



Title:	Video Surveillance - Municipal Properties Policy		
Policy Group: Your Government and People	Policy Administrator: Corporate and Legislative Services		
Resolution No. Motion 2024-244	Policy Number: CLS-09		
Approval Date: 2024-05-21	Revision Date: 2027-05-21		

1. Policy Statement

- a) The Corporation of the County of Prince Edward (the County) recognizes the delicate balance between an individual's right to be free from invasion of privacy and the need to protect the safety and security the public, its employees and municipal property.
- b) Guided by a commitment to public safety, crime prevention and stewardship of publicly owned assets, the County may, where warranted by law, use video surveillance systems in municipally-owned buildings, or at municipally-operated facilities, parks and open spaces.

2. Purpose

- a) The purpose of this Policy is to guide the use of video surveillance systems in such ways so as to enhance the safety and security of employees, the public and corporate assets, prevent unauthorized activities on or involving County property, and reduce risk and liability exposures while ensuring compliance with MFIPPA and other applicable legislation.

3. Scope

- a) This policy applies to all County employees, including full-time, part-time, casual, contract, volunteer and co-op placement employees.
- b) All Contractors and service providers are afforded the same rights and expectations as employees in this policy, while performing authorized activities for the County.
- c) This policy applies to all video surveillance systems located in all County properties and facilities.

- d) This Policy applies to the collection, use, disclosure, and disposal of information collected through video surveillance technology, which is used to enhance the protection and safety of employees and the general public, reduce, deter and investigate incidents of vandalism or criminal activity, and protect property and assets.
- e) In this Policy, video surveillance includes any associated audio recordings captured as part of the video recording process.
- f) This policy does not apply to:
 - i. covert surveillance used as an investigation tool for law enforcement purposes or in contemplation of litigation.
 - ii. livestreaming of junior hockey games at the Wellington and District Community Centre and Prince Edward County community centre.

4. Legislative Authority

- a) The collection of personal information through video surveillance is authorized under section 28(2) of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

5. Definitions

- a) "CAO" means the Chief Administrative Officer;
- b) "Clerk" means the person appointed by the County as the Clerk in accordance with section 228(1) of the Municipal Act, 2001.
- c) "MFIPPA" means the Ontario Municipal Freedom of Information and Protection of Privacy Act, that governs how the County collects, uses, discloses and disposes of information and Records.
- d) "Municipal properties" means municipally owned properties, facilities and open spaces/parks.
- e) "Personal Information" in accordance with MFIPPA, means recorded information about an identifiable individual, including:
 - (a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the

- (b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
 - (c) any identifying number, symbol or other particular assigned to the individual,
 - (d) the address, telephone number, fingerprints or blood type of the individual;
 - (e) the personal opinions or views of the individual except if they relate to another individual,
 - (f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
 - (g) the views or opinions of another individual about the individual, and
 - (h) the individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.
- f) "Record" means any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes,
- (i) correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine-readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof, and
 - (ii) subject to the regulations, any record that is capable of being produced from a machine-readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution.
- f) "Video Surveillance" means processing of image data concerning natural person by using automated video surveillance means (video and photo cameras, etc.) irrespective of whether these data are recorded in a file or not.

6. General Provisions

- a) Video Surveillance equipment shall not be installed on or used in any County property, facility or parks/open space, unless a Privacy Impact Assessment has been conducted and the use of Video Surveillance is deemed necessary.

- b) A Privacy Impact Assessment shall be conducted by the CAO, in collaboration with the applicable Director, the Director of Corporate & Legislative Services, the Clerk and the Municipal Lawyer.
- c) A Privacy Impact Assessment shall consider whether the use of Video Surveillance is necessary and will be used only for one or more of the following purposes:
- enhancing the safety and security of employees, the public and corporate assets;
 - preventing unauthorized activities upon or involving county property;
 - assisting in investigating unlawful activity;
 - assessing the effectiveness of safety and security measures;
 - investigating an incident involving the safety or security of people, facilities or assets;
 - providing evidence as required to protect the county's legal rights;
 - investigating an incident or allegation of serious employee misconduct;
 - managing corporate risk;
 - investigating an incident involving a potential or active insurable claim;
- or
- a purpose that is a consistent with the purpose for which the information was obtained.
- d) All agreements between the County and any service provider shall state that any recorded information from any Video Surveillance system is under the County's custody and control and therefore is subject to the MFIPPA and other applicable law;
- e) Where, through a Privacy Impact Assessment, the County has determined that Video Surveillance is necessary, the Video Surveillance equipment shall be installed in such a way as to minimize intrusion.
- f) recorded information shall only be used and accessed by authorized County employees or authorized service providers;
- g) The County, is responsible for the video surveillance systems and maintaining custody and control of video records at all times;
- h) video surveillance Records shall only be used for the purposes of:
- detecting, deterring, and investigating unlawful activity, which includes possible contraventions of any federal or provincial law or municipal by-laws;
 - investigating and resolving claims of personal injury or damage to assets, and other legal claims; or

- investigating and resolving public complaints received by the County or matters that may give rise to a customer complaint being received by the County.
- g) The County will incorporate energy-efficient technologies, recycle obsolete equipment responsibly, and minimize energy consumption to align video surveillance operations with environmental sustainability goals.

7. Notice

- a) Every monitored area shall have visible signage, in a form consistent with Appendix 2 of this Policy, advising the public of the monitoring and recording, which signs shall include the contact information of the Clerk for responding to questions relating to:
- the legal authority for collection
 - how the personal information will be used
 - answer questions about the video surveillance program.
- b) All signs required by this Policy shall be posted at all public access points to and within areas under video surveillance, as well as the County website.

8. Monitoring Procedures

- a) The monitoring procedures shall be performed based on the following principles:
- video surveillance shall be conducted in accordance with all applicable law, specifically Section 28(2) of MFIPPA;
 - video surveillance shall be conducted in a professional, ethical, and legal manner;
 - operators shall be appropriately trained and supervised in the responsible use of the video surveillance equipment;
 - the video surveillance system shall not monitor individuals in any manner which would constitute a violation under the Ontario Human Rights Code (OHRC); and
 - Records obtained through the video surveillance system shall be released only according to the standards set by MFIPPA and other applicable law. The recordings shall be handled in a manner that provides continued security of the recorded information.
- b) the benefits of video surveillance to the public shall be weighed against an individual's right to be free of unwarranted intrusion into their life;

- c) the video surveillance system shall be operated in accordance with the principles of MFIPPA and the collection, use, disclosure, and disposal of related Records shall be handled in accordance with MFIPPA and other applicable law;
- d) a process is in place to allow the public or employees to make a complaint about the video surveillance system through the Clerk's Office;
- e) any data storage devices that have been retained by the County, shall be destroyed in an appropriate manner once the retention period has lapsed in accordance with Records Retention By-Law, as amended from time to time;
- f) access to the recorded information is only permitted in accordance with MFIPPA, other applicable law, and this policy;
- g) When a County employee is involved in an incident for which a video recording is being pulled, that video recording must be reviewed and pulled by another applicable non-union employee.

9. Requests for disclosure

- a) The County does not disclose a video record to any individual or organization except as permitted through MFIPPA, with a records requests actioned by the Clerk, or designate as follows:
 - 1. Public requests for disclosure - Any person may make a written request for access to video records created through a video surveillance system through the freedom of information process. Access may depend on whether there is an unjustified invasion of another individual's privacy and whether any exempt information can be reasonably severed from the record.
 - 2. Internal requests for disclosure – Directors and or Managers may request a copy of a video recording if it is necessary for the performance of their duties in the discharge of the institution's functions.
 - 3. Law enforcement requests - The County may disclose a copy of a video recording to a law enforcement agency where the law enforcement agency approaches your institution with:
 - a warrant requiring the disclosure of the footage, as per section 32(e) of MFIPPA,
 - the law enforcement agency approaches your institution, without a warrant, and asks that you disclose the footage to aid an investigation from which a proceeding is likely to result, as per section 32(g) of MFIPPA or

- staff observe an illegal activity on County property and disclose the footage to a law enforcement agency to aid an investigation from which a proceeding is likely to result, as per section 32(g) of MFIPPA.
- b) If video containing personal information is improperly disclosed or is suspected to have been disclosed to an unauthorized person, the employee or service provider who is aware of the disclosure must immediately inform the appropriate department manager, as well as, the Clerk.

10. Responsibility and Implementation

- a) Council is responsible for approving and making changes to the Policy.
- b) The Chief Administrative Officer (CAO) is responsible for:
- i. directing compliance and resolving any conflicts with this Policy;
 - ii. administer and communicate this policy broadly to all employees in their service areas;
 - iii. establishing and approving procedural guidelines.
- c) The Clerk is responsible for:
- i. responding to requests for disclosure of records under the MFIPPA or applicable routine disclosure procedures;
 - ii. ensure a public notice for video surveillance is placed at all County sites that have a video surveillance system;
 - iii. respond to requests from the public and employees about the collection, use, and disclosure of personal information captured by a video surveillance system;
 - iv. respond to appeals and privacy complaints received through the office of the information and privacy commissioner of Ontario (IPC);
 - v. educate employees and visitors on the collection, use, and disclosure of personal information through the video surveillance system;
 - vi. work with department manager(s) and employee(s) in the event of an improper disclosure of personal information;
 - vii. notify the IPC in the event of a privacy breach, where appropriate.
- d) Senior Manager of Infrastructure Technology and Transformation is responsible for:
- i. operate and maintain the video security systems;
 - ii. maintaining a list of personnel who are authorized to access and operate the video surveillance system;
 - iii. educate employees and visitors on the collection, use, and disclosure of personal information through the video surveillance system;

- iv. responsible for the life cycle management of the authorized video security systems, including the specifications, equipment standards, installation, maintenance, replacement and disposal;
 - v. responsible for the technical aspects of the video security systems;
 - vi. responsible for deciding appropriate video storage location;
 - vii. assigning a person responsible for the operation of the video surveillance system in accordance with this policy.
- e) Managers/Directors are responsible for:
- i. Ensure the appropriate use of the video surveillance system at their facility(ies) in compliance with this policy;
 - ii. Delegate and assign responsibility regarding who will act on their behalf in following procedures relating to this policy in their absence;
 - iii. Provide job-specific training;
 - iv. Refer any requests for copies of surveillance video to the Clerk or delegated employee;
 - v. report any privacy breaches to the Clerk or delegated employee; •
 - vi. Ensure that employees are monitoring compliance with the retention periods applicable to the video surveillance systems.
- f) Employees are responsible for:
- i. Review and comply with this policy and MFIPPA in performing their duties and functions related to the operation of the video surveillance system
 - ii. Report to their manager or supervisor any suspected privacy breach;
 - iii. Report to their supervisor any problems with the video surveillance system.
- g) Employees may be subject to criminal charges, civil liability and/or discipline, including but not limited to termination, for a breach of this policy, or provisions of MFIPPA or other relevant statutes.

11. Documentation and Forms

- a) Appendix 1 - Municipal Locations of Video Surveillance
- b) Appendix 2 - Notice Template

Appendix 1 - Municipal Locations of Video Surveillance

1. HJ McFarland, 603 County Rd 49, Picton, ON K0K 2T0
2. Benson Park, 56 King St, Picton, ON K0K 2T0 (Proposed Location)
3. Sandy Hook Sand Dome, 75 County Road 1, Picton ON K0K 2T0
4. Ameliasburgh Sand Dome, Intersection of County Road 19 / County Road 2
Ameliasburgh ON K0K 1A0
5. Sophiasburgh Sand Dome, 86 County Road 14, Demorestville, ON K0K 1W0
6. Fire and Rescue Station 1, 8 McDonald Drive, Picton, ON K0K 2T0



Appendix 2 - Notice Template

THIS AREA IS MONITORED BY VIDEO SECURITY CAMERAS (CCTV)

Surveillance cameras are in operation for the safety of the public and staff and for the protection of County property. Information is collected under the authority of the Municipal Act, and in compliance with the Municipal Freedom of Information and Protection of Privacy Act, (MFIPPA). For additional information please contact the Office of the Clerk at clerks@pecounty.on.ca or 613-476-2148 extension 1021.