

# Video Surveillance Systems Policy

Policy name	Video Surveillance Systems Policy
Policy number	Arbour Village Co-operative Homes Inc.
Date developed	
Date reviewed or revised	November 21, 2013
References	<i>Municipal Freedom of Information and Protection of Privacy Act</i> <i>Freedom of Information and Protection of Privacy Act</i> <i>Personal Information Protection and Electronic Documents Act</i> <i>Housing Services Act, 2011</i> <i>Contract Clauses</i> <i>Notification of Video Surveillance</i> <i>Record Keeping Log – Destruction of Video Surveillance</i> <i>Release of Personal Information</i>
Also see	<i>Security Policy</i> <i>Privacy and Confidentiality Policy</i>

## Policy statement

Video security surveillance systems are used by the Arbour Village Co-operative Homes Inc. at selected sites within the management jurisdiction of Arbour Village Co-operative Homes Inc. for the purpose of increasing the safety and security of tenants, staff and members of the public, to protect public safety, our corporate assets and property and to detect and deter criminal activity and vandalism.

## Purpose and scope

### **Purpose**

It is the policy of Arbour Village Co-operative Homes Inc. to utilize video surveillance as necessary in accordance with this Corporate Policy - Video Surveillance Systems (the "policy"). Video security surveillance systems are a resource used by the Arbour Village Co-operative Homes Inc. at selected sites within the management jurisdiction of Arbour Village Co-operative Homes Inc. for the purpose of increasing the safety and security of tenants, staff and members of the public, to protect public safety, our corporate assets and property and to detect and deter criminal activity and vandalism.

Arbour Village Co-operative Homes Inc. is authorized to conduct video surveillance under Section 28(2) of the *Municipal Freedom of Information and Protection of Privacy Act* (MFOIPPA) or Section 38(2) of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), as applicable. The Arbour Village Co-operative Homes Inc. recognizes that video surveillance technology has the potential for infringing upon an individual's right to privacy and although video surveillance technology may be required for legitimate operational purposes; its use must be in accordance with the provisions of MFOIPPA or FOIPPA, as applicable, and any other applicable privacy laws.

This policy does not require or guarantee that a camera or recording equipment will be recording or monitored in real time at all times.

[Note to housing provider: please note that this policy does not permit the use of covert surveillance.]

### **Scope**

This policy applies to all employees of the Arbour Village Co-operative Homes Inc. involved in the operation of this video surveillance program. These employees have been trained on this policy and their statutory obligations in performing their duties

and functions related to the operation of the video surveillance system and the [non-profit's] video surveillance program.

Arbour Village Co-operative Homes Inc. employees may be subject to discipline if they breach this policy or applicable privacy laws.

## Definitions

### **designated staff**

The staff person(s) or department who has been designated to complete a particular action or requirement.

### **personal information**

Information as collected by the Arbour Village Co-operative Homes Inc. pursuant to this policy means recorded information about an identifiable individual, including, but not limited to, information relating to an individual's race, colour, national or ethnic origin, sex, age. If a video surveillance system displays such characteristics of an identifiable individual or the activities in which he or she is engaged, its contents will be considered "personal information."

## Procedure

### **Collection, use and disclosure**

Personal information collected by Arbour Village Co-operative Homes Inc. pursuant to this policy will be recorded and will only be used for the purposes set out herein, or as may otherwise be permitted or required by law. For example, personal information may be disclosed to the police or other law enforcement agencies in Canada to aid an investigation. In the event of a reported or observed incident, the review of recorded information may be used to assist in the investigation of the incident.

Disclosure of storage devices should be made to authorities only upon the presentation by the authorities of a warrant or court order for the same and upon completion of a Release of Personal Information form setting out the name of the individual(s) who took the storage device, under what legal authority, the date and whether the storage device will be returned or destroyed after its use by the authorities.

Storage devices containing personal information may be shared with third party service providers who have a need to access such information and only upon them entering into an agreement to keep such information confidential and handling the personal information in accordance with the terms of this policy and applicable law.

### **Protecting personal information**

Personal information collected by the Arbour Village Co-operative Homes Inc. is protected to avoid unauthorized access. Access to the storage devices where recorded personal information is retained is only permitted by personnel authorized in accordance with this policy. Systems are password protected.

### **Access**

The personal information recorded by video surveillance is subject to freedom of information and privacy laws. Individuals have the right to access the personal information the non-profit's hold relating to them, including on video recordings. Individuals may request access by contacting the President. Requests for access may be denied in certain circumstances as set out in MFOIPPA and FOIPPA, including where disclosure would interfere with a law enforcement matter or investigation or unjustifiably invade another person's privacy.

[Note to housing providers: when disclosing recordings to individuals who are in them, information about any other identifiable individuals must not be shown. This could be done through using technology to hide identity on the video.]

### **Retention**

Personal information will only be retained as long as necessary to fulfill the purposes for which it was collected pursuant to this policy, or as otherwise permitted or required by law.

Personal information that has not been viewed for law enforcement or public safety purposes should be erased no more than 72 hours after recording. This information will be detailed in the *Record Keeping Log – Destruction of Video Surveillance*.

Personal information that has been viewed for law enforcement and public safety purposes must be retained for a certain period thereafter (the requirement is one year in

accordance with Section 5 of Ontario Regulation 823 under MFOIPPA unless a shorter retention period is specified bylaw).

## **Disposal**

Old storage devices/computer equipment will be securely disposed of in a way that the personal information cannot be reconstructed or retrieved. They may include shredding, burning, magnetically erasing or deleting files/personal information using third party software from the hard drive. Several holes will be drilled into the hard drive to make the device unreadable as per the *Security Policy*.

Written disposal records [*Record Keeping Log – Destruction of Video Surveillance*] will be maintained detailing the date and time and the method used to dispose of each storage device.

## **Breach**

In the event of a collection, use, disclosure or retention in violation of applicable privacy laws, the Arbour Village Co-operative Homes Inc. will comply with all recommendations of the Office of the Information and Privacy Commissioner of Ontario in responding to breaches. The general manager will respond to any inadvertent disclosures of personal information. Any breach of the Acts will be reported to the board of directors.

## **Training**

This policy and any related processes or guidelines must be incorporated into training and orientation programs of the Arbour Village Co-operative Homes Inc.. Training programs addressing staff obligations under the relevant legislation shall be conducted as necessary.

Arbour Village Co-operative Homes Inc. staff and service providers are required to review and comply with this policy and applicable privacy laws in performing their obligations related to the video surveillance system.

Arbour Village Co-operative Homes Inc. staff that violates this policy or applicable privacy laws may be subject to discipline.

## **Designated responsibilities**

The Arbour Village Co-operative Homes Inc. will maintain control of and responsibility for the video surveillance system on its premises at all times.

The Arbour Village Co-operative Homes Inc.'s Manager is responsible for the Arbour Village Co-operative Homes Inc.'s compliance with applicable privacy laws and this policy.

The Arbour Village Co-operative Homes Inc. **designated staff or designated Board Members** are responsible for ensuring the establishment of procedures for video surveillance equipment, in accordance with this policy and any legal requirements.

The Arbour Village Co-operative Homes Inc. **Manager of technical services** is further responsible for the life-cycle management of authorized video security surveillance systems, specifications, equipment standards, installation, maintenance, replacement, disposal and related requirements (e.g. signage), including:

- documenting the reason for implementation of a video surveillance system at the designated area
- maintaining a policy regarding the locations of the reception equipment
- maintaining a list of personnel who are authorized to operate the systems and access any recordings, including the circumstances under which access is permitted. Logs must be kept of any access to such recordings
- maintaining a record of the times when video surveillance will be in effect
- assigning a person responsible for the day-to-day operation of the system in accordance with policies, procedures and direction/guidance that may be issued from time-to-time

## **Installation and placement**

When using video surveillance equipment, the Arbour Village Co-operative Homes Inc. will comply with the following:

- The use of each video surveillance camera should be justified on the basis of verifiable, specific reports of incidents of crime or significant safety concerns or for crime prevention. Video cameras should only be installed in identified

public areas where video surveillance is a necessary to protect public safety, corporate assets and property, including detecting and deterring criminal activity and vandalism.

- Privacy intrusion should be minimized to that which is absolutely necessary to achieve the Arbour Village Co-operative Homes Inc.'s required, lawful goals.
- Equipment to monitor video surveillance will be installed in a strictly controlled access area. Only personnel authorized under this policy may access to the access area and the equipment. Monitors showing personal information captured by the video surveillance equipment will not be located in a way that that enables the public to view it.
- Equipment will be installed in such a way that it only monitors those spaces that have been identified as requiring video surveillance. Video surveillance equipment will never monitor the inside of areas where the public or employees have a higher expectation of privacy such as change rooms and washrooms. Equipment should not be focused on individuals' doors or through windows or through windows of neighbouring buildings.
- Adjustment of the camera position will be restricted, if possible, to ensure only designated areas are being monitored.

### **Service providers**

The Arbour Village Co-operative Homes Inc. will ensure that any agreements between Arbour Village Co-operative Homes Inc. and its service providers state that records under the video surveillance program remain under the Arbour Village Co-operative Homes Inc.'s control and subject to applicable privacy laws.

Violation of this policy or applicable privacy laws by service providers will be considered a breach of the contract.

Agreements with service providers should ensure that employees of service providers sign written confidentiality agreements, including complying with this policy and applicable privacy laws in respect of personal information collected under the video surveillance program.

## Audit of surveillance policy and practices

Arbour Village Co-operative Homes Inc. will ensure that the use and security of its video surveillance program and equipment is subject to regular audits, at least once a year, to address compliance with this policy and applicable laws. The audit will also include a review of whether ongoing video surveillance is justified based on the requirements set out in this policy. Any deficiencies or concerns identified by the audit will be addressed immediately.

Arbour Village Co-operative Homes Inc. staff and service providers will be made aware that their activities are subject to the audit and that they may be called upon to justify their surveillance.

Any questions or concerns related to the Arbour Village Co-operative Homes Inc.'s handling of personal information collected through video surveillance can be directed to:

**Mr. Ken Goka**  
178 King Street, Welland, Suite C  
905-788-0166 x 216

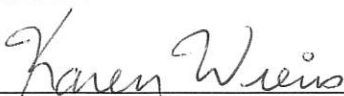
## Notification

The public must be notified of the existence of video surveillance equipment by clearly written signs prominently displayed at the entrances, exterior walls, and interior of buildings and/or perimeter of the video surveillance areas. Signage must inform individuals of the legal authority for the collection of personal information; the principal purpose(s) for which the personal information is intended to be used and the title, business address and telephone number of the appropriate contact [**privacy officer**] at the Arbour Village Co-operative Homes Inc. in order to answer questions about its personal information management practices [see *Sample Notification of Video Surveillance*].

PASSED by the Board of Directors on the <sup>28</sup>..... day of <sup>November</sup>....., 2013.

CONFIRMED at a general meeting of the Members of the <sup>12<sup>th</sup></sup>..... day of <sup>December</sup> 2013.

  
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President

  
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Secretary