



**Focus Paihia  
Community Charitable  
Trust**

# **Closed Circuit Television (CCTV) Policy**

# 2021

**Including provision for the Privacy  
Act 1993**



[www.focuspaihia.org.nz](http://www.focuspaihia.org.nz)

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## **1. INTRODUCTION**

This Policy sets out the purpose for collecting Closed Circuit Television (CCTV) footage, how the CCTV system will be operated, and how privacy impacts will be minimised. This Policy also sets out the purpose for the collection of personal information in other visual media by the Focus Paihia, and how privacy impacts will be minimised. The Policy follows best privacy practice to ensure that any image captured, collected and stored is handled in an appropriate and confidential manner that protects an individual's right to privacy in accordance with the Privacy Act 1993 (the Act).

## **2. APPLICATION OF THE POLICY**

This Policy applies to the CCTV network owned and operated by the Focus Paihia and associated parties and to the collection of 'other visual media' by the Focus Paihia. The Policy applies to all employees, volunteers and contractors of Focus Paihia and the general public who may enter the areas where CCTV is in operation or where other visual media is being collected.

This Policy has been aligned with the Privacy-and-CCTV-A-guide-October-2009 - NZ Privacy Commissioner - issued by the Privacy Commissioner. [Link](#)

## **3. STRATEGIC ALIGNMENT**

The operation of the CCTV network supports community safety, community security, and crime prevention which is a key priority for Focus Paihia and the Community. Focus Paihia will align with organisations, companies, and public bodies that support these aims - such as the Police, Community Patrol Organisations, Community and Private Security Companies, and a CCTV equipment supplier

## **4. PURPOSE FOR COLLECTION OF CCTV FOOTAGE**

Focus Paihia operates the CCTV network and collects footage for the following purposes:

- i. Deter criminal activity from occurring in public and semi public spaces, this includes but is not limited to vandalism, theft and anti-social behaviour.
- ii. Monitor and respond to any activities and/or events which could affect the community at that location.
- iii. Monitor and respond to health and safety situations, including but not limited to safety at publicly owned assets and facilities, traffic incidents and civil defence situations.
- iv. Provide evidence of non-compliance with Council regulations or bylaws and/or central government legislation, including but not limited to the Building Act 2004, the Resource Management Act 2002, and the Dog Control Act 1996.
- v. Provide evidence to the Police, court or tribunal proceedings, or a public sector agency where it is necessary for them to uphold the law.

## 5. CCTV CAMERAS

The Council operates CCTV cameras from the entrance to the Watea Housing Estate through to entrance to Opuia. A list of the general location of CCTV cameras is attached as Schedule One to this Policy. The locations are indicative only as camera locations may alter over time; Focus Paihia should be contacted directly for current information on the location of CCTV cameras.

### 5.1 Location of CCTV cameras

- i. In accordance with the Act the Focus Paihia's CCTV cameras are/will be positioned to observe public spaces and semi-public spaces (privately owned spaces open to the public during opening hours) but will not unreasonably intrude on a person's privacy.
- ii. No camera's have been positioned such that their view may look inside any building.

### 5.2 Signage for CCTV cameras

- i. Where CCTV is operated at outdoor locations signage will be displayed at the main access points of the perimeter of the CCTV system's range to notify people that cameras are operating.
- ii. see Schedule 2 for signs and locations

### 5.3 Operating times of CCTV

- i. The Focus Paihia's CCTV is in operation on a continuous basis.

## 6. MANAGEMENT OF CCTV FOOTAGE

### 6.1 Security of CCTV footage stored on Recording Devices

- i. All information collected will be stored securely. Access to the CCTV network is protected by a password.
- ii. The CCTV system will be maintained by Northland CCTV Ltd. A log of access to CCTV footage will be maintained by authorised users.
- iii. All footage will be deleted by an automated erasing process after a maximum of forty days unless it is required for evidential or administrative purposes, or if the footage must be retained as an archive in accordance with the Public Records Act 2005.

### 6.2 Access to CCTV footage by contractors, Police, Security Companies and Community Patrol Volunteers

- i. Only authorised and Police vetted persons have direct access to the CCTV network and CCTV Footage, and be

granted access to the CCTV network and footage through delegations by Police and Community Patrol New Zealand Management Committee, and / or Police Vetted Security Companies and their employees.

- ii. An authorised person may review any relevant CCTV footage for monitoring purposes or in response to an event/incident.
- iii. CCTV footage can only be viewed by contractors if viewing that footage is relevant to their role and is in accordance with the purpose/s for the operation and support of the CCTV network.
- iv. The manner in which persons who have access to CCTV footage will be audited to ensure CCTV footage is only being used for its intended purposes. Any confirmed breach of access to the CCTV footage will be treated as non-compliance with the Privacy Act 1993 and subject to disciplinary action.

### **6.3 Access to CCTV footage by the New Zealand Police, Courts and public sector agencies**

- i. The New Zealand Police will be provided access to CCTV footage.
- ii. Any criminal activity captured by the Council's CCTV network will be forwarded by authorised officers to the New Zealand Police for investigation.
- iii. In accordance with the Act any CCTV footage will be made available to the Police, a court or tribunal proceeding, or a public sector agency where it is necessary to uphold the law.

### **6.4 Access CCTV footage by other parties**

- i. Focus Paihia will engage with Community Patrol Kerikeri who have authorised persons who will periodically live monitor CCTV cameras. From time to time as requested they will review recorded footage to gain information for investigations.
- ii. The general public and media shall not have access to any CCTV footage.
- iii. Any person may request to access CCTV footage of themselves, but this request will be assessed in accordance with the Privacy Act. In particular the request will be assessed in relation to the ability to readily retrieve the footage and to maintain the privacy of any other identifiable individual in the footage.
- iv. Focus Paihia and authorised users will respond to requests for footage as soon as reasonably practicable, and in any case within twenty (20) working days.
- v. If a request to view the footage cannot be retrieved a written or oral description may be provided of the footage.

- v. Where a member of the public believes a crime has been committed which may have been captured by a camera, they should in the first instance report the matter to the Police.
- vi. Where a member of the public has concerns about health and safety matters or compliance which may have been captured by a camera, they should in the first instance report the matter to Focus Paihia, or Community Patrol Kerikeri for authorised persons to investigate.

## **8. MANAGEMENT OF OTHER VISUAL MEDIA**

- i. The general public and the media shall not have access to any visual media, unless a person is requesting to access footage of themselves. These requests will be handled in accordance with section 6.4 of this Policy.
- ii. Other visual media will be stored in the document management system which can only be accessed by authorised persons only.

## **9. ENQUIRIES AND COMPLAINTS**

- 10.** Any person, who has queries or complaints about this Policy or the operation of CCTV cameras, should in the first instance contact Focus Paihia Community Charitable Trust - Coordinator and Secretary, Ph 022 128 3805 , Email: [info@focuspaihia.org.nz](mailto:info@focuspaihia.org.nz)

## 10. GLOSSARY

Unless the context requires otherwise, the definitions of words or terms used in this Policy are also those in the Privacy Act 1993.

**AUTHORISED PERSON**, is a person who has been delegated authority to monitor and have direct access to the CCTV system and has been made aware of their obligations under the Privacy Act 1993 regarding the confidentiality and appropriate use of CCTV footage. The Privacy Officer is considered to be an authorised officer.

**CRIMINAL ACTIVITY** means any violation of the law where a person is liable to punishment for a criminal offence. A criminal act often threatens and harms public safety, property and/or welfare.

**OTHER VISUAL MEDIA** means data or information in the form of visual representations such as photographs or film footage, but excludes CCTV footage.

**PUBLIC SPACES** means spaces that are completely accessible to the public, such as streets, footpaths and public reserves.

**SEMI PUBLIC SPACES** means spaces that (even if privately owned) are accessible to the public during opening hours, or sometimes even when the business is closed e.g. a petrol station forecourt.

**THE ACT** means the Privacy Act 1993 (including any subsequent amendments).

**13. SCHEDULE ONE:**

**Indicative location of CCTV cameras in the Opuia Paihia and Haruru areas as at Nov 2021**

<b>CCTV Cameras (Number / Type)</b>
<b>Location</b>
Watea Housing Estate Entrance - Nautical Drive (3 / ANPR)
Haruru Falls Road - outside ITM
Haruru Falls Shops - intersection Yorke Rd & Wilson Rd (3 / ANPR)
Waitangi Road Bridge (2 / ANPR)
Waitangi Boat Launching Ramp (2)
Corner Davis Crescent and Marsden Road (2)
Central Paihia - Marsden Road & Williams Road Intersection (3 / PTZ)
ANZ Building - Williams Road (3)
Main Far North Holdings Carpark (4)
Corner Marsden Road & Kings Road (Super Liquor Building) (2 / PTZ / ANPR)
Kings Road Bars (4 / ANPR)
Marsden Road Beach Toilets (Opposite Anchorage Motel)(2)
Te Haumi Drive - Entrance(2 / ANPR)
Oramahoe Road Entrance (1)
Top of Opuia Hill - Intersection Paihia Rd & Franklin St (3 / PTZ / ANPR)


## 14. SCHEDULE TWO: Notification Sign Locations

# CCTV Warning Sign Locations

