

**Policy Title: Closed Circuit Television (CCTV) Traffic Monitoring Systems**

**Policy Number: 10-09-02**

Section:	<b>Roads and Traffic</b>	Subsection:	<b>Traffic Operations</b>
Effective Date:	<b>April 25, 2012</b>	Last Review Date:	<b>July, 2018</b>
Approved by: <b>Council</b>		Owner Division/Contact: <b>For information on the CCTV Traffic System contact Traffic Management Works Operations and Maintenance, Transportation and Works Department. For information related to Security records, contact Security Services, Facilities and Property Management. For information related to MFIPPA contact Legislative Services, Corporate Services Department</b>	

## Policy Statement

The City of Mississauga may install Closed Circuit Television (CCTV) Traffic Monitoring System cameras within the Municipal Road Allowance.

## Policy Purpose

CCTV traffic monitoring, when utilized with other Intelligent Transportation System (ITS) measures, is an effective means of ensuring the efficiency and safety of City roads, the individuals who use them and the assets located within the Municipal Road Allowance. The need to ensure optimal efficiency and safety must be balanced with an individual's right to privacy. The purpose of this policy is to establish procedures which are intended to achieve this balance. Specifically, this policy addresses requirements and responsibilities with respect to:

- The installation and operation of the CCTV Traffic Monitoring System
- The use of the information obtained through the CCTV Traffic Monitoring System, and
- Custody, control and access to any Records created

## Legislated Requirements

This policy reflects the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), as amended. Refer to Corporate Policy and Procedure - Freedom of Information and Protection of Privacy for general information regarding MFIPPA.

## Scope

This policy applies to the CCTV Traffic Monitoring System installed by the City within Municipal Road Allowances.

Any use of the CCTV Traffic System by Security Services, Facilities and Property Management, Corporate Services Department, for the purposes of conducting or aiding in an investigation pertaining to a law enforcement issue is subject to Corporate Policy and Procedure - Corporate Administration - Video Surveillance.

## Definitions

For the purposes of this policy:

“CCTV Traffic Monitoring System” or “CCTV Traffic System” means any system or device that enables continuous or periodic recording, observing or monitoring of the Municipal Road Allowance. The information collected through the CCTV Traffic System will be routinely overwritten.

“Incident” means an event within the Municipal Road Allowance involving a vehicle(s), pedestrian(s) and/or cyclist(s) that causes interruption to the normal traffic patterns within the Municipal Road Allowance.

“Municipal Road Allowance” means the width of the roadway from the property line on one side of the roadway to the property line on the opposite side of the roadway, for roadways within the boundaries of the City of Mississauga, whether under the jurisdiction of the City of Mississauga or the Region of Peel.

“Record” means information that has been retrieved from the CCTV Traffic System while it is being utilized for the purpose of traffic monitoring and is stored in a media format that allows the image(s) to be viewed for the purposes outlined in this policy only. There are two (2) types of Records:

“Security Services Records” means Records that were created by Security Services at the request of law enforcement agencies or as a result of a request received under MFIPPA.

“Traffic Management Records” means Records that were created by Security Services at the request of Traffic Management staff in order to assess the effectiveness of traffic system and efficiency measures.

“Senior Manager” means the Senior Manager, Traffic Management, Works Operations and Maintenance Division, Transportation and Works Department or his/her designate, in writing.

## Administration

The City's Transportation and Works Department will be responsible for the installation, operation and maintenance of the CCTV Traffic System, the administration of this policy and the custody and security of any Traffic Management Records.

Security Services, Facilities and Property Management, Corporate Services Department, will be responsible for the custody and security of any Security Services Records.

Information Technology will be responsible for the network infrastructure service provisions of the CCTV Traffic System infrastructure.

## **CCTV Traffic Systems**

### **Use of CCTV Traffic Systems**

The use of the CCTV Traffic System, including specific camera positions, is determined on the basis of reasonable and justifiable grounds for the purposes of the provision of public road safety, determining traffic flow and assisting in Incident detection and mitigation within the Municipal Road Allowance.

### **CCTV Camera Location**

Each proposed CCTV camera position will be assessed on a case-by-case basis to determine the effects the CCTV Traffic System may have on movement within the Municipal Road Allowance. The City will take all reasonable steps to mitigate any adverse effects. For example, no CCTV camera will be placed so that it views into an area where individuals have a greater expectation of privacy, such as private buildings or other facilities which are not within the Municipal Road Allowance.

### **Approval**

All locations for the installation of the CCTV Traffic System require the approval of the Senior Manager.

## **Accountability**

### **Departmental Directors**

All applicable departmental directors are accountable for:

- Ensuring all applicable managers/supervisors are aware of this policy and of any subsequent revisions, and
- Ensuring compliance with this policy

### **Senior Manager, Traffic Management**

The Senior Manager is responsible for:

- Creating, maintaining and reviewing protocols for the installation, operation and use of the CCTV Traffic System and for the control of and access to the CCTV Traffic System
- Designating persons to operate the CCTV Traffic System and maintaining an up-to-date list; only those who have been designated may be permitted to operate the CCTV Traffic System
- Providing Security Services with a list of persons authorized to request Traffic Management Records

- Ensuring that all CCTV Traffic System monitoring equipment and devices are securely stored in a controlled access area
- Establishing a training program for the operation of the equipment, including responsibilities with respect to protection of privacy and confidentiality and ensuring that all operators are trained appropriately
- Maintaining custody and security of all Traffic Management Records, from creation through to final disposition, and
- Ensuring that all proposed changes or additions to the CCTV Traffic System meet the requirements of this policy, as well as other City policies and by-laws, prior to implementation

### **Security Services**

Security Services is responsible for:

- Reviewing protocols for the custody, control, access to and retention of Security Services Records created from the CCTV Traffic System
- Maintaining custody and security of all Security Services Records, from creation through to final disposition
- Accessing the data collected and stored by the CCTV Traffic System to provide Traffic Management Records to designated staff in accordance with this policy, and
- Authorizing access to CCTV Traffic System information or creating Security Services Records in accordance with this policy

### **Information Technology**

Information Technology is responsible for the network infrastructure service provisions for the CCTV Traffic System, on behalf of the Traffic Management Section.

### **Managers/Supervisors**

Managers/supervisors with staff who are responsible for the installation, operation and use of the CCTV Traffic System and/or the custody, control, access to or retention of CCTV Traffic System information or Records are accountable for:

- Ensuring that each member of staff in their respective work units have signed an acknowledgement that they have read this policy and any subsequent revisions and that staff are aware of any related protocols
- Ensuring applicable staff are trained on this policy and any related protocols, as well as any subsequent revisions, with respect to their specific job function, and
- Ensuring staff comply with this policy and follow any related protocols

### **Employees**

Applicable employees are responsible for:

- Reviewing this policy and/or attending training related to this policy, as required

- Complying with this policy in performing their duties and functions related to the operation of the CCTV Traffic System
- Refraining from accessing or using the information contained in the CCTV Traffic System, its components, files or databases for personal reasons or destroying, erasing or altering any record or information without proper authorization, and
- Protecting the privacy of individuals with respect to personal information under MFIPPA

## Use of Information Collected

CCTV Traffic Systems are not surveillance systems and are intended for the purpose of traffic monitoring only. The information collected through CCTV Traffic Systems will be used only:

- To assess the effectiveness of traffic system and efficiency measures, such as traffic signal timing plans, work maintenance operations programs, temporary work zones, etc.
- To mitigate the effects of detected Incidents which impact the normal traffic patterns within the Municipal Road Allowance
- To provide law enforcement agencies with evidence related to an Incident or, upon request, other occurrence under police investigation, and
- For Transportation and Works to investigate Incidents involving the safety of pedestrians, cyclists, motorists or City assets

## Information and Records Management

The information collected through the CCTV Traffic System is retained in accordance with system requirements (e.g. captured images will be routinely over-written). A Record will be created from the information collected only when requested under the "Use of Information Collected" section of this policy, provided the requested information has not already been over-written. No other Records will be created or retained.

## Access Restrictions

In accordance with MFIPPA, access to the information or Records created by the CCTV Traffic System is restricted. Access is limited to:

- Individuals responsible for the operation or administration of the CCTV Traffic System
- Individuals who have a legitimate need to access the information for one of the purposes listed in the "Use of Information Collected" section of this policy, and
- Individuals whose request for access under MFIPPA has been granted

When used in this policy, "access" means any of the following:

- Security Services staff may provide a summary of the information collected
- The information may be viewed in the presence of Security Services staff, or
- If required by a law enforcement agency or Traffic Management staff, a Record of the information may be provided

**Access Procedures – Requests from Traffic Management**

Traffic Management staff designated by the Senior Manager may contact Security Services directly by email to obtain a Record when it is required for the purpose of traffic monitoring only. Security Services will create a Traffic Management Record and forward it to the requestor. Traffic Management staff will keep a log for audit purposes that includes:

- The date and time at which the Record was received
- The identification of the staff person requesting the Record, and
- The specific reason for the request

**Access Procedures – Requests from Other Sources**

Only those having a legitimate need to view CCTV Traffic System information or a Record will be given access.

An access request form must be completed and submitted to Security Services. In making a determination, Security Services may consult with Legal Services and/or the Access and Privacy Officer, Legislative Services Division, Corporate Services Department.

When access to CCTV Traffic System information or a Security Services Record is given, the following information will be logged for audit purposes:

- The date and time at which the access was allowed or the date on which disclosure was made
- The identification of the party who was allowed access or to whom disclosure was made
- The reason for allowing access or disclosure
- The extent of the information to which access was allowed or which was disclosed, and
- Provisions for the return of the Security Services Record or its destruction

Staff who have authorized access to CCTV Traffic System information or any Security Services Record created through the CCTV Traffic System will be required to sign a written agreement regarding his or her duties, obligations and responsibilities with respect to the confidentiality, use and disclosure of the Security Services Record.

**Unauthorized Disclosure**

Any unauthorized disclosure of CCTV Traffic System information is cause for disciplinary action, up to and including termination of employment.

Any City of Mississauga employee having knowledge of any unauthorized disclosure of a Traffic Management Record must immediately inform the Senior Manager of the breach.

The Manager, Security Services, must be informed of any unauthorized disclosure of a Security Services Record.

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The Senior Manager will inform the Access and Privacy Officer and together they will take all reasonable actions to recover the Record and limit the Record's exposure.

## Revision History

Reference	Description
GC-0282-2012 – 2012 04 25	
July 4, 2018	Scheduled review. Housekeeping revisions to reflect current position titles.