

Policy Title: Video Surveillance

Policy Number: 03-10-02

Section:	Corporate Administration	Subsection:	Security
Effective Date:	June 2, 2021	Last Review Date:	May 2021
Approved by: Council		Owner Division/Contact: Security Services, Facilities and Property Management Division, Corporate Services Department	

Policy Statement

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.

Purpose

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:

- 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, access to and retention of Records created through Video Surveillance Systems

Legislated Requirements

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

Scope

This policy applies to all Video Surveillance Systems installed in all City of Mississauga Facilities.

For information on video/audio surveillance on Mississauga Transit buses refer to Corporate Policy and Procedure – Mississauga Transit Video/Audio Surveillance.

For information on cameras within the municipal road allowance refer to Corporate Policy and Procedure – Closed Circuit Television (CCTV) Traffic Monitoring Cameras within Municipal Road Allowances.

Definitions

For the purposes of this policy:

“City” means the Corporation of the City of Mississauga.

“Director” means the Director, Facilities and Property Management Division, Corporate Services Department.

“Facility” means any building, property or land that is either owned or occupied by the City, including but not limited to parks, marinas, golf courses and cemeteries.

“Manager” means the Manager, Risk and Operations, Security Services, Facilities and Property Management Division, Corporate Services Department or their designate.

“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.

“Record” means recorded information in any format or medium that documents the City’s business activities, rights, obligations or responsibilities or recorded information that was created, received, distributed or maintained by the City’s staff in compliance with a legal obligation.

“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.

Administration

This policy is administered by Crime Prevention and Security Operations, Security Services, Facilities and Property Management Division, Corporate Services Department, in consultation with the Director.

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. Security Services will oversee the installation of Video Surveillance Systems on all City Facilities. Information on the existence, operation and use of Video Surveillance Systems on or in any City Facility will be made available to the public.

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

Signage

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, cameras and all signs, require the approval of the Director.

Accountability

Departmental Directors

All departmental directors are accountable for:

- Ensuring all applicable managers/supervisors are aware of this policy and of any subsequent revisions, and
- Ensuring compliance with this policy

Manager, Crime Prevention, Security Services

The Manager, Crime Prevention is responsible for:

- Maintaining and reviewing protocols for the installation, operation and use of Video Surveillance Systems used on or in any City Facility
- Maintaining custody, control, access to and retention of all Records
- Ensuring that all proposed changes to the existing System and newly proposed Systems meet the requirements of this policy, as well as other City policies and by-laws, prior to implementation
- Establishing appropriate training for the operation of the equipment, including responsibilities with respect to protection of privacy and confidentiality
- Designating persons to operate Video Surveillance Systems and maintaining a list of all persons designated, and
- Authorizing access to System Records in accordance with the Access section of this policy

Managers/Supervisors

Managers/supervisors with staff who are responsible for the installation, operation and use of Systems and/or the custody, control, access to or retention of System Records are accountable for:

- Ensuring staff in their respective work units are aware of this policy and any related protocols, as well as any subsequent revisions
- Ensuring applicable staff are trained on this policy and any related protocols, as well as any subsequent revisions, with respect to their specific job function, and
- Ensuring staff comply with this policy and follow any related protocols

Employees

Applicable employees are responsible for:

- Reviewing this policy and/or attending training related to this policy, as required
- Complying with this policy in performing their duties and functions related to the operation of the Systems
- Refraining from accessing or using the information contained in the Systems, its components, files, or databases for personal reasons, or destroying, erasing or altering any Record without proper authorization
- Protecting the privacy of individuals with respect to personal information under MFIPPA, and
- Immediately reporting any activity that relates to the use of information collected, as outlined below

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 investigation
- To provide evidence as required to protect the City's legal rights
- To respond to a request for information under MFIPPA
- To investigate a critical bodily injury, as defined by and reported to, the Ministry of Labour
- To investigate an incident or allegation of serious employee misconduct
- To aid in the investigation of an existing or potential insurance claim filed against the City
- To aid Security Services in the investigation of acts of vandalism or suspicious activity at City Facilities, or
- As required by law

Records Management

The information collected through video surveillance is the and is retained in accordance with System requirements (i. e. recorded information will be routinely over-written). A Record can be created by Security Services as requested or required for the reasons outlined in the Use of Information Collected section of this policy, provided the requested information has not already

been over-written. Such Records will be retained for the period specified in the City of Mississauga's Records Retention By-law 0097-2017, as amended. No other Records will be created or retained.

The Manager is responsible for determining when a Record will be created and for ensuring the security of any Records, from creation through to final disposition.

Access to System Records

Access Restrictions

In accordance with MFIPPA, 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 MFIPPA, as amended, has been granted

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

- Security Services may provide a summary of the information collected, or
- The recorded information may be viewed in the presence of authorized Security Services staff, or
- A Record may be created and disclosed in accordance with the Use of Information Collected section of this policy

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. 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 Access and Privacy Officer.

When access to and/or disclosure of 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 expiry of the Record

Anyone who is authorized to have access to any Record created through Video Surveillance Systems will be required to sign a written agreement regarding their 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 unauthorized disclosure or a privacy breach of a Record must immediately inform the Manager of the breach. The Manager will inform the Access and Privacy Officer and together they will take all reasonable actions to recover the Record and limit the Record's exposure.

Compliance

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

Revision History

Reference	Description
GC-0616-2006 – 2006 12 13	
October 20, 2009	Administrative revision to reference the shared facilities Protocol
June 2, 2021	Scheduled review. Revised to reflect current practices.