

# Newmarket Business Association

## Closed Circuit Television (CCTV) & Body Camera Policy

**Version History**  
Reviewed Dec 2020  
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### 1. INTRODUCTION

This Policy sets out the purpose for collecting CCTV & Body Camera footage, how the CCTV & Body Camera systems will be operated, 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 2020.

### 2. APPLICATION OF THE POLICY

This Policy applies to the CCTV network owned and operated by the Newmarket Business Association (NBA) and to the collection of 'other visual media' by the NBA. The Policy applies to all employees, and contractors of the NBA and the public who may enter the areas where CCTV is in operation or where other visual media is being collected by the NBA.

NB: NBA is the legal entity, but security services operate under the brand name "NEWMARKET SECURITY".

### 3. PURPOSE FOR COLLECTION OF CCTV FOOTAGE

The NBA operates the CCTV network and collects footage for the following purposes:

- i. Deter criminal activity from occurring in 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 delivery of services the NBA's member are providing at that location.
- iii. Monitor and respond to health and safety situations, including but not limited to general safety across the Newmarket precinct including, traffic incidents and civil defence situations.
- iv. Provide evidence to the Police, court or tribunal proceedings, or a public sector agency where it is necessary for them to uphold the law.

### 4. CCTV & BODY CAMERAS

The NBA operates CCTV cameras throughout the precinct, and Mobile Patrol Officers (MPO) are fitted with Body Cameras. A map of the general location of CCTV cameras are attached as Schedule One to this

Policy. The locations are indicative only; the NBA should be contacted directly for current information on the location of CCTV cameras.

#### *4.1 Location of CCTV cameras:*

- i. In accordance with the Act the NBA'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. In cases where CCTV cameras record the interior of a building on semi-public premises the owner of the premises will be informed.

#### *4.2 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. Where CCTV is operated indoors signage will be displayed at the main entrances to the building to notify people that cameras are operating.

#### *4.3 Operating times of CCTV:*

- i. The NBA's CCTV is in operation 24 hours a day, 365 days a year.

#### *4.4 Operation of Body Cameras:*

- i. Body Cameras are operated by MPOs and are activated on an incident-by-incident basis. The devices record audio and video footage of live events.

## **5. NBA MANAGEMENT OF CCTV FOOTAGE**

### *5.1 Security of CCTV & Body Camera footage stored by the NBA:*

- i. All information collected by the NBA will be stored on secure servers. Access to the NBA's CCTV & Body Camera network exceeds the industry standards for protection.
- ii. A log of access to CCTV & Body Camera footage will be maintained by authorised NBA officers.
- iii. All footage will be deleted by an automated erasing process after a maximum of forty-five 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.

### *5.2 Access to CCTV & Body Camera footage by NBA staff and contractors:*

- i. Only authorised NBA officers have direct access to the NBA's CCTV network and CCTV & Body Camera footage. Authorised NBA officers are specific officers that have been granted access to the CCTV network and footage through delegations by the Chief Executive Officer of the NBA.
- ii. An authorised NBA officer may review any relevant CCTV & Body Camera footage for monitoring purposes or in response to an event/incident.

iii. CCTV & Body Camera footage can only be viewed by NBA contractors and NBA staff (that are not authorised NBA officers) if viewing that footage is relevant to their role within the NBA and is in accordance with the purpose/s for the operation of the CCTV network.

iv. The manner in which NBA officers access CCTV & Body Camera footage will be audited to ensure CCTV & Body Camera footage is only being used for its intended purposes. Any confirmed breach of access to the NBA's CCTV & Body Camera footage will be treated as non-compliance with the NBA's workplace standards and subject to disciplinary action.

#### *5.3 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 & Body Camera footage on request.

ii. Any criminal activity captured by the NBA's CCTV network will be forwarded by authorised officers to the New Zealand Police for investigation on request.

iii. In accordance with the Act any CCTV & Body Camera 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.

#### *5.4 Request to access CCTV & Body Camera footage by other parties:*

i. The public and media shall not have access to any CCTV & Body Camera footage, unless a person is requesting to access footage of themselves.

ii. Any person may request to access CCTV & Body Camera footage of themselves, but this request will be assessed in accordance with the Act. The request will be accessed in relation to the ability to readily retrieve the footage and to maintain the privacy of any other identifiable individual in the footage. The NBA will respond to requests for footage as soon as reasonably practicable, and in any case within twenty-eight (28) working days unless an extension of time is provided for.

iii. If a request to view the footage cannot be granted by an authorised NBA officer a written or oral description may be provided of the footage.

iv. 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.

v. Where a member of the public has concerns about health and safety matters which may have been captured by a camera, they should in the first instance report the matter to the NBA for authorised NBA officers to Investigate.

## **6. ENQUIRIES AND COMPLAINTS**

i. Any person, who has queries about this Policy or the operation of CCTV & Body Cameras, should in the first instance contact the NBA's Operations Assistant ([info@newmarket.co.nz](mailto:info@newmarket.co.nz)) to be directed to the appropriate officer of the NBA.

ii. All complaints regarding the operation of the NBA CCTV network or collection of other visual media are to be directed to the Operations Assistant and will be investigated through the NBA's complaints procedure.

iii. If the complaint relates to an issue of privacy, a complaint may also be made to the Privacy Commissioner.

## **7. PARNELL BUSINESS ASSOCIATION CCTV**

NBA has a confidentiality agreement to monitor and view the Parnell Business Association's CCTV network. The NBA does not have the ability to record any of this footage, however the intent of this policy still applies.

## **8. GLOSSARY**

Unless the context requires otherwise, the definitions of words or terms used in this Policy are also those in the Privacy Act 2020.

*AUTHORISED NBA OFFICER* means a member of staff of the Newmarket Business Association (NBA), 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 2020 regarding the confidentiality and appropriate use of CCTV footage. The Privacy Officer is considered to be an authorised NBA officer.

*BODY CAMERA* means a portable electronic recording device that is worn on a Mobile Patrol Officer's body and that records audio and video data in the course of them performing their official duties and responsibilities.

*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.

*PRIVACY OFFICER* means a member of staff of the NBA that has been delegated the responsibilities under section 23 of the Privacy Act 2020.

*THE ACT* means the Privacy Act 2020 (including any subsequent amendments).

## **9. REVIEW**

The policy will be reviewed at intervals not more than three years.

**9. SCHEDULE ONE:**

Locations of CCTV cameras in the Newmarket precinct as at October 2023

**CCTV LOCATIONS WITHIN NEWMARKET**



