

**Credit Valley Conservation Authority**  
**Photographic and Video Monitoring and Surveillance Policy**

**February, 2012**  
**Revised September 2013**

# Credit Valley Conservation Authority

## Photographic and Video Monitoring and Surveillance Policy

### INTRODUCTION

- Purpose** 1.1 The purpose of this document is to identify CVCA policies related to the use of Photographic and Video Monitoring and Surveillance Systems and Photographic and Video Monitoring and Surveillance Records.
- Scope** 1.2 This policy shall apply to all CVCA Board members, staff, and service providers while carrying out the duties related to their employment with the CVCA.
- Background** 1.3 CVCA regularly collects a wide variety of information in a number of different formats for the purposes of carrying out its mandate under the CAA. The information available through the use of video surveillance equipment can provide a wealth of data that can support this mandate. CVCA developed this set of policies to clearly identify its authority to collect information through the use of video surveillance equipment and limitations on its use.

CVCA also falls under the MFIPPA legislation. The need to collect information through the use of video surveillance equipment must be balanced with the public's right to protection of privacy as provided for under this legislation.

CVCA wishes to use video surveillance equipment for the purposes of:

1. Supporting the protection and security of visitors, lands, and assets on CVCA lands
2. Identifying, preventing, and enforcing against illegal and/or unsanctioned activities on CVCA lands
3. Undertaking research and analysis to identify the recreational characteristics of visitors to CVCA lands
4. Undertaking research on flora and fauna throughout the Credit River watershed
5. Undertaking research on the flow of surface water throughout the Credit River watershed

The policies contained within this document are largely in response to the requirements as set out in the "Guidelines for the Use of Video Surveillance Cameras in Public Places" as issued by the Information and Privacy Commissioner of Ontario, September 2007

### Objectives

The objectives of this policy are to:

1. Identify relevant legislative authority and responsibilities in the collecting of information through the use of video surveillance equipment
2. Identify key responsibilities CVCA has set out in the collection, retention, use, and disposal of information acquired through the use of video surveillance equipment

# Credit Valley Conservation Authority

## Photographic and Video Monitoring and Surveillance Policy

- References**      1.4
- Guidelines for the Use of Video Surveillance Cameras in Public Places, Ann Cavoukian, Ph.D., Commissioner, Information and Privacy Commissioner of Ontario, September 2007
  - Privacy Complaint Report, Privacy Complaint No. MC10-2, City of Mississauga, October 29, 2010

# Credit Valley Conservation Authority

## Photographic and Video Monitoring and Surveillance Policy

### DEFINITIONS

<b>“Authorized Personnel”</b>	Means any person who has completed and signed an agreement form granting access to Photographic and Video Monitoring and Surveillance information and/or areas housing this information and whose agreement form has been approved by the CAO
<b>“CAA”</b>	Means the <i>Conservation Authorities Act, R.S.O. 1990, c. C.27</i> , as amended
<b>“CAA Reg 102”</b>	Means <i>Conservation Authorities Act – R.R.O. 1990, Reg. 102</i> , as amended
<b>“CAO”</b>	Means the Chief Administrative Officer for the Credit Valley Conservation Authority
<b>“CCTV”</b>	Means closed circuit television
<b>“Core 10”</b>	Means the following Conservation Areas: <ol style="list-style-type: none"><li>1. Belfountain Conservation Area</li><li>2. Elora Cataract Trailway</li><li>3. Island Lake Conservation Area</li><li>4. Ken Whillans Resource Management Area</li><li>5. Limehouse Conservation Area</li><li>6. Meadowvale Conservation Area</li><li>7. Rattray Marsh Conservation Area</li><li>8. Silver Creek Conservation Area</li><li>9. Terra Cotta Conservation Area</li><li>10. Upper Credit Conservation Area</li></ol>
<b>“CVCA”</b>	Means the Credit Valley Conservation Authority
<b>“IPCO”</b>	Means the Information and Privacy Commissioner of Ontario
<b>“MFIPPA”</b>	Means the <i>Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56</i> , as amended
<b>“Personal information”</b>	Means recorded information about an identifiable individual which includes, but is not limited to, information relating to an individual’s race, colour, national or ethnic origin, sex and age. If a Photographic and Video Monitoring and Surveillance System displays these characteristics of an identifiable individual or the activities in which he or she is engaged, its contents will be considered “personal information” under MFIPPA.
<b>“Reception Equipment”</b>	Means any equipment or device used to receive or record the personal information collected through a Photographic and Video Monitoring and Surveillance System including a camera or video monitor or any other video, audio, physical or other mechanical, electronic or digital device.
<b>“Storage Device”</b>	Means any videotape, computer disk or drive, CD ROM, computer chip or other device used to store the recorded data or visual, audio or other images captured by a Photographic and Video Monitoring and Surveillance System.

# Credit Valley Conservation Authority

## Photographic and Video Monitoring and Surveillance Policy

- “Record”*** Means any record of information, however recorded, whether in printed form, on film, by electronic means or otherwise, and includes a:
- photograph
  - film
  - microfilm
  - videotape
  - machine-readable record,
  - audio recording,
  - thermal imaging technology, and
  - any record that is capable of being produced from a machine-readable record.
- “Photographic and Video Monitoring and Surveillance System”*** Means any video, physical or other mechanical, electronic, digital or wireless surveillance system or device that enables continuous or periodic video or image recording, observing or monitoring of personal information about individuals in open, public spaces (including streets, highways, parks).

# Credit Valley Conservation Authority Photographic and Video Monitoring and Surveillance Policy

## POLICIES

- Legislative Authority**      **1.0 CVCA may use video surveillance as a tool to carry out its mandate as provided under the CAA**
- The CVCA has the legislative authority to collect personal information for the purposes of security, operation and management of their lands and facilities and to conduct research as provided under Section 21. (1) of the CAA specifically subsections (a), (m), (p), and (q):
- “21. (1) For the purposes of accomplishing its objects, an authority has power,”*
- “(a) to study and investigate the watershed and to determine a program whereby the natural resources of the watershed may be conserved, restored, developed and managed;”*
- ...
- “(m) to use lands owned or controlled by the authority for park or other recreational purposes, and to erect, or permit to be erected, buildings, booths and facilities for such purposes and to make charges for admission thereto and the use thereof;”*
- ...
- “(p) to cause research to be done;”*
- “(q) generally to do all such acts as are necessary for the due carrying out of any project. R.S.O. 1990, c. C.27, s. 21; 1996, c. 1, Sched. M, s. 44 (1, 2); 1998, c. 18, Sched. I, s. 11.”*
- FOI Officer Designated Responsible for Privacy**      **2.0 The Freedom of Information Officer (FOI Officer) for the CVCA is the designated staff member who is responsible for privacy obligations**
- FOI Officer for the Credit Valley Conservation Authority is the person responsible for all requirements under MFIPPA. As such, FOI Officer is responsible for appropriate use of Video Surveillance Equipment and Photographic and Video Monitoring and Surveillance Records as defined and outlined in this policy document.
- Notice**      **3.0 CVCA will provide notice that CVCA’s lands are subject to photographic and video surveillance**
- CVCA will:
1. post signage at all sanctioned entrances and on all key information kiosks to CVCA’s Core 10 properties
  2. post signage at all sanctioned entrances and on all key information kiosks located on other properties owned or managed by CVCA on which CVCA

# Credit Valley Conservation Authority

## Photographic and Video Monitoring and Surveillance Policy

may choose to undertake video surveillance from time to time

3. post notice on its web site indicating that CVCA properties may be subject to video surveillance
4. include a note in Conservation Area brochures that the properties may be subject to video surveillance

Notices shall include text similar to the following:

### **ATTENTION**

#### *This Area May Be Monitored by Photographic and Video Monitoring and Surveillance Systems*

*The personal information collected by the Photographic and Video Monitoring and Surveillance System at this site is collected under the authority of Section 21. (1) of the Conservation Authorities Act, R.S.O. 1990, c. C.27, as amended. Use of this information is restricted by the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, as amended.*

*The information collected by the Photographic and Video Monitoring and Surveillance System at this site may be used for the purposes of:*

1. *Supporting the protection and security of visitors, lands, and assets on CVCA lands*
2. *Identifying, preventing, and enforcing against illegal and/or unsanctioned activities on CVCA lands*
3. *Undertaking research and analysis to identify the recreational characteristics of visitors to CVCA lands*
4. *Undertaking research on the flora and fauna throughout the Credit River watershed*
5. *Undertaking research on the flow of surface water throughout the Credit River watershed*

*Further information on the use of this information may be found on Credit Valley Conservation Authority's web site at [www.creditvalleyca.ca/video\\_surveillance\\_policy](http://www.creditvalleyca.ca/video_surveillance_policy)*

*Any questions about the collection of this information can be directed to:  
Freedom of Information Officer  
Credit Valley Conservation Authority,  
1255 Old Derry Road, Mississauga, ON  
(905) 670-1615  
[cvc@creditvalleyca.ca](mailto:cvc@creditvalleyca.ca)*

### **Control of Photographic and Video Monitoring and Surveillance Systems**

#### **4.0 CVCA will maintain control of and responsibility for the Photographic and Video Monitoring and Surveillance System and Records at all times**

CVCA will keep recording devices associated with CCTV in limited access, high security areas. These areas will only be accessible by custodial personnel and those staff directly responsible for the capture, collection, review, analysis, and/or deletion of Photographic and Video Monitoring and Surveillance Records.

# Credit Valley Conservation Authority

## Photographic and Video Monitoring and Surveillance Policy

CVCA will use all reasonable methods to ensure the security of field Photographic and Video Monitoring and Surveillance Systems by using one or more of the following measures:

1. House the Photographic and Video Monitoring and Surveillance System in tamper-proof housing
2. Attach the Photographic and Video Monitoring and Surveillance System securely in or on a permanent structure or feature
3. Utilize digital photograph and video where available
4. Collect Photographic and Video Monitoring and Surveillance Records within thirty (30) days of capture

### Access

#### **5.0 CVCA will ensure that all Photographic and Video Monitoring and Surveillance Records are accessed by authorized personnel only**

Access to real-time video surveillance images will be limited to authorized personnel who have completed and signed an agreement form.

Access to Photographic and Video Monitoring and Surveillance Records while awaiting review, analysis, and/or disposal shall be limited to authorized personnel who have completed and signed an agreement form.

### Location

#### **6.0 Photographic and Video Monitoring and Surveillance Systems shall only be located in areas deemed to be of specific interest to CVCA property, owned by or managed by CVCA**

Photographic and Video Monitoring and Surveillance Systems shall:

- only be located in identified public areas owned by or managed by CVCA where video surveillance is necessary including, but not limited to:
  - common public areas inside buildings
  - the exterior(s) of buildings, facilities and other assets
  - recreational areas
  - areas with flora and fauna of interest to CVCA
  - areas with surface water
- be installed in such a way that they only monitor those spaces that have been identified as requiring video surveillance as identified under “Use” in this Policy
- not be changed (adjust, zoom or manipulate the camera) to overlook spaces that are not intended to be covered by the Photographic and Video Monitoring and Surveillance System
- not monitor the inside of areas where individuals generally have a higher expectation of privacy (e.g. public washrooms)



# Credit Valley Conservation Authority

## Photographic and Video Monitoring and Surveillance Policy

**Disclosure**            **7.0**    **Photographic and Video Monitoring and Surveillance Records will be made available to institutions and law enforcement agencies upon completion and approval of a written request form**

In accordance with Section 32 (g) of the MFIPPA, CVCA may disclose personal information to an institution or law enforcement agency “... if disclosure is to an institution or a law enforcement agency in Canada to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result”.

Prior to releasing Photographic and Video Monitoring and Surveillance Records to any authority CVCA must have a signed and approved request from the interested authority.

**Retention Period - General**            **8.0**    **CVCA will retain Photographic and Video Monitoring and Surveillance Records for the following time periods:**

- **30 days to capture and collect records in the field**
- **270 days (9 months) to review and analyze records**
- **30 days to dispose of records and/or pass any records on to CVCA staff who are designated Provincial Offences Officers**

In the “Guidelines for the Use of Video Surveillance Cameras in Public Places” the IPCO indicated that records should be held only for 48 to 72 hours before being destroyed.

Some of the video surveillance equipment used by CVCA is located at remote sites where it is used for the collection of visitor information and wildlife. It is not practical nor feasible to capture, collect, review, analyze, and dispose of this information every 48 to 72 hours. In a decision regarding a complaint to the IPCO regarding the use of Photographic and Video Monitoring and Surveillance Systems at the City of Mississauga, the IPCO found that there were sufficient reasons to warrant extending the 48 to 72 hour guideline to 28 to 90 days.

CVCA staff will capture, collect, review, analyze, and dispose of Photographic and Video Monitoring and Surveillance Records as follows:

- 30 days to capture and collect records in the field
- 270 days (9 months) to review and analyze records
- 30 days to dispose of records and/or pass any records on to CVCA staff who are designated Provincial Offences Officers

As a result, CVCA staff require three hundred and thirty (330) days to capture, collect, review, analyze, and dispose of Photographic and Video Monitoring and Surveillance Records.

**Retention Period - Enforcement**            **9.0**    **CVCA will retain Photographic and Video Monitoring and Surveillance Records for enforcement purposes for a period five (5) years**

Photographic and Video Monitoring and Surveillance Records that may be useful

# Credit Valley Conservation Authority

## Photographic and Video Monitoring and Surveillance Policy

in enforcement activities will be retained for a period of five (5) years. This extended period is needed to provide staff with enough time to exhaust other avenues of resolving issues including, but not limited to:

1. Education
2. Progressive violation notification process
3. Court proceedings

<b>Retention Period – Scientific Research</b>	<b>10.0 CVC will retain Photographic and Video Monitoring and Surveillance Records for scientific research purposes for an unlimited period of time</b>
	Photographic and Video Monitoring and Surveillance Records which contain no personal information (e.g. only images of flora and/or fauna) may be retained indefinitely for scientific research.
<b>Use</b>	<b>11.0 CVCA will limit the use of Photographic and Video Monitoring and Surveillance Records to approved uses only</b>
	CVCA will limit the use of Photographic and Video Monitoring and Surveillance Records to approved uses including:
	<ol style="list-style-type: none"><li>1. Supporting the protection and security of visitors, lands, and assets on CVCA lands</li><li>2. Identifying, preventing, and enforcing against illegal and/or unsanctioned activities on CVCA lands</li><li>3. Undertaking research and analysis to identify the recreational characteristics of visitors to CVCA lands</li><li>4. Undertaking research on the flora and fauna throughout the Credit River watershed</li><li>5. Undertaking research on surface water flow throughout the Credit River watershed</li></ol>
<b>Disposal</b>	<b>12.0 CVCA will ensure that all Photographic and Video Monitoring and Surveillance Records that have passed their respective retention period will be completely destroyed on all Storage Devices</b>
	CVCA shall ensure that all records are completely and permanently removed from any Storage Device before being disposed of to ensure there is no possibility that the information can be retrieved by any other group(s) or individual(s).
<b>Failure to Comply With Policies / Legislation</b>	<b>13.0 CVCA staff are subject to discipline if they fail to comply with the policies contained within this document and/or any related legislation / regulation</b>
	CVCA staff are subject to discipline if they knowingly breach the policies within this document and/or the provisions set out in the <i>Acts</i> or other relevant statutes.

# Credit Valley Conservation Authority

## Photographic and Video Monitoring and Surveillance Policy

**Agreements Between CVCA and Service Providers**      **14.0**      **Photographic and Video Monitoring and Surveillance Records generated through service providers retained by CVCA are under the CVCA's control and subject to the policies contained in this document and all applicable legislation and regulations**

All contractors, consultants, and other professionals and labourers hired by CVCA to undertake various tasks are bound by the policies contained in this document as part of their regular duties. Individuals and/or organizations failing to comply with these policies are subject to termination of employment / cancellation of contract at no cost to CVCA and are liable for damages as permitted under law.

Upon completion of employment with CVCA and/or completion / termination of a contract, the service provider must:

1. provide CVCA with a copy of all Photographic and Video Monitoring and Surveillance Records
2. permanently destroy all Photographic and Video Monitoring and Surveillance Records that were collected on behalf of CVCA as part of the employment / contract

**Data Confidentiality**      **15.0**      **CVCA staff and employees of service providers who work with Photographic and Video Monitoring and Surveillance Systems and Photographic and Video Monitoring and Surveillance Records are required to sign an undertaking of confidentiality**

CVCA staff who are required to work with Photographic and Video Monitoring and Surveillance Systems and Photographic and Video Monitoring and Surveillance Records are required to sign a written document indicating they will treat all such systems and records as confidential. This will be in force even should their employment with CVCA be terminated.

Service providers are to sign a written document agreeing to treat information collected by Photographic and Video Monitoring and Surveillance Systems and/or contained in Photographic and Video Monitoring and Surveillance Records as confidential. This will be in force once the work has been completed and/or the employment / contract is terminated before the normal conclusion of the contracted services.

**Breaches of Security**      **16.0**      **The FOI Officer must be informed immediately of any reported privacy breaches and identify and take corrective actions**

The FOI Officer shall be informed as soon as practical of any reported privacy breaches. This includes the loss of control of Photographic and Video Monitoring and Surveillance System(s) or video surveillance record(s). Upon notification, the FOI Officer in consultation with the CAO shall:

1. determine if it is necessary to inform the IPCO of the security breach

## **Credit Valley Conservation Authority Photographic and Video Monitoring and Surveillance Policy**

2. identify any changes needed to the security of Photographic and Video Monitoring and Surveillance System(s) and/or Photographic and Video Monitoring and Surveillance Records(s)
3. implement the changes identified to correct the breach of security of the Photographic and Video Monitoring and Surveillance System(s) and/or Photographic and Video Monitoring and Surveillance Records(s) in a timely manner

**Training and Orientation      17.0      Training on the use and management of Photographic and Video Monitoring and Surveillance Systems and Photographic and Video Monitoring and Surveillance Records is an integral part of CVCA's training and orientation program for both staff and service providers**

Training programs addressing staff obligations under the MFIPPA should be conducted on a regular basis.

**Policy Review      18.0      This policy document shall be reviewed and updated every two (2) years or sooner if there is a change or upgrade to the Photographic and Video Monitoring and Surveillance System**

This policy shall be reviewed and updated every two (2) years to reflect CVCA's operating practices related to Photographic and Video Monitoring and Surveillance Systems and/or Photographic and Video Monitoring and Surveillance Records.

This policy shall be reviewed and updated if there is a substantive change or upgrade to the Photographic and Video Monitoring and Surveillance System.