Surveillance Devices

1. Purpose and Objectives

This procedure aims to provide appropriate guidance to CFA Members in the installation and use of surveillance devices and ensure that they are installed and used in compliance with legislation and privacy principles.

2. Scope and Authority

Procedures are mandatory and provide the minimum standards that employees, secondees and volunteers must apply. This procedure applies to all CFA Members.

This procedure also applies to all surveillance devices installed prior to the implementation of this procedure three months from the authorisation date of this document.

This procedure does not apply to the Resource Tracking System (RTS).

Due to the different authorising environment, this procedure does not apply to the installation of surveillance cameras on co-located buildings.

3. Procedure

3.1 General Rules

a) In every case and regardless of the purpose, the installation and use of a surveillance device at a CFA premises or on a CFA asset, must comply with the *Surveillance Devices Act 1999* (Vic) (**Surveillance Devices Act**), or similar legislation if an asset is deployed outside of Victoria.

b) There must be a necessary, proportionate and legitimate purpose for the installation of a surveillance device including but not limited to:

- The health, safety and welfare of CFA members and visitors.
- Security of CFA buildings, and assets including the prevention, detection, and investigation of criminal offences.
- Operational requirements.

c) Installation of surveillance devices on CFA Buildings or Assets must be approved by the CFA as per the process outlined in this procedure.

d) Surveillance footage can be used to ensure a safe workplace such as documenting driver behaviour or unsafe work practices.

e) In line with the Surveillance Devices Act:

   a. surveillance devices cannot be installed in areas that would observe, monitor, listen to or record activities or conversations in areas such as toilets, washrooms, change rooms or lactation rooms.

   b. surveillance devices must be obvious and not concealed or hidden and the installation location must be justified.

3.2 Approval for a Brigade or Group to install a surveillance device

a) Where a Brigade or Group elects to install a device themselves the cost of purchase, installation, use and maintenance of surveillance devices (and other associated costs) is the responsibility of and must be managed by, the individual Brigade or Group. Unless the relevant Deputy Chief Officer has agreed in writing to assume the responsibility of the equipment on behalf of the CFA.

b) The decision to purchase and use surveillance devices by a Brigade or Group must be endorsed by the Captain or Group Officer and formally adopted and minuted by a resolution of a Brigade or Group meeting prior to submission to the relevant Assistant Chief Fire Officer for approval.

c) Final approval for the installation, and use of surveillance at Brigades and Groups must be obtained from the respective Assistant Chief Fire Officer (or above).

3.3 Installation and use of video surveillance devices at CFA buildings

a) Where a video surveillance device has been installed adequate signage must be affixed that notifies any CFA member, visitor or the general community that video surveillance is in operation. Signage must be:

   i. Situated at all site entry and exit points (at a minimum)

   ii. Easily understood by all parties, including people from non-English speaking backgrounds – signs should include a mix of text and symbols

   iii. Clearly visible, distinctive and located in areas with good lighting, placed in normal eye range and large enough so that any text can be read easily.

   iv. Checked regularly for damage, theft or vandalism.

b) Surveillance devices can only be installed on CFA Buildings (other than Brigades or Groups) such as Headquarters, District Headquarters or training grounds with the authorisation of the General Manager of Infrastructure Services.

3.4 Installation and use of surveillance devices in vehicles (dashcams)

a) The surveillance device must only film outside the cabin (ie. Not inward-facing inside the cab).
b) The fitment must not reduce the driver's field of vision.
c) The surveillance device needs to be installed under guidance provided by the District Mechanical Officers (DMOs) and must not interfere with the operation of crew protection curtains or other equipment.
d) The surveillance device must not interfere with the safe operation of the vehicle.
e) The surveillance device is only to be powered in the ignition "ON" position and to be fused separately to all other circuits.
f) The surveillance device audio recording must be disabled or turned off.
g) Where possible, any card reader should be secured to avoid tampering.

3.5 Use of Body-Worn Cameras

a) Due to their portability Body-worn cameras present additional challenges around ensuring legislative compliance and privacy.
b) CFA Members are not permitted to use body-worn cameras in an operational capacity (e.g. fire ground or training) unless they have been specifically authorised in writing by the Deputy Chief Officer (or above) for the region in which they are operating.
c) Body-worn cameras may be used for the purpose of filming a video for media purposes (eg. commercials or content) in a controlled and pre-planned training environment where an appropriate risk assessment has taken place.
d) Body-worn cameras can be utilised for the purposes of training for competitions and Championships.
e) Body-worn cameras can be used during competitions at the discretion of the organisers or conveners.
f) This procedure does not preclude CFA from conducting a body-worn camera trial or an official CFA-endorsed body-worn camera program endorsed by the Chief Officer.

3.6 Use of Remotely Piloted Aircraft (RPA) or Drones

a) RPA must be operated in accordance with EMV Interagency Aviation Operating Procedures, specifically SO 4.05 Remotely Piloted Aircraft Operations.

3.7 Privacy and Information Management

a) Access to surveillance device footage will be restricted to the following authorised individuals - Captain or Group Officer, Commander, Assistant Chief Fire Officer, Deputy Chief Officer, Chief Officer or the Head of Workplace Relations and Business Partnering (or CFA Member delegated in writing by any of these listed authorised individuals) and where necessary, Victoria Police or any other agency legally entitled to access the footage.

b) Footage can only be accessed and viewed for a legitimate purpose and cannot be viewed to monitor CFA Members. Examples of a legitimate purpose are safety incidents, criminal offences or unexplained damage.

c) Data collected with surveillance devices must be kept securely stored, be password protected and accessible by only the listed authorised individuals.

d) Any surveillance device installed should have enough data storage to keep footage for 30 days and then delete it after that time. Where possible data should not be held longer than 30 days unless required elsewhere in this procedure (eg. criminal offence, FOI etc).

e) Where a CFA Member becomes aware of an act captured by a surveillance device is likely to be required in a future legal or hearing proceeding, they must immediately contact their ACFO or DCO for advice and to ensure steps are taken to secure and protect the recording. The evidence (recording) must not be destroyed. This is an offence under the Crimes Act 1958 (Vic).

f) Any surveillance device footage collected may be made available to Victoria Police upon written request or provided for the purpose of reporting a criminal offence. In this instance, the authorised person may provide the footage however they must notify the relevant Commander upon doing so.

g) Surveillance device footage should not be provided to any other organisation and/or individual (other than Victoria Police) without prior advice from the Privacy Office (privacy@cfa.vic.gov.au).

h) Surveillance device footage may only be posted to social media or released externally with the written authorisation of an ACFO, DCO or CO.

i) Surveillance device footage must not be duplicated or copied for reasons outside the provisions of this procedure or by required by law.

j) Information collected via surveillance devices is likely to be personal information. CFA Members must take reasonable steps to protect personal information in their control from misuse and loss, and from unauthorised access, modification and disclosure.

k) Any disclosures or provision of surveillance device footage by CFA must be done in accordance with the *Privacy and Data Protection Act 2014*.

l) Any surveillance device footage recorded is subject to Freedom of Information Act *1982* obligations.

4. Annual Inspections

Brigades that have installed or possess surveillance devices should be assessed for compliance against this procedure by Districts at the same time as the annual Section 29 or Annual Brigade Review inspection.

5. Definitions

Asset	Refers to any vehicle or equipment owned by the CFA including but not limited to appliances, transport vehicles, trailers, training props.
CFA Members	Refers to all staff, volunteers, secondees (including FRV) and contractors of the CFA.
Co-located Buildings	Buildings that house CFA Members and employees of FRV at a single site.
Personal Information	Personal information is information or an opinion about you where your identity is clear or where someone could reasonably work out that it related to you. For the avoidance of doubt, this includes health information about an individual as covered by the Privacy and Data Protection Act 2014 (Vic), and the Health Records Act 2001 This includes images of people as recorded on the surveillance device.
Premises	Any building, structure or location owned or leased by CFA such as training grounds, stations, headquarters or office space.
Private Activity	Means an activity carried on in circumstances that may reasonably be taken to indicate that the parties to it desire it to be observed only by themselves, but does not include: (a) an activity carried on outside a building; or (b) an activity carried on in any circumstances in which the parties to it ought reasonably to expect that it may be observed by someone else.
Surveillance	The deliberate or purposive observation or monitoring of a person, object or place. Monitoring and observation activities can be conducted systematically

	as part of an ongoing program or may be ad hoc in response to an identified need, such as an emergency.
Surveillance Devices	• optical or visual surveillance (eg. CCTV Camera, tablets or smart phone) • audio surveillance (eg. smart phone, dashcam) • tracking or location surveillance (eg. GPS tracker) • physical surveillance (eg. following a person and watching them) • data surveillance (eg. monitoring emails or their computer) • biometric surveillance (eg. fingerprints, voice or signature)
Vehicles	Refers to all vehicles under the control of CFA including Brigade owned appliances.

6. Related Documents

- Fraud Corruption and Control Policy and Procedure
- Information Privacy Policy
- Records Management Policy
- Volunteer Discipline Policy
- Volunteer Code of Conduct
- Code of Conduct for Victorian Public Service Employees
- Surveillance Devices Act 1999
- Public Records Act 1973
- Privacy and Data Protection Act 2014
- Charter of Human Rights and Responsibilities Act 2006 (the Charter)
- Freedom of Information Act 1982 (the FOI Act)
- Evidence Act 2008

Status and Details

Effective Date	This is the date the policy document is published, unless a future take effect date is specified.
Review Date	12 months from the issue of this document.
Approval Authority	See the Policy Framework for advice on approval authorities for different document types.
Responsible Executive	(or policy owner) the position responsible for monitoring the effectiveness of a policy document and for reviewing it.
Responsible Policy Officer	(or policy developer) the person who either developed or wrote the document and should have their name listed as the document author.
Enquiries Contact	The person or area that can be contacted if users have questions about the policy document.