcement or to covert surveillance for other legal purposes.

## **4.0 Policy**

### **4.1 Authority**

Ontario Freedom of Information and Protection of Privacy Act (FFIPA) and Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

### **4.2 Compliance**

The Town's collection and storage of, and access to, information recorded from video surveillance shall conform to the published guidelines and specific direction as may be provided by the Information and Privacy Commissioner of Ontario (IPC) from time to time.

The Town is committed to upholding the standards of privacy established within MFIPPA. Town Staff are provided with the necessary training and the IPC is and shall be consulted on a regular basis to provide advice to staff with respect to the collection, use, disclosure, retention, and disposal of personal information.

If an individual feels that the Town or other institution has improperly collected, used, disclosed, retained, or disposed of their personal information, they have the right to make a [privacy complaint](#).

#### **4.3 Staff Roles and Responsibilities**

##### **Director Technology & Client Services**

The Director Technology & Client Services (TCS) shall be responsible for the implementation, administration and evaluation of the Town's Policy and associated Procedures.

The Director TCS shall also be responsible for ensuring that information obtained through video surveillance is used exclusively for lawful purposes.

The Director TCS is responsible for each Town owned or operated site with a video surveillance system and shall ensure that the site complies with this policy, as well as any site-specific policies that may be required. In particular, the Director TCS shall ensure that any staff with authorized access to the monitoring equipment and recorded information shall be trained in its use in accordance with this policy. Authorized staff shall sign a written confidentiality agreement regarding their duties under the Policy and the Acts. Breaches of the policy may result in disciplinary action.

#### **4.4 Contracted Services Providers**

##### **Agreements**

When the day-to-day operation of a municipally owned facility is contracted to an external service provider, this Video Surveillance Policy shall be referenced in their contractual agreement with the Town.

#### **4.5 Location and Use of Video Surveillance Equipment**

##### **Video Surveillance Cameras**

The Town shall install video surveillance cameras in identified public areas only where video surveillance is a necessary and viable detection or deterrence activity.

The Town may install visible and/or hidden video surveillance cameras, but the Town shall not install equipment inside areas where the public and employees have a higher expectation of

privacy (i.e., change rooms and washrooms).

Video surveillance records may not be used as the sole means of investigating employee work habits, incidents and/or behaviour.

#### Video Monitors

The Town shall ensure that video monitors are accessed only by authorized Town staff and are not located in a position that enables public viewing. The Town shall encourage sites to turn monitors off when not needed to ensure system is operating or to view video records.

#### Reception Equipment

The Town shall ensure that video reception equipment is located away from the public, in restricted access areas, preferably in locked rooms with controlled access.

#### Video Records

The Town shall ensure that the video records used to operate the video surveillance systems are stored in the same room as the reception equipment at all sites.

All records used in the recycling rotation, awaiting review by police, or in storage post police review, shall be stored in a secure area at all sites, with access restricted to authorized staff.

#### Location record

The Town shall ensure that maps and floor plans are prepared to identify the location of all video surveillance equipment at each of the respective sites. The Director TCS shall have copies of all maps and plans.

#### Hours of Operation

Video surveillance systems shall operate 24 hours per day, 7 days per week, 365 days per year, and personal information shall be accessed only in response to an incident.

### **4.6 Video Records**

#### Normal Retention Period

Since short retention periods minimize risk of improper use and disclosure, the Town shall ensure that there is a standard retention

period at all sites. The retention period for information that has not been viewed for law enforcement or public safety purposes shall be routinely erased at regular intervals.

#### Viewing Video Records

The Town shall ensure that authorized staff (including Contracted Service Providers) shall review surveillance video records only if they have reasonable cause to believe that a crime or an act of anti-social behaviour has been or is in the process of being committed.

#### Access Log

The Town shall provide an Access Logbook. The Access Log shall be maintained in the locked area with video records, with access restricted to authorized personnel only. The Access Log shall be used to record the date, time, purpose, and name of authorized staff person reviewing video records.

When a video record is viewed or removed for law enforcement purposes, the log entry shall include the date, time, name and contact information of the law enforcement officer.

The Access Log shall also be used to track requests for personal information including the date, time, name and contact information. Request shall be received through a prescribed form delivered to the Town Clerk. (see attached appendix 1)

#### Inadvertent Disclosures

The Town shall ensure that inadvertent disclosures are addressed in a timely and effective way. Any inadvertent disclosure shall be reported to the Director Legislative Services / Clerk; who will work with Technology & Client Services to retrieve the personal information that has been inappropriately disclosed and commence an investigation.

#### Video Records Set Aside for Law Enforcement Viewing

The Town shall ensure that video records requiring viewing by law enforcement be set aside in a clearly marked manner in the locked storage cabinet until retrieved by the law enforcement agency.

The Town shall ensure that if personal information on video record is used for law enforcement or public safety purposes under the Act, the recorded information shall be retained for one year after its use.

Following investigation and any corresponding legal action, the law enforcement agency shall be requested to return the video record to the original site for retention and disposal.

#### **4.7 Public Notification & Access to Information**

The Town shall ensure that the public is notified about the presence of video surveillance equipment by prominently posting signs at the perimeter of surveillance areas. Signs shall be of a consistent size and format and convey the following information: indicate video surveillance in use; identify legal authority for collection of personal information (section 28 (2) of MFIPPA); and provide title, address and telephone number of contact person who can answer questions about the system. (see appendix 2)

##### Other Promotion

The Town shall ensure that the information regarding this policy is readily available at all sites with video surveillance systems and on the Town's website.

##### Requests for Disclosure

The Town does not disclose a video record to any individual or organizations except as permitted through MFIPPA.

##### i) Law Enforcement

The Town may disclose a copy of a video recording to a law enforcement agency where there are reasonable grounds to believe that an unlawful activity has occurred and been captured by the video surveillance system in accordance with Section 32(g) of MFIPPA.

The law enforcement agency must submit their request for access to video surveillance in writing via email, correspondence, or in person to the Facility Supervisor or Manager unless there are reasonable and probable grounds to believe that the circumstances pose an immediate threat to the health or safety of an individual or others. Once approved, an electronic copy of the requested video evidence will be turned over to the law enforcement agency.

##### ii) Internal Requests

Town employees may request a Supervisor or Manager of a Town facility to investigate an incident using video surveillance records.

iii) Municipal Investigation or Claim Against the Municipality

In a municipal investigation or claim against the municipality, the Town employee or representative must submit their request for access to video surveillance in writing via email, correspondence, or in person to the Facility Supervisor or Manager.

Registered Town Facility Users, specifically Community Organizations, may have occasion to request access to video surveillance records of the Town in support of an incident investigation conducted by the organization or a governing body into the conduct of one or more members of their organization. Any registered Town Facility Users, specifically Community Organizations, may make a written request for access to video surveillance records through the Freedom of Information process. Consideration will be given to the prudent use of video footage in any investigations; particularly if the use is in support of the objectives of any Town policy.

If the matter becomes a law enforcement investigation, access to the video record may be provided to the law enforcement agency upon request (see (i) above).

iv) Members of the Public

Any person may make a request for access to video surveillance records through the Freedom of Information process. Access may depend on whether there is an unjustified invasion of another individual's privacy and whether any exempt information can be severed from the record.

If the matter becomes a law enforcement investigation, access to the video record may be provided to the law enforcement agency upon request (see (i) above).

If video containing personal information is improperly disclosed or is suspected to have been disclosed to an unauthorized person, the employee or service provider who is aware of the disclosure must immediately inform the appropriate Supervisor of the facility, who will immediately notify the Director of Legislative Services/Clerk (LS/C) or their delegated employees.

#### **4.8 Annual Audit and Evaluation**

The Director TCS and Director LS shall conduct an annual review of the Town's Video Surveillance Policy/System to ensure that:

- i) Video surveillance continues to be justified and if so, whether its use can be restricted;
- ii) Reported incidents and police contact are properly recorded in the log books;
- iii) Video records are being properly retained and/or destroyed; and
- iv) Any formal or informal information requests from the public have been tracked.

## **5.0 Policy Review**

The Town shall periodically review the Policy #118 Video Surveillance – Municipal Properties pending the outcome of the annual audit and evaluation or at any time the Town is considering changing or adding new video surveillance systems.

## **6.0 Related Documents**

- Technology Acceptable Use Policy # 9
- Electronic Monitoring of Employees #117





**Video Surveillance Record  
Law Enforcement Officer Request Form**

Use this form for the release of a video surveillance record to a law enforcement agency i.e. Ontario Provincial Police *Municipal Freedom of Information and Protection of Privacy Act, 32(g)*

TO: Town of Tecumseh  
ATTENTION: Town Clerk

I, \_\_\_\_\_, of the Ontario Provincial Police request a copy  
of Name of Police Officer (Print)

the following record(s) captured by video surveillance equipment located on:

\_\_\_\_\_ at \_\_\_\_\_  
Date time period

Property Description / Location / Civic Address

containing the personal information of \_\_\_\_\_  
Print Name(s) of Individual(s) if known

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

**For Office Use Only**

Date and time original record was copied: \_\_\_\_\_

Date and time record was provided to Police Officer: \_\_\_\_\_

Name of Town Staff providing record: \_\_\_\_\_

Signature of Town Staff providing record: \_\_\_\_\_

Send copy of this form to:

Freedom of Information Coordinator - Director Legislative Services/Clerk  
917 Lesperance Road, Tecumseh, ON N8N 1W9 519 735 2184 x116

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Badge/ID No

\_\_\_\_\_  
Date

This property is equipped with  
automated video surveillance



Town of Tecumseh

[info@tecumseh.ca](mailto:info@tecumseh.ca)

[www.tecumseh.ca](http://www.tecumseh.ca)

Personal information is being collected under the authority of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) (Section 28 (2)) for the purpose of protecting Town assets, employees, and the public.

Questions regarding personal information should be directed to:

Town of Tecumseh  
Town Clerk  
917 Lesperance Road  
Tecumseh, ON N8N 1W9  
519 735 2184

