



City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4
250 469-8500
kelowna.ca

Council Policy

Video Surveillance

APPROVED November 27, 2006

RESOLUTION: R375/10/04/26
REPLACING: R1060/06/11/27
DATE OF LAST REVIEW: April 2010

A. SCOPE

This policy applies to any video surveillance system operated by or for the City of Kelowna that collects personal information in any form. It does not apply to video surveillance systems, such as certain traffic cameras, that do not collect information about identifiable individuals. This policy does not apply to video surveillance conducted by the RCMP, who are subject to federal legislation, or to covert (hidden) video surveillance.

B. DEFINITIONS

"Act" means the Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996 Ch. 165, as amended from time to time.

"FOIPOP Head" means the person or persons named to this position by City of Kelowna Freedom of Information and Protection of Privacy Bylaw No. 9862.

"Personal information" means recorded information about an identifiable individual.

"Open public space" means the grounds of any real property, or portions of real property, owned or subject to a right of occupation by the City of Kelowna to which the public is ordinarily invited or permitted to be on, and includes, but is not necessarily limited to, parks, playgrounds, beaches, and public parkades or parking lots. It does not include the interior of a City facility.

"Record" means any recorded information, however recorded, whether in printed form, on film, by electronic means or otherwise, and includes: a photograph, a film, a microfilm, a videotape, a machine-readable record, and any record that is capable of being produced from a machine-readable record.

"Video surveillance system" means a mechanical, electronic or digital surveillance system or device that enables continuous or periodic video recording, observing or monitoring of individuals, assets and/or property.

1. General Principles:

The City uses video surveillance systems to ensure the security of individuals, assets and property.

The implementation of a video surveillance system must be in accordance with this policy.

Council approval is required for any video surveillance system. Requests to implement or expand a video surveillance system in an open public space require a specific report to Council presented at a Council meeting before Council approval via the budget process.

Video surveillance systems will be considered only after other, less intrusive, security methods have been considered and have been found to be unworkable. Video surveillance systems shall be used in conjunction with other security efforts and initiatives.

Prior to introducing or expanding a video surveillance system, the rationale for this system must be clearly articulated in writing, before written authorization by the FOIPOP Head and City Manager will be given to proceed to Council.

2. Budget Process:

Requests for budgetary approval for the implementation of new video surveillance systems or any requests for additions to existing video surveillance systems will not be considered by the Financial Services Department until a written preliminary justification for use of the proposed video surveillance system has been provided by the FOIPOP Head.

If a video surveillance system is part of a larger budget request then the description and cost of the video surveillance system must be separated out from the overall cost of the project.

3. Privacy Considerations:

Video surveillance systems that record images of individuals collect personal information that must be protected in accordance with the Act.

The City will exercise a high degree of care when using video surveillance systems in order to protect the privacy of individuals who visit or work at monitored places. Although video surveillance may be required for legitimate operational purposes, it must be used in accordance with the provisions of the Act. A written administrative policy and procedure covering each video surveillance system will be created to ensure the operation of the video surveillance system complies with the Act.

As a general rule, the Act requires the City to notify individuals that it is collecting their personal information. Video surveillance systems must be clearly visible and marked by prominent signage.

4. Records Management Considerations:

Records created by video surveillance systems are subject to the City of Kelowna Records Classification and Retention Schedule, which prescribes retention periods for these records.

5. Web-Based Video Surveillance Systems:

Requests for video surveillance systems that involve the collection, use, retention, or access of images on a server or are accessed via the City network require the approval of the Information Services Division Technical Services Manager to ensure that adequate resources are available to support the web-based video surveillance system.

6. Audits and Reviews:

The FOIPOP Head will conduct a written audit and review of existing video surveillance systems and Report to the City Manager on an annual basis.

REASON FOR POLICY

To ensure that the City of Kelowna identifies appropriate uses for video surveillance technology, that appropriate authorization is obtained to implement such a system, and to manage records that may be created using this technology in a manner that complies with provincial legislation and City records management requirements.

LEGISLATIVE AUTHORITY

Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996 Ch. 165; Freedom of Information and Protection of Privacy Bylaw No. 9862

PROCEDURE FOR IMPLEMENTATION

As outlined in policy