

DATE OF MEETING JULY 26, 2021

AUTHORED BY MEGAN WAGGONER, RECORDS/INFORMATION & PRIVACY  
COORDINATOR

SUBJECT VIDEO SURVEILLANCE OF CIVIC PROPERTY POLICY

## **OVERVIEW**

### **Purpose of Report**

To introduce a new “Video Surveillance of Civic Property Policy” for Council’s consideration.

### **Recommendation**

That Council repeal Council Policy COU-178 - “Video Surveillance of Civic Property Policy”, dated 2008-MAY-26, and replace it with COU-223 - “Video Surveillance of Civic Property Policy” as attached to the 2021-JUL-26 report by the Records/Information & Privacy Coordinator.

## **BACKGROUND**

The “Video Surveillance of Civic Property Policy” was established in 2008 to provide guidelines for the use of video surveillance to enhance security and safety in, on, or near facilities owned or occupied by the City and used by the public.

Staff have been conducting policy reviews to update and format all City policies for consistency and to ensure concurrence with relevant legislation. As part of this review, the “Video Surveillance of Civic Property Policy” has been considered and staff are recommending it be replaced with a new version to ensure the policy meets current privacy standards and responsibilities.

## **DISCUSSION**

Some notable changes found in the new “Video Surveillance of Civic Property Policy” are:

- A privacy impact assessment (PIA) must be conducted prior to the expansion or installation of cameras in new locations
- Access and security measures have been updated to better align with the “City of Nanaimo Privacy Policy” and the *Freedom of Information and Protection of Privacy Act (FOIPPA)*
- Clarification has been provided regarding the use/access to video surveillance information
- Updated responsibilities regarding auditing, collection, compliance and retention requirements

The new policy now includes a requirement that before implementing a new surveillance system, or expanding an existing system, a PIA must be completed and the reason for introducing and/or expanding the video must be clearly articulated. Existing video surveillance systems may have components repaired and replaced providing their location, viewing angle and quality are not changing.

Responsibility for the video surveillance program in the new policy rests with the Chief Administrative Officer (CAO), Director of Information Technology, Freedom of Information Head and the Records/Information & Privacy Coordinator. This reduces the number of people with access to video surveillance information. Detailed logs of access and use of recording equipment must be maintained at all times by authorized staff.

In the event of an incident Information Technology and/or Bylaw staff will access equipment to assist with extraction of the necessary data. RCMP may access data necessary to investigate a law enforcement matter by submitting an RCMP Records Release Form. Video surveillance is not to be used to supervise staff performance, or verify staff attendance, and video surveillance data or videotapes may not be publicly viewed or distributed in any fashion.

The new policy considers requirements such as the location of cameras and reduces the retention timeframe for recorded data from four weeks to two weeks before it is automatically deleted. |

## **OPTIONS**

1. That Council repeal Council Policy COU-178 - "Video Surveillance of Civic Property Policy", dated 2008-MAY-26, and replace it with COU-223 - "Video Surveillance of Civic Property Policy" as attached to the 2021-JUL-26 report by the Records/Information & Privacy Coordinator.
  - This option would realign the "Video Surveillance of Civic Property Policy" with the "City of Nanaimo Privacy Policy" and *FOIPPA* legislation while also providing clarity to Staff regarding who can access data and for what purposes.
  - No disadvantages or financial implications have been noted for this option.
2. That Council take no action and retain the existing "Video Surveillance of Civic Property Policy", dated 2008-MAY-26.
  - If Council chooses to take no action the current "Video Surveillance of Civic Property Policy" remains inconsistent with requirements of *FOIPPA* and the "City of Nanaimo Privacy Policy".
  - There are no financial implications noted for this option.
3. That Council provide alternate direction to staff.
  - Should Council wish to make further amendments to the policy, direction from Council would be sought and a future report to highlight any implications would be required. |

### **SUMMARY POINTS**

- Staff are recommending that Council adopt a new “Video Surveillance of Civic Property Policy”.
- Updating the “Video Surveillance of Civic Property Policy” will ensure the policy aligns with the “City of Nanaimo Privacy Policy” and *FOIPPA*.
- The updated policy requires a PIA for any new or changing video surveillance cameras, reduces the number of people authorized to access data and updates auditing, collection, compliance and retention requirements.

### **ATTACHMENTS:**

Attachment A – Draft Video Surveillance of Civic Property Policy |

#### **Submitted by:**

Sheila Gurrie  
Director, Legislative Services

#### **Concurrence by:**

Brian Mackay  
| Director, Information Technology|