



CCTV MONITORING POLICY

SUB CATEGORY: Administration and Management

POLICY GOAL

To clearly outline the purpose, use and access to CCTV recordings in accordance with relevant laws and the CCTV Code of Ethics.

RATIONALE

We believe that the safety of employees and children in the centre is of paramount importance. In order to provide this our premises operates Close Circuit Television Systems (CCTV) in some locations. The CCTV surveillance and any monitoring are used for the purposes of:

- Ensuring the safety of the Centre, including its employees, children, visitors, volunteers, students, contractors, and members of the public;
- Prevention of crime, theft and vandalism;
- Ability to investigate and report on incidents where surveillance provides supporting evidence;

This policy outlines the reason for surveillance systems and monitoring within the College, specifically within the Early Learning areas (licensed spaces), how monitoring will be conducted and by whom, and in what instances footage may be accessed and by whom, and in which instances surveillance footage may need to be reviewed or provided to a third party, such as a subpoena by a Court of Law or for official police investigation.

CCTV can be monitored in three ways:

- *Active.* An employee constantly watching images in real-time. This method is not usually used in our setting.
- *Passive.* An employee merely monitors a small number of television screens showing a selection of available CCTV footage (often in conjunction with, or incidental to, other duties). This method is not usually used in our setting.
- *Recording.* CCTV systems may record images whether they are monitored or not. Such records may be accessed and used for investigative or evidentiary purposes. Images are only held for a short period of time.

CCTV Code of Ethics

- *“CCTV is focused on providing an extra “set of eyes”, particularly where hazards or difficulties apply to continual personal monitoring. These difficulties may relate to access constraints, environmental constraints or cost constraints.*
- *The primary objective of deployment of CCTV equipment should be to:*
 - *Act as a deterrent against criminal activity or unruly activities*
 - *Provide assurance, security and safety to people occupying the spaces covered*
 - *To maximise the deterrent value, and consistent with privacy requirements, camera usage should be notified in public areas*
- *Staff should be informed of any use within their work areas.*

- *CCTV systems should not normally be utilised purely for staff monitoring and surveillance.*
- *No CCTV camera should be deployed within toilet and change room facilities.*
- *The use of CCTV cameras is to add value to the environment in which it is utilised. To this end, the net value of its use must outweigh the constraints or restrictions it imposes.”¹*

Procedures for use of CCTV systems must also be in accordance with the requirements of the *Privacy Act 1988* (Commonwealth).

CCTV systems are used to monitor and record images necessary for the safety and security of the Centre employees and assets and for the safety and security of members of the public. Recorded images are retained and used only in accordance with the purpose for which the CCTV system was installed unless they are subject to State or Federal laws that may require these records to be used as evidence in legal proceedings or otherwise in accordance with the provisions of this policy.

CCTV systems will not operate in private areas such as toilets or change rooms and should be used in accordance with the *Privacy Act 1988*. Optical surveillance may only be carried out where the device used for the surveillance is clearly visible in the workplace and where there is clear signage at the entrance to the workplace advising that surveillance is in place.

IMPLEMENTATION

The Approved Provider, as the owner/operator of the service is responsible for ensuring that CCTV installation and use is compliant with relevant Commonwealth, State and Territory law and Local Government bylaws at all times.

INSTALLATION AND MAINTENANCE

Approved Providers and Nominated Supervisors should ensure that;

- Cameras are only installed in accordance with relevant commonwealth, state and territory laws.
- CCTV cameras and storing devices are well maintained and checked for operational use on a regular basis as per manufacturer instructions.
- CCTV cameras are clearly visible and not concealed in any way.

COMMUNICATION OF CCTV PRESENCE

It is the responsibility of the Nominated Supervisor to ensure that reasonable steps are taken to notify those entering and using the service of the use of CCTV, this includes:

- Notifying families upon enrolment
- Notifying employees upon employment
- Erecting signage at clearly visible locations to notify visitors
- Ensuring that cameras are in clear view and not hidden in any way

WHO MAY BE THE SUBJECT OF OPTICAL SURVEILLANCE?

Optical surveillance is applied to the centre employees and members of the public. This includes, but is not limited to, employees of the Centre, contractors engaged by the Centre and clients of the Centre including children, families, authorised collectors, volunteers and students.

LOCATION OF CAMERAS FOR USE

Approved Providers and Nominated Supervisors should ensure that;

¹ “CCTV Code of Ethics” ASIAL, Australian Security Industry Association Limited website (accessed March 2020) <https://www.asial.com.au/resources/standards-codes-and-guidelines/cctv-code-of-ethics>

- The location of cameras is such to maintain the dignity of those at the service and provide coverage to meet the purpose of the system. Cameras may be present in the following locations:
 - Foyer and office areas
 - Administrative spaces
 - Children's outdoor play spaces
 - Carparks
- Cameras are not placed in or able to reach the following locations:
 - Toilets
 - Change rooms
 - Bathrooms and showers
 - Breastfeeding locations (where possible the location of the CCTV camera's should be brought to the attention of breastfeeding users)
 - Areas put aside for prayer

STORAGE OF IMAGES

Imagery recording systems (recorders and storage devices) should be in lockable enclosures to protect against unauthorised access or vandalism. CCTV monitoring should be in secure locations where they are unlikely to suffer from criminal attack or unauthorised access. Computers able to access images must be password protected. Access should only be provided to the Approved Provider, Nominated Supervisor and other members of the senior management team. A record of those authorised to access the images must be maintained and approved by the owner, refer to the CCTV Authorised User Register Form.

USE OF IMAGE

- CCTV systems would not normally be utilised purely for staff monitoring and surveillance. This may occur where there is a reason for temporary monitoring for an identified cause.
- Where an incident has occurred, or an allegation is made, an authorised person at the service may review recorded CCTV to find out what happened and who was involved. This may include views before, during and after the incident with enough detail to recognise those present, and what happened including events leading up to and immediately after the event.
- Images will only be released to a third party when requested in writing for an official reason such as a subpoena by a Court of Law or for an official police investigation.
- Any images requested to be viewed by a staff member, family or visitor will only be shared when:
 - It is requested in writing and approved by the Approved Provider
 - It involves that person or his/her child directly
 - It is viewed at the service in the presence of an authorised person
- Due to the inclusion of other persons in images recorded, these will not be released unless requested in a subpoena by a Court of Law or for an official police investigation.
- The Nominated Supervisor or Approved Provider will respond within a reasonable timeframe to any request, with consideration to the length of time the image is stored for.
- It is recommended to have at least 2 authorised persons present when images are accessed.

The Centre may rely on optical surveillance to investigate alleged breaches of the Centre policies, laws, regulations and standards. Any such investigation will be carried out in accordance with the principles of natural justice and procedural fairness. For any breaches of policy, the centre reserves the right to exercise disciplinary/corrective action, or for serious misconduct, including theft, may result in immediate termination of employment. Refer to the Disciplines and Procedures Policy.

COMMUNICATION AND CONSULTATION

- Educators and families will have access to this policy at all times.
- Educators and families will be provided with opportunities to be involved in the review of this policy.
- Educators and Families will be advised of this policy during the induction process

RELATED FORMS AND DOCUMENTS

- Induction Checklist
- Privacy and Confidentiality Policy
- Staff and Parent Handbooks
- CCTV Authorised User Register Form.

SCOPE AND ENFORCEMENT

This policy applies to all employees, students, volunteers, parents, visitors, contractors who conduct work for, or with the centre. The failure of any person to comply with this policy in its entirety may lead to;

- Performance management of an employee which may lead to termination
- Termination of child enrolment

RECOGNISED AUTHORITIES AND DOCUMENTS WHICH GUIDE POLICY

- Surveillance Devices Act 1999
- ASIAL, Australian Security Industry Association Limited website (accessed March 2020) <https://www.asial.com.au/>
- “Childcare Centre Safety” John Fleming, General Manager, Australian Security Industry Association Limited (accessed on-line March 2020) <https://www.asial.com.au/documents/item/632>
- “CCTV Code of Ethics” ASIAL, Australian Security Industry Association Limited website (accessed March 2020) <https://www.asial.com.au/resources/standards-codes-and-guidelines/cctv-code-of-ethics>

DATE CREATED: October 2017

REVIEW DETAILS:

Review Date	Details of Changes
April 2018	No changes to content, sources checked and date of access refreshed
Feb 2019	No changes to content, sources updated
March 2020	No changes to content, sources updated