

Corporate Policy and Procedure



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| Policy No. | 03-10-02 |
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| Effective Date | 2009 10 20 |
| Supersedes | 2006 12 13 |

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| TAB: | CORPORATE ADMINISTRATION |
| SECTION: | SECURITY |
| SUBJECT: | VIDEO SURVEILLANCE |

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| POLICY STATEMENT | The City of Mississauga may install video surveillance systems at any of its facilities. |
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| PURPOSE | <p>Video surveillance, when utilized with other security measures, is an effective means of ensuring the security and safety of City facilities, the individuals who use them, and the assets housed within them. However, the need to ensure security and safety must be balanced with an individual's right to privacy. The purpose of this policy is to establish guidelines which are intended to achieve this balance. Specifically, this policy addresses requirements and responsibilities with respect to:</p> <ul style="list-style-type: none">• the installation of video surveillance systems;• the operation of video surveillance systems;• the use of the information obtained through video surveillance systems; and• custody, control and access to records created through video surveillance systems. |
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LEGISLATED REQUIREMENTS

This policy reflects the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, as amended. Refer to Corporate Policy and Procedure – Freedom of Information and Protection of Privacy for general information regarding this Act.

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| SCOPE | This policy applies to all City facilities and to all employees, elected officials, patrons, visitors and tenants of City facilities. |
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In this policy:

- “Facility” means any building or land that is either owned or

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occupied by the City, including but not limited to parks, marinas, golf courses, and cemeteries.

- “Manager” means the Manager, Security and Operations, Facilities and Property Management Division, Corporate Services Department.
- “Protocol” refers to the Protocol for Accessing Video Surveillance Records in Board/City Shared Facilities, which sets down the governing rules and formalized process for the City and the Dufferin-Peel Catholic District School Board to follow when requesting access to each other’s video surveillance records.
- “Shared Facility” means a facility, typically consisting of a school, a branch of the Mississauga Library System, a community centre and common areas such as corridors and parking lots, shared by the Dufferin-Peel Catholic District School Board and the City, as set out in shared facilities agreements.
- “video surveillance system” or “System” refers to any system or device that enables continuous or periodic recording, observing or monitoring of facilities and/or individuals.

INSTALLATION OF VIDEO SURVEILLANCE SYSTEMS

The use of video surveillance systems to enhance security, and specific camera positions, will be determined on the basis of reasonable and justifiable grounds for the provision of safety and security.

Camera Location

Each proposed camera position will be assessed on a case-by-case basis to determine the effects the System may have on personal privacy. The City will take all reasonable steps to mitigate any adverse effects. No camera will be placed so that it views into an

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Signage

area where individuals have a greater expectation of privacy, such as washrooms, change rooms, or private buildings.

A sign will be installed in a clearly visible location at all facilities which are subject to surveillance. The sign will advise all persons entering the Facility that the Facility is under video surveillance, and will provide a contact for more information.

Approval

All locations for Systems and cameras, and all signs, require the approval of the Director, Facilities and Property Management.

OPERATION OF VIDEO SURVEILLANCE SYSTEMS

The Manager is authorized to designate persons to operate video surveillance systems. The Manager will maintain a list of all persons designated, and only those who have been designated may be permitted to operate the Systems.

The Manager is responsible for establishing an appropriate training program for the operation of the equipment, including operator responsibilities with respect to protection of privacy and confidentiality, and for ensuring that all System operators are trained appropriately.

USE OF INFORMATION COLLECTED

The information collected through video surveillance is used only:

- to assess the effectiveness of safety and security measures taken at a particular Facility;
- to investigate an incident involving the safety or security of people, facilities, or assets;
- to provide law enforcement agencies with evidence related to an incident under police investigation;
- to provide evidence as required to protect the City's legal rights;
- to respond to a request for information under the *Municipal Freedom of Information and Protection of Privacy Act*;

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- to investigate an incident or allegation of serious employee misconduct; or
- to investigate an incident involving an insurance claim.

RECORDS MANAGEMENT

The information collected through video surveillance is retained in accordance with System requirements (e.g. tapes may be routinely re-written). A record will be created from the information collected only for the purposes of conducting or aiding in an investigation pertaining to a safety or security issue, or where required by law. No other records will be created or retained.

The Manager is responsible for determining when a record will be created.

CUSTODY

Corporate Security maintains custody of all records created by video surveillance systems. Records will be retained for the period specified in the City of Mississauga's Records Retention By-law.

The Manager is responsible for ensuring the security of any records, from creation through to final disposition.

ACCESS

Access Restrictions

In accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, as amended, access to the records created by video surveillance systems is restricted. Access is limited to:

- individuals responsible for the operation or administration of the System;
- individuals who have a legitimate need to access the information for one of the purposes listed in the "Use of Information Collected" section of this policy; and
- individuals whose request for access under the *Municipal*

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Freedom of Information and Protection of Privacy Act, as amended, has been granted.

When used in this policy, “access” means any of the following:

- Security staff may provide a summary of the information collected;
- the tape may be viewed, in the presence of Security staff; or
- if required by police or in relation to litigation, a copy of the record may be provided.

Access Procedures – City Facilities

Only those having a legitimate need to view the record will be given access.

An access request form must be completed and submitted to the Manager. For all requests related to investigations of serious employee misconduct, the request form must be authorized by the Director of Human Resources. For all requests related to investigations of insurance claims, the request form must be authorized by the Director of Finance. In all other cases, the Manager will determine whether access can be provided. In making a determination, the Manager may consult with Legal Services and/or the City’s Freedom of Information Co-ordinator.

When access to a record is given, the following information will be logged for audit purposes:

- the date and time at which the access was allowed or the date on which disclosure was made;
- the identification of the party who was allowed access or to whom disclosure was made;
- the reason for allowing access or disclosure;
- the extent of the information to which access was allowed or which was disclosed; and
- provisions for the return of the record or its destruction.

Anyone who is authorized to have access to any record created

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through video surveillance systems will be required to sign a written agreement regarding his or her duties, obligations, and responsibilities with respect to the use and disclosure of the record.

Access Procedures – Shared Facilities

Requests from either the City or the Dufferin-Peel Catholic District School Board for access to any record created through a video surveillance system in a Shared Facility must be carried out in accordance with the Protocol. A formal access request to view records must be made on the forms included as Appendix 1 and Appendix 2 of the Protocol. The Protocol and forms are located on Inside Mississauga on the Corporate Policies and Procedures website, Corporate Administration, Security.

Unauthorized Disclosure

Any City of Mississauga employee having knowledge of an unauthorized disclosure of a record must immediately inform the Manager of the breach. The Manager will inform the Freedom of Information Co-ordinator, and together they will take all reasonable actions to recover the record and limit the record's exposure.

Any unauthorized disclosure of information is cause for disciplinary action up to and including termination of employment.

REFERENCE:

GC-0616-2006 – 2006 12 13
2009 10 20 – Administrative revision to reference the shared facilities Protocol

LAST REVIEW DATE:

May, 2011

CONTACT:

For more information related to video surveillance systems, contact Corporate Security, Facilities and Property Management, Corporate Services Department.

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For more information related to the *Municipal Freedom of Information and Protection of Privacy Act*, contact Corporate Records, Office of the Clerk, Corporate Services Department.