

Body Worn Cameras

Reference Number	PR00033	Approval Date	30/10/2024
Portfolio	Council Sustainability	Review Date	30/10/2027
Business Unit	Governance and Assurance	Document ID	11012583

1. Objectives

This procedure provides Council workers with instructions on how and when to use body-worn cameras (BWC) so that they may reliably record their contacts with the public such that the recorded video can have probative value should it be required in evidence.

2. Scope

This procedure applies to all workers who are authorised and required to wear and use body-worn cameras in the course of performing their duties for Council.

It also applies to management and IT personnel and contractors insofar as they have supervisory and technical responsibilities in relation to BWC's.

3. Responsibility

The Manager Regional Development, Health & Biodiversity and Manager Maintenance & Operations are responsible for ensuring this corporate procedure is understood and adhered to.

The Manager Information Services and Technology is responsible for the issuing and maintenance of the devices and the storage facility known as Evidence.com

4. Procedure Actions

4.1. SIGNAGE

Notices will be conspicuously displayed in prominent locations and entry points on Council premises and other property (for example Small Animal Facility, Council Waste Facilities) where BWC's are likely to be used to indicate to Workers, visitors and other members of the public the possible use of BWC's by Council personnel on the site.

4.2. WEARING AND ACTIVATING CAMERAS

BWC's may form part of a Worker's uniform and PPE. Any Worker who has a medical device (such as a pacemaker) must speak to their supervisor prior to the first use of the BWC.

Accordingly, subject to any operational and resourcing requirements, Workers who are allocated a BWC must:

- a. wear the camera, or be in the company of an officer with a BWC, at all times whilst;
 - i. on operationally engaged duties involving interaction with the public, eg Council Waste Facilities during opening times;
 - ii. undertaking Regulatory Site Visits on private property eg Compliance inspections;
 - iii. when anticipating conflict may occur or is likely, to provide evidence of occupational violence where the employee may be at risk;
 - iv. there is a high risk of a confrontational incident.
- b. activate the camera at all times, without a reasonable excuse, whilst;
 - i. a confrontational incident commences or is likely to commence;
 - ii. undertaking investigatory site visits on private property eg Compliance inspections;
 - iii. the officer believes conflict is or is likely to occur.
- c. wear the camera in a prominent location to be able to capture a clear recording and so the camera is clearly visible to persons facing the worker.
- d. remove or power off the camera before entering a change room, bathroom or toilet area; and
- e. not activate the camera recording whilst they are in a change room, bathroom, or toilet area.
- f. not activate the camera whilst driving, unless it is required to do so.

4.3. BUSINESS UNIT INVOLVED IN UTILISING BODY WORN CAMERAS

Should a business unit wish to use a camera then a business case request must be made by the respective work unit and approved by Executive Leadership Team.

Regulatory Officer's will be issued a particular camera and therefore borrowing/loaning of cameras will be strictly prohibited.

4.4. START-UP PROCEDURE

At the commencement of each shift, Workers who are allocated a camera to wear, will remove their camera from the charging station and conduct a prestart check including visual damage, battery charge percentage and mounting bracket installation.

4.5. RECORDING

Regulatory Officers where practicable, **prior to commencing or concluding recording, should make a verbal announcement** to indicate the beginning or ending of the recording and this should state the date, time, location and the reason for commencing or concluding the recording.

- a. The Regulatory Officer should inform the occupier that the camera is recording.
- b. The camera must not be deactivated on the premise.

Waste Services Officers where reasonably practical must activate the camera recording, if deemed safe and it should remain active until the incident is concluded. The activation will be in accordance with operational guidelines:

- a. where they have a reasonable concern for their personal safety or welfare (or that of another person); or
- b. if an occupational violence incident occurs or if their assessment indicates the occurrence of a violent or confrontational incident it is imminent; or

- c. where a conversation is intentionally required to be recorded; or
- d. as directed by their supervisor for purposes related to safety or welfare of workers or other persons or for purposes of evidentiary value.
- e. Where possible, the Officer should make a verbal announcement to indicate the recording is in effect.

If possible, Workers should always disengage and physically remove themselves from any situation which presents a perceived threat or risk.

Workers must not activate a camera recording except in accordance with this Policy. If a Worker becomes aware that recording has commenced inadvertently, the camera must be turned off immediately and the activation reported in accordance with the end-of-shift procedure set out in section 4.6 - End of shift Procedure, where a concern arises in accordance with Council's obligations under the IP Act.

Activating a camera recording for any unauthorised purpose (for example, practical jokes, taping private conversations or other covert surveillance) will not be tolerated by Council and may result in disciplinary action.

4.6. END-OF-SHIFT PROCEDURE

Upon returning to the office at the end of a shift, place the camera in the docking station, noting the camera will automatically start recharging and if any footage is on the camera, it will simultaneously transfer the footage to the evidence management software which encrypts the files and stores them in the cloud with the appropriate administrative rights;

In the event the footage is captured on a BWC that does not have a docking station the Worker must contact their supervisor as soon as practical before the end of their shift, to arrange for the footage to be captured.

After the image capture has been completed the Worker must log the following:

1. inadvertent camera activations where a privacy breach concern arises;
2. damage to the device including any inspection carried out; and
3. location of device when not in use.

4.7. REPORTING INCIDENTS

Where a Worker experiences an incident in which they felt threatened in any way or has disengaged due to a person objecting to being filmed and whether they have captured the incident on camera or not, the Worker is still required to report the incident by completing an incident report in Council's online incident capture system (Safety Champion) within 24 hours and must immediately notify their respective Supervisor.

4.8. STORAGE OF BODY WORN CAMERAS

At the closure of business at out posted locations such as Waste Transfer Stations, the cameras are to be securely stored in a safe which is accessed via a combination or key. The respective business units based in Council's administration building are to store the camera in the docking station or suitable lockable cabinet.

4.9. STORAGE, USE AND DISCLOSURE OF FOOTAGE

Data recorded by an activated BWC (camera data) will be used and disclosed by Council for the purposes of responding to incidents of occupational violence, gathering evidence, compliance matters and law enforcement purposes and prosecuting individuals who threaten or assault people

in the course of Council duties.

Camera data may be used for training, performance coaching and disciplinary purposes in accordance with Council's Code of Conduct and human resources performance management policies.

Footage gathered in the course of utilising BWC's can only be used for the purposes it was collected and use of footage for any unauthorised purpose will not be tolerated by Council and may result in disciplinary action.

Nothing in this policy affects or limits:

- any lawful uses or disclosures that Council may otherwise make of the camera data; and
- any obligations the Council has under any State or Commonwealth laws to retain and/or refer on details, documents and other material relating to staff members' and contractors' conduct (for example, to the Queensland Police Service).

4.10. RETENTION AND STORAGE OF CAMERA DATA

Camera data is to be stored in accordance with Council's information security management policy in a secure electronic database within the Cloud..

Camera data that is required (or potentially required) as evidence in any legal or regulatory process is to be retained until such time as Council's Record Keeping Policy determines that the camera data is no longer required.

Subject to section 6.2, camera data is to be permanently deleted after a period not longer than 90 days unless otherwise specified.

4.11. ACCESS TO STORED FOOTAGE/DATA

View only access is available;

1. to the recording Regulatory Officer and their supervisors, for the purposes of assessing evidence, preparing transcripts and preparation of briefs of evidence,
2. to relevant staff in all other cases where approved initially by a relevant Manager. (*eg. this may include WHS officers where staff safety is of concern*)

To download or copy the stored footage the respective Manager of the relevant business unit can request access from Governance and must be authorised by any General Manager.

This request should be completed via email and Governance must be included. The computer system which contains the evidence management software will be controlled by Information Services and Technology with a secure password and thus the footage can be viewed and audited for security purposes.

4.12. PRIVACY AND COMPLIANCE

Workers must attend periodic training in BWC procedures and associated legal compliance as directed by Council. Council's Human Resources Business Unit will keep training attendance records.

Management, employees, contractors, supervisors, security personnel and IT personnel must ensure that camera data is only accessible by authorised personnel according to Council policies and procedures on a need-to-know basis. Access to camera data will be monitored and periodically audited by Council to ensure secure and authorised access is maintained.

Any personal information recorded in any camera data is to be kept confidential by all personnel and

contractors to whom it is disclosed and otherwise handled in accordance with Council's privacy policy and legal obligations.

Where Council is permitted, authorised or required to use or disclose camera data in accordance with this policy or a law of the State or Commonwealth, measures may be taken to minimise the unnecessary disclosure of personal information including facial pixilation and audio editing. If release of camera data is requested, Council's procedures for releasing surveillance data must be followed.

5. Definitions

Regulatory Officer means Workers employed within the following teams:

- Road Corridor Management,
- Compliance Services and
- Health Services.

Regulatory Site Visits means any inspection conducted by a Regulatory Officer for the purposes of conducting an investigation or complaints assessment.

Waste Officers means Workers that are employed at a waste transfer or landfill facility.

Workers means Council employees (including those engaged via an Individual Employment Agreement or for a maximum term), contractors and sub-contractors (including employees of contractors and sub-contractors), employees of labour hire companies, apprentices and trainees, work experience students, and volunteers at Council.

6. Related Documents

Information Privacy Act 2009 (Qld)

Invasion of Privacy Act 1971, (Cth)

Public Records Act 2002 (Qld)

Work Health Safety Act 2011 (Qld)

Criminal Code Act 1899 (Qld)

Evidence Act 1977 (Qld)

Animal Management (Cats & Dogs) Act 2008 (Qld)

Body-Worn Cameras Policy CM03.24AP

Security Camera Privacy Management Policy CM03.10AP

Information Security Policy CM04.05AP

Crime and Corruption Commission-Body Worn Cameras- their role in complaint resolution

Councils Code of Conduct for Employees Policy

This procedure supports the Scenic Rim Regional Council Corporate Plan 2018-2023, in particular Theme - *Customer and Regional Prosperity*.

7. Version Information

Version No	Adoption Date	Key Changes	Approved by
1	17/1/2017	NEW	CEO
2	18/06/2019	Additional details to SOPs	CEO
3	30/10/2024	Changes to fall in line with updated Policy	CEO

Electronic version current uncontrolled copy valid only at time of printing.

Document Name: Body Worn Camera Corporate Procedure

Document Maintained by: Council Sustainability

Document Set ID: 11012583

Version: 3, Version Date: 27/03/2025

Current Version Reviewed – 30/10/2024

Next Review Date – 30/10/2027

