

Te Atatū Business Association CCTV Privacy Policy

1. **CCTV Privacy Policy** Te Atatū Business Association provides a CCTV network. These cameras are currently located in the Te Atatū town centre area. For clarity, this policy only applies to cameras and recorders owned by Te Atatū Business Association. There may be other cameras operating within the same area outside of our control.
2. **Definitions**
 - **"TAPBA"** means Te Atatū Business Association.
 - **"Footage"** means any audio-visual recording and any component of an audio-visual recording recorded from the CCTV network operated by the TAPBA. This includes and is not limited to still frame images, audio, and video.
 - **"Stakeholders"** means landlords whose properties are visible by any camera and business owners whose businesses are visible by any camera.

The TAPBA is an incorporated society. It receives funds from Auckland Council to assist in the development of business within Te Atatū Peninsula as part of the Auckland Council's Business Improvement District Programme. The TAPBA is run by a board made up of elected members (Executive Committee) as per the rules of the TAPBA as an incorporated society. The TAPBA is required to have an Executive Committee of at most 11 members sitting on it, all of whom are known to the members of the TAPBA. The Executive Committee has oversight of the operations of the TAPBA and the use of the CCTV network.

3. **What is recorded?** The cameras' primary focus is public space areas. Recording occurs 24/7 and is automatically deleted after a pre-set amount of time (see clause 8 How long is Footage kept for?).
4. **Why do we operate CCTV?** The TAPBA operates CCTV to help with crime prevention, gathering of evidence of crime, and, if permitted by the party/s involved, evidence of health and safety issues for presentation to the relevant agency or parties. The cameras are not actively monitored and are only accessed when required under clause 7 below or to confirm that they are still operational.
5. **Who can access the footage/cameras?** The Executive Committee has assigned access to the following:
 - The TAPBA Manager or other members of the TAPBA team will also handle any enquiries from TAPBA members or members of the public; and
 - The TAPBA's contractor, which is currently Garrison Alarms.
6. **Who may request footage and how may it be used?** The following may request footage:
 - The TAPBA as permitted under these rules;
 - NZ Police; and
 - Anybody legally requiring footage if the provision of the footage does not breach the rights of any person under the Privacy Act 2020.

No footage from the CCTV system may be publicly disclosed without the consent of all the individuals appearing in the footage or without confirmation by the NZ Police, legal advice, and/or a New Zealand court. As allowed under Information Privacy Principle 10 of the Privacy Act 2020, the TAPBA may provide the footage to the Ministry of Health at the Ministry's request or at the request of an agent of the

Ministry should the Ministry believe that the Footage may prevent or lessen a serious threat to public health.

7. **Process for requesting and actioning release of the footage** Any footage requests should ideally complete a CCTV search request form completing as many details as possible. Alternatively, for a request of footage, the following must be noted:
 - Who requested the footage;
 - The case number or court matter number if applicable; and
 - Date, time, and location of the alleged incident.
 - Details of why the disclosure is necessary and how it fits, if at all, into Information Privacy Principle 11 of the Privacy Act 2020.

All requests are logged on the TAPBA Health and Safety Report, which is shared monthly with the TAPBA Executive Committee for their information. Any request from any court in New Zealand will be accepted in the form provided by that court subject to the request not breaching the Privacy Act 2020 or a suitable undertaking being provided by a party able to give such undertakings that the footage will be suitably handled. Further to this, the TAPBA may provide footage that falls under the following criteria and have met the following provisions:

- Health & Safety (e.g., slipping on bricks) - Providing the person(s) who are victim to the issue provide consent;
 - The footage along with the health and safety report must go back to the Executive Committee who can decide if the footage can be shared with the relevant agency;
 - The footage may only be shared with the relevant agency (e.g., Auckland Council for the above example of someone slipping on bricks) under the understanding that it cannot be shared further without permission; and
 - Member alerts: For the purpose of alerting TAPBA members of likely serious criminal activity and at the sole discretion of the Executive Council, footage may be provided to members provided that the footage is cropped down to only show the person(s) involved. All reasonable attempts must be made to anonymise any other persons. The image should not be posted publicly alongside any unsubstantiated claim that the person identified in the footage has committed a crime.
8. **How long is footage kept for?** Footage will be kept for a minimum of four weeks, after which it will be deleted unless downloaded for an approved purpose. The TAPBA reserves the right to retain footage for longer should it have a reasonable belief that a request for the footage will be made. Footage requested under Information Privacy Principle 11 of the Privacy Act 2020 may be deleted from the system once delivery to the requesting party has been confirmed. However, the TAPBA may retain a copy of the footage if there is a belief that the TAPBA may be called upon to confirm the authenticity of the footage to a court, tribunal, or other government body, in which case the footage may be held indefinitely until such time as the TAPBA reasonably believes it is no longer required.
 9. **Changes to this Privacy Policy** The Executive Committee may make changes to this Privacy Policy and must use its reasonable endeavours to notify Stakeholders about any changes at least one month before they are to come into effect.
 10. **Disputes to changes of this Policy** Any Stakeholder may dispute in writing any changes planned to this Policy and the Executive Committee must meet to consider

the matters raised before the changes take effect. The current policy wording will continue pending the outcome of those discussions and should the TAPBA wish to continue with the planned changes, these will come into effect one week after the Executive Committee decision. The Executive Committee must use its reasonable endeavours to notify the Stakeholder who raised the dispute of the decision as soon as possible after the decision is made. If an agreement cannot be reached with the disputing party, the Executive Committee may choose to discontinue coverage of the Stakeholder's property and is not obligated to do so if this significantly impacts the coverage of other Stakeholders. The Executive Committee may ignore any disputes raised that it believes in its reasonable opinion are frivolous, trivial, vexatious, or a dispute that no reasonable person would raise.

11. **Privacy Policy and new stakeholders** With regards to a new tenancy, it is assumed by the TAPBA that the landlord will supply the new tenant, being a new stakeholder, with this document so that the new stakeholder is aware of this Policy. With regards to a new landlord, it is assumed by the Association that the outgoing landlord will supply the new landlord, being a new stakeholder, with this document so that the new stakeholder is aware of this Policy. Failure to notify a new stakeholder of this Policy does not invalidate this Policy.
12. **Te Atatū Business Association right to terminate agreement** The TAPBA has the right to terminate this Policy at any time. On termination, the TAPBA must within a reasonable time disconnect/remove all cameras. Any footage will be handled in compliance with clause 10.
13. **Breaches of this contract and/or systems** In the event of a systems breach by an unauthorised party, the technical contact may take any actions needed to secure the devices or network from further attack. Any breaches of this contract and/or breaches of systems used to run the CCTV network must be brought to the Executive Committee's attention and discussed by the Executive Committee with all due haste. All Stakeholders must be notified after this meeting of what happened and what was decided by the Executive Committee to resolve the issue, by the end of the following month.

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