

1. Heads of Power

Local Government Act 2009 (Qld)
Local Government Regulation 2012 (Qld)
Public Records Act 2002 (Qld)
Right to Information Act 2009 (Qld)
Information Privacy Act 2009 (Qld)
Privacy Act 1988 (Cth)

2. Intent

This policy establishes a framework for the management, operation, and use of all surveillance devices including fixed Closed-Circuit Television (**CCTV**), body-worn cameras, and vehicle-mounted dash cameras by Aurukun Shire Council (**Council**) to enhance safety, security, and accountability while ensuring compliance with applicable privacy and public records obligations. Where relevant, it incorporates arrangements made under the Memorandum of Understanding dated 24 April 2017 (**MOU**) with the Queensland Police Service (**QPS**), particularly concerning the operation and sharing of data from CCTV systems.

3. Scope

This policy applies to all CCTV systems, body cams, and dash cams operated by or on behalf of Council within Council-owned properties, public spaces, or vehicles. It applies to all Council employees, contractors, and other parties handling or accessing recorded footage.

4. Definitions

CCTV: Fixed or portable cameras used to monitor public spaces or Council properties.

Community Police Officer: As defined in the MOU.

Body Cam: Wearable recording devices used by authorised personnel to document interactions during their duties.

Dash Cam: Video cameras mounted in vehicles to record activities during Council operations.

Employee: A local government employee as defined in the *Local Government Act 2009 (Qld)*.

Officer in Charge: The Officer responsible for the Aurukun Police Station under the MOU.

QPS Member: A member of the Queensland Police Services as per the *Police Service Administration Act 1990 (Qld)*.

5. Policy Statement

Council is committed to ensuring the secure and lawful use of surveillance technology. This policy reflects not only the internal Council processes but also provisions under the MOU with QPS. Coordination with QPS ensure that data collection, management and share comply with privacy laws will supporting law enforcement activities. The following key principles apply:

5.1. Lawful Purpose:

All footage will be collected for lawful purposes, including but not limited to:

- Enhancing public and employee safety.
- Deterring and investigating criminal or anti-social behaviour.
- Protecting Council assets.
- Supporting law enforcement activities.

- Investigating workplace incidents or complaints.

5.2. Privacy Protections:

- Council will respect individual privacy rights and take measures to avoid excessive surveillance.
- Signage will be placed where fixed CCTV systems operate unless covert monitoring is justified by law.
- Body cams will only be used during work-related interactions, with personnel trained in their use and privacy implications.
- Dash cams will primarily capture footage of public roads and Council operations, ensuring minimal intrusion on private property.

5.3. Authorised Access:

- Only authorised personnel may access or manage recordings.
- Footage may be shared with law enforcement agencies or in response to formal access requests under privacy and information laws.

5.4. Real-Time Monitoring:

- Where necessary, CCTV and dash cam systems may be monitored in real time to prevent or respond to incidents.

6. Retention and Destruction of Recordings

Retention Period: Recordings will be retained for a minimum of 21 days and a maximum of 60 days unless required for legal or investigative purposes.

Extended Retention: Recordings related to incidents, complaints, or legal investigations will be preserved as necessary.

Destruction: Recordings no longer required will be securely deleted to prevent unauthorised access or misuse.

Footage related to law enforcement activities involving QPS will be retained as specified under the MOU and in alignment with Chapter 4 of the QPS Operational Procedures Manual.

QPS-Specific Preservation: If footage is relevant to an ongoing investigation or legal proceeding, it will be preserved beyond the standard retention period until QPS authorises its release or deletion.

7. Disclosure of Recordings

Law Enforcement Requests: Footage will be disclosed to law enforcement agencies if it is reasonably necessary for a law enforcement activity.

Public Access Requests: Individuals requesting footage must submit a formal application under the *Information Privacy Act 2009* or *Right to Information Act 2009*.

Documentation of Disclosure: A record of all disclosures will be maintained.

QPS Access: Footage collected under this policy will be shared with QPS when necessary to support criminal investigations, public safety, or enforcement actions as outlined in the MOU. Requests for access will be made via the Officer in Charge of Aurukun Police Station, and any disclosure will be documented in accordance with the *Right to Information Act 2009* (Qld).

Third-Party Access: Requests from parties other than QPS will follow the procedure outlined in the *Information Privacy Act 2009* (Qld) or the *Right to Information Act 2009* (Qld).

8. Security and Confidentiality

Measures will be taken to protect recordings against unauthorised access, alteration, or loss. Security measures for shared footage will follow the requirements under the MOU:

- Footage transferred to QPS must be stored and accessed securely to prevent unauthorised use.
- Council and QPS must collaborate on ensuring confidentiality of data exchanged under the MOU, with regular audits to verify compliance.

9. Maintenance and Repair Responsibilities

All recording devices will be maintained to ensure functionality.

Council is responsible for maintaining and repairing CCTV infrastructure, except where QPS installations within the Police Station are involved.

Any damage or malfunction within the Police Station must be reported to Council for resolution, as outlined in the MOU.

10. Dispute Resolution

Disputes concerning access to or use of recordings will be handled initially through negotiations between Council and the Officer in Charge of QPS.

Unresolved disputes will escalate to the Commissioner of QPS as outlined in the MOU.

11. Associated Documents

- Information Privacy Policy
- Record Retention Schedule
- Right to Information Policy

12. Document Controls

This policy will be reviewed every two years or as required by law or best practice.

13. Policy Owner

Director Corporate Services.