

Report to Community and Protective Services Committee

To: Chair and Members
Community and Protective Services Committee
From: Lynne Livingstone, City Manager
Subject: Completion of Downtown Camera Program and Code of Practice Information Report
Date: June 13, 2023

Recommendation

That, on the recommendation of the City Manager, the following actions be taken with respect to the completion of the Downtown Camera Program,

- a) The following information on Civic Administration's approach for the completion of the Downtown Camera Program BE RECEIVED
- b) The revised London Downtown Closed-Circuit Television (CCTV) Program Code of Practice BE APPROVED

Executive Summary

Since 2001, the City of London has operated a Closed-Circuit Television (CCTV) system in the downtown core (the Core) in efforts to encourage positive behaviour and promote community and neighbourhood safety. As part of the Program, a Code of Practice was drafted in order to conform with MFIPPA and, the guidance and best practices outlined in the Information and Privacy Commissioner of Ontario's document entitled "Guidelines for the Use of Video Surveillance". The Code of Practice was recently reviewed and updated by the London Downtown CCTV Advisory Committee, who is seeking Council's approval of the amendments.

Currently, there are 17 cameras operating in the Core, however there are significant swaths of the Core that lack of coverage. Based on the findings of a 2021 security audit, Civic Administration propose an additional 40 cameras be installed on 20 intersections in the core area to complete the Downtown Monitored Surveillance Camera Program (DMSCP or the "Program"). Completing CCTV coverage in the Core can assist London police as an investigational tool in the event of a crime and also deter criminal acts and increase public perceptions of safety.

Linkage to the Corporate Strategic Plan

This report supports the 2023-2027 Strategic Plan in the following areas:

Well-Being and Safety

- London has safe, vibrant, and healthy neighbourhoods and communities.

Safe London for Women, Girls and Gender Diverse and Trans People

- The City of London demonstrates leadership by taking meaningful actions to address and eliminate all forms of violence against women and girls, gender-based violence, and sexual violence.

Economic Growth, Culture and Prosperity

- London's Core Area (Downtown, Midtown, Old East Village) is a vibrant neighbourhood and attractive destination.

Climate Action and Sustainable Growth

- London's infrastructure is built, maintained, and operated to meet the long-term needs of our community

Well-Run City

- Londoners experience good stewardship, exceptional and valued service.

Analysis

1.0 Background Information

The Downtown Monitored Surveillance Camera Program (DMSCP or the "Program") has been operating in the Core for 17 years. The program became fully operational on November 15, 2001 after 16 surveillance cameras were installed in the downtown area. One (1) additional camera was added in 2009 (Angel Street/Richmond Street) due to an audit recommendation, crime analysis and Council approval in late 2008.

In 2021, an additional security audit was conducted by Globe Risk International and identified that the Program should be completed as a critical safety recommendation. Completion of the Program was identified as a way to discourage negative behaviour and promote public safety.

1.1 Previous Reports Related to this Matter

- June 7, 2022- Strategic Priorities and Policy Committee- Core Area Action Plan: 2022 One-Time Program Enhancements
- March 8, 2022 - Strategic Priorities and Policy Committee - Core Area Action Plan 2021 Review
- November 30, 2021 - Strategic Priorities and Policy Committee - Strategy to Reduce Core Area Vacancy
- May 18, 2021 - Strategic Priorities and Policy Committee – Comprehensive Report on Core Area Initiatives
- July 14, 2020 - Strategic Priorities and Policy Committee - Core Area Action Plan
- 2020 Progress Update
- October 28, 2019 - Strategic Priorities and Policy Committee - Core Area Action Plan
- June 18, 2019 – Community and Protective Services Committee – Downtown Monitored Surveillance Camera Annual Report

2.0 Discussion and Considerations

2.1 Work to Date

Internal discussions between Security Services and the Core Area Action Team identified the completion of the Program as a priority based on the recommendations set out in the Safety Audit. In conjunction with the Spotlight Program, a Core Area initiative where businesses with storefront security cameras can register their cameras with the City of London, CCTV cameras and associated signage can act as a deterrent to negative behaviour. Civic Administration have identified 20 intersections for CCTV placement to complete the Program and maximize coverage in the Core.

The London Downtown CCTV Advisory Committee was established to provide an additional layer of oversight for the program, and ensure the program is meeting all privacy regulations. An annual evaluation of the program and Code of Practice is presented to the Advisory Committee and to City Council.

The Advisory Committee reviewed the Code of Practice and determined that revisions were required. As per Section 5 of the Code:

“The Code of Practice will be revised, as required, with the approval of the Municipal Council in order to account for developments in the interpretation of the provisions of relevant data protection legislation, developments in technology, and feedback from the Advisory Committee.”

The amended Code of Practice is attached to this report as Schedule “A”.

2.2 Next Steps

Security Services staff will work with Procurement Services to complete a competitive procurement process in accordance with the City’s Procurement of Goods and Services Policy to secure suitable vendors to supply, install and service CCTV equipment to complete the Program. Security Staff will consult with Information Technology Services to ensure the purchase, maintenance and operations of all Technology is in accordance with the Use of Technology Policy.

Upon approval from Council, the updated Code of Practice will be implemented by the London Downtown CCTV Advisory Committee. The requirement for approval of Council for subsequent updates of the Code is currently being considered by the Committee.

3.0 Financial Impact/Considerations

In June 2022, Council endorsed a \$260,000.00 one time program enhancement transfer from the Operating Budget Contingency Reserve to Emergency Management and Security Services Capital Budget in order to accelerate the implementation of the Safety Audit recommendations. Administration will report back to Council if future funding becomes available to expand the Program to include new locations.

In addition to the one time transfer, the funding to support this initiative, both operating and capital have been approved in the 2020-2023 Multi-Year Budget for Security Services and Emergency Management. Capital lifecycle upgrades and maintenance have also been identified in the upcoming 2024-2027 Multi-Year Budget.

Conclusion

The City of London’s Downtown Monitored Surveillance Camera Program (the “Program”) has been operational in the downtown core (the Core) since 2001. The Program has not been updated since one (1) camera was added in 2009, leaving large areas of the Core without CCTV coverage. Civic administration propose an additional 40 cameras be installed at 20 intersections to complete the Program by a proponent selected by a competitive procurement process as outlined in the City’s Procurement of Goods and Services Policy.

Civic administration also seeks Council’s approval of the revised London Downtown Closed-Circuit Television (CCTV) Program Code of Practice. The Code of Practice establishes procedures for the Program and ensures the cameras are operated in accordance with pertinent legislation and promote safety in the Core.

Prepared by: Cori Dooling, Manager Emergency Communications System
Submitted by: Paul Ladouceur, Director Emergency Management and Security Services
Recommended by: Lynne Livingstone, City Manager

Schedule “A” London Downtown Closed-Circuit Television (CCTV) Program Code of Practice

cc: Steve Mollon, Senior Manager, Procurement and Supply
cc: Mat Daley, Director, ITS

London Downtown Closed-Circuit Television (CCTV) Program Code of Practice Updated Q1 2023

1. Introduction

The Corporation of the City of London (“the City”) is committed to the improvement of community safety, crime prevention, and the desirability of the City as a place for shopping, business, and leisure. The downtown (“core area”) closed circuit television system helps promote a safer environment.

The Code of Practice establishes procedures for the London Downtown Closed-Circuit Television (CCTV) Program, (“the Program”) which records images from areas to which the public has access to from certain fixed locations in the core area of the City.

2. Defining Responsibilities

The City Clerk, as the Head under the *Municipal Freedom of Information and Protection of Privacy Act* (“MFIPPA”), is responsible for ensuring that the collection, use, and disclosure of personal information is in compliance with MFIPPA. Emergency Management and Security oversee the management and operation of the Program. The Advisory Committee, as described in Section 6, monitors the ongoing management of the Program. The external auditor is responsible for conducting regular audits of the Program.

3. Purpose and Principles

The key purpose of the Program is to promote public safety in the core area of the City.

The established goals of the Program are:

- to contribute to the safe environment of the core area;
- to assist in the revitalization of the core area; and,
- to improve the ability of Law Enforcement to respond to crime occurring in the core area.

The established objectives of the Program are:

- to deter crime;
- to improve Law Enforcement Services reaction to crime through enhanced monitoring and detection;
- to increase the perception of safety; and,
- to use camera recordings as evidence to identify individuals involved in criminal activities.

The monitoring procedures are performed according to the following principles:

- a) Camera monitoring shall be conducted in a manner consistent with all applicable laws and statutes. Monitoring operators shall not monitor individuals in any manner which would constitute a violation of the *Human Rights Code*, R.S.O. 1990, c. H.19.

- b) Camera monitoring shall be conducted in a professional, ethical, and legal manner.
- c) Monitoring operators shall be appropriately trained and supervised in the responsible use of the cameras and recording equipment.
- d) Personal information collected, used, or disclosed as part of the Program shall be for security and law enforcement purposes and subject to the provisions of MFIPPA. Recordings shall be maintained in a manner that provides continuity and security of the record.
- e) Recordings shall be retained for approximately 72 hours unless a record has been requisitioned for use.
- f) Camera locations and viewpoints shall not provide visual access of private residential areas.
- g) The monitored areas shall have signs advising the public of the monitoring and recording of personal information.
- h) The Program shall not reduce London Police Services presence in the monitored locations.

[4. The Municipal Freedom of Information and Protection of Privacy Act](#)

This Code of Practice conforms with MFIPPA and, the guidance and best practices outlined in the Information and Privacy Commissioner of Ontario's document entitled [Guidelines for the Use of Video Surveillance](#).

[5. Changes to this Code of Practice](#)

Changes to the Code of Practice will be necessary from time to time. The Code of Practice will be revised, as required, with the approval of the Municipal Council in order to account for developments in the interpretation of the provisions of relevant data protection legislation, developments in technology, and feedback from the Advisory Committee. Administrative revisions to the Code of Practice may also be necessary from time to time. Administrative changes will be applied to the Code of Practice by Civic Administration in consultation with the London Downtown CCTV Program Advisory Committee.

[6. London Downtown CCTV Program Advisory Committee](#)

The Advisory Committee shall consist of the following representatives:

- a) a representative from the City Clerk's Office to advise the committee about compliance with MFIPPA and act as Chair of the Committee;
- b) a representative from Emergency Management and Security to advise the committee about the management and operation of the Program;
- c) at least one representative from the business community;
- d) a representative from London Police Services to assist the committee in measuring the success of this Program; and,
- e) other staff as required to providing technical and administrative support.

Members who serve on the Advisory Committee are required to sign an oath of confidentiality. The Committee's Terms of Reference are attached hereto as "Appendix A".

7. System Management

Emergency Management and Security manages the operation of the Program and ensures compliance with the requirements of the Code of Practice.

The responsibilities of the City Clerk's representative include responsibilities under MFIPPA concerning:

- a) maintaining the confidentiality and security of personal information;
- b) controlling the storage and disclosure of personal information;
- c) ensuring that those involved in operating the system do so in accordance with MFIPPA and the Code of Practice; and
- d) liaising with London Police Services and other agencies and persons concerning the proper maintenance of information under MFIPPA.

8. Notice and Public Input

Camera Locations

Cameras shall be located to monitor only areas to which the public have access. The view of the cameras is restricted to prohibit the viewing of private dwelling spaces. Operators have been made aware of the purpose(s) for which the cameras have been established and are prohibited from using the cameras for any other purpose. Camera adjustments are restricted to ensure that operators cannot adjust or manipulate views to overlook spaces to which the public do not have access (e.g., private residences).

Signs

Signs shall be placed in the field of view of the cameras so that the public is aware that they are entering a zone which is covered by CCTV surveillance equipment. The signs shall be clearly visible to members of the public and located at every major intersection adjacent to the cameras.

The signs shall contain the following information:

"Video Surveillance in Use. Personal information is collected under the authority of the *Municipal Act, 2001* and in compliance with MFIPPA s. 28(2) and will be used for the purposes of promoting public safety and reduction of crime. For additional information please contact 519-661-2489"

Website Information

Information about the Program is available on the City's [website](#) and through media releases issued by Corporate Communications. London Police Services may also release information from the Program through its Media Relations Office.

Public Input Process

Any individual who wishes to provide comment, complaints, or questions about the Program may contact Emergency Management and Security.

A record of the number and types of complaints and enquiries shall be maintained by Emergency Management and Security in accordance with the City of London's Record Retention By-law. A report detailing the number and types of complaints shall be submitted to the Advisory Committee to assess the use of the Program. The Advisory Committee shall review and provide feedback on reported complaints. Complaints which cannot be resolved at an administrative level will be forwarded to the Community and Protective Services Committee for resolution.

9. Areas Covered by the Program

A map showing the areas covered by the Program is attached hereto as "Appendix B". This map shall be updated from time to time as camera locations in the core area are installed or decommissioned.

The Program has been designed to avoid residential areas however some cameras have residential accommodation in close proximity. Measures, by way of operational procedures and technical methods, have been implemented to ensure that cameras do not view into private dwellings.

10. Evaluation and Auditing of the Program

Evaluation

The Advisory Committee shall monitor and evaluate the ongoing management of the Program in accordance with the Terms of Reference attached hereto as Appendix "A".

Audits

The auditing of the Program is conducted by an external auditor retained by the City. The external auditor is required to sign an oath of confidentiality.

The audit consists of:

- ensuring that adequate camera monitoring staff are present at the time of the audit;
- a review of a random selection of recorded information at various locations to ensure the camera monitoring staff have complied with the Code of Practice and have not monitored individuals in any manner that would constitute a violation of the Human Rights Code; and
- a review of the Camera Monitoring Logbook to ensure that the reported incidents were properly recorded and that only authorized staff had access to the City Hall Security Operations Centre (SOC) and recorded information has been released according to the Code of Practice.

At the conclusion of the audit, the copied incidents are returned to the City Hall SOC for storage for the prescribed period. The auditor shall complete and sign the audit report within 30 days of the date of the review and provide a report to Emergency Management and Security. Emergency Management and Security will provide a copy of

the report to the Advisory Committee. If required, Emergency Management and Security shall respond to inquiries from the Advisory Committee within 30 days of receiving comment. The Chair will provide a copy of the response to the Advisory Committee and the audit team. The audit report and any responses will be provided to committee and Council annually.

The audit procedures can be found in the attached "Appendix C".

11. Operators

The successful operation of the Program relies on operators being well disciplined, having integrity and dedication, and maintaining the confidentiality that is required for the operation of the cameras in accordance with MFIPPA.

A training manual prepared by Emergency Management and Security is followed by all camera operators. Privacy issues form a regular part of operator training. All personnel who operate the cameras are required to sign an oath of confidentiality and commit to adhere to this Code of Practice.

Those persons involved in the management, supervision, and audit of the Program are required to pay particular attention to privacy issues in managing and operating the program.

12. Camera Control and Operations

City Hall Security Operations Centre is located on the main floor of City Hall. The camera locations are monitored by way of a pre-programmed cycle that provides the most effective coverage of the monitored area.

One operator shall be present in the monitoring room whenever staff is available. Only authorized operators are permitted to use the equipment.

The camera operator is not permitted to use the pan, tilt or zoom features to view residential areas or to monitor individuals in any manner that would constitute a violation of the *Human Rights Code*.

Camera operators are aware that recordings are subject to audit procedures, and they may be required to justify their actions.

Actions of the Camera Operator When Observing Suspicious Activity

- The camera operator, upon observing suspicious activity, may isolate the camera and use the pan, tilt or zoom features to determine if a police response is required.
- When a camera operator has determined that a police response is required, the camera monitor should use the camera features to identify the involved parties for evidentiary purposes.
- The camera operator will notify the London Police Service immediately upon observing an incident that requires the dispatch of patrol officers.
- The camera operator will maintain the focus of the camera on the incident and/or the immediate area if required until the incident has concluded.

- The camera operator will make an entry in the Camera Monitoring Logbook indicating weather conditions, date, time, incident type, start time and end time of the incident.

Actions of the London Police Service

- The London Police Service will assess an incident and determine how to respond.
- The London Police Service may notify the camera monitor upon becoming aware of an incident in a monitored area to assist in response and subsequent investigation.
 - Once notified by the London Police Service of an incident, the camera operator maintains the focus of the camera on the incident and/or the immediate area if required until the incident has concluded.
 - The camera operator shall make an effort to use the camera features to identify the involved parties for evidentiary purposes.

A monitor and control pad is also located in the London Police Service Communications Centre. This monitor does not receive information until the camera monitor activates it. The London Police Service may, at their discretion, assume control of monitoring an incident at any time at the London Police Station and will notify the Camera Monitoring Staff at the City Hall SOC at the completion of their monitoring.

The media may also be notified by the London Police where it is determined that the public's assistance is needed in order to assist in the identification of an individual in relation to an incident.

13. Access to City Hall Security Operations Centre (SOC)

Access to the City Hall SOC, procedure attached hereto as "Appendix D", is only permitted for lawful and sufficient reasons, and must be authorized by the Manager on duty. Records shall be kept of all persons accessing the SOC by recording the name of the individual concerned and the time of arrival and departure.

14. Use and Storage of Information

Custody and control of recorded material remains with The Corporation of the City of London. The transfer of the custody of the information between the City and London Police Services is outlined in the Data Sharing Agreement, attached hereto as "Appendix E".

Recorded material is only used for the purposes defined by this Code of Practice and in accordance with MFIPPA. The viewing of live information on a CCTV monitor is not considered *use* of recorded information. However, if this information is downloaded or accessed at the end of the 72-hour retention period, the recorded information is considered *used* and will be retained for one year as per the City's Record Retention By-law.

15. Access to Recorded Information

Access to recorded information is only permitted in accordance with this Code of

Practice and MFIPPA. Recorded information may not be sold or used for commercial purposes or for the provision of entertainment.

Access to recorded information is restricted to those responsible for the administration of the Program and to:

- a) law enforcement agencies in compliance with this Code and MFIPPA; and
- b) the people whose images have been recorded and retained who make a formal request for information under MFIPPA.

Individuals who wish to make a request under MFIPPA may refer to the City of London's MFIPPA [webpage](#) for information about how to submit a request.

If there has been an inadvertent disclosure of personal information, Emergency Management and Security will advise the Manager, Records and Information Services who will review the incident in accordance with the City's [Access and Privacy Policy](#) and the provisions set out in MFIPPA.

16. Addressing Incidents Captured by the Program

London Police Services shall comply with this Code of Practice when entering the City Hall SOC and when requesting records or in any other matter under the jurisdiction of this Code of Practice.

Camera operators shall be notified by London Police Services upon receipt of a report of an incident occurring within 72 hours in a camera surveillance area. The camera operators will complete a Digital Recording Request Form.

The camera operator must notify and obtain approval from the manager on duty to disclose camera footage to the London Police Services.

Digital Recording Development and Seizure

The camera operator shall review the footage of the incident area and immediate surrounding area to ascertain if particulars of the incident were captured by the cameras.

When a digital record is required to be created and seized, the requesting Law Enforcement Officer shall complete a Digital Recording Request Form and deliver same in person to the on-duty camera monitor to obtain a digital recording.

The camera operator shall create the digital recording and make an entry in the Camera Monitoring Logbook indicating that:

- a) the recording has been created, sealed, and presented to the requesting Law Enforcement Officer;
- b) the name of the Law Enforcement Officer requesting the seizure;
- c) the incident number and date and time; and,
- d) if the digital recording is being used as evidence, the Law Enforcement Officer shall indicate on the Crown Brief that there is recorded evidence and shall include a description of the evidence contained on the recording in the synopsis.

The Law Enforcement Officer shall also enter the recording into evidence for court purposes, following any relevant policies/procedures for evidence property control.

When the digital recording is no longer required, it shall be returned to the City Hall SOC. The date and time of return and signature of the camera operator receiving the record shall be entered in the Camera Monitoring Log Book.

17. Expanding the Scope of Surveillance within the Core Area Boundary

Changes or additions to camera locations within the core area may be required at the discretion of Emergency Management and Security and/or London Police Services in the interest of public safety and security. A Privacy Impact Assessment shall be conducted prior to the installation and operation of any additional cameras within the Core Area.

18. Program Maintenance

Emergency Management and Security shall be responsible for maintaining the full operation of the Program at all times. A lifecycle maintenance schedule shall be prepared and administered by Emergency Management and Security.

19. Violations of the Code of Practice

A violation of this Code may also be a violation under MFIPPA and may be subject to the offence provisions found within.

20. List of Appendices

Appendix A - London Downtown CCTV Program Advisory Committee Terms of Reference

Appendix B - Core Area Boundary and Camera Location Map

Appendix C - Audit Procedures

Appendix D - Access to City Hall Security Operations Centre Procedure

Appendix E - Data Sharing Agreement between London Police Services and The Corporation of the City of London

Appendix A - London Downtown CCTV Program Advisory Committee Terms of Reference

Functions and Mandate of the London Downtown CCTV Program Advisory Committee

The London Downtown CCTV Program Advisory Committee shall monitor and evaluate the ongoing management of the Program by:

- reviewing the operations of the Program, including the need for additional cameras (or the decommissioning of) within the Core Area;
- conducting research and analysis, as required;
- undertaking reviews of the Program and the Code of Practice to ensure procedures are relevant and reflect applicable legislation;
- reviewing the auditor's report;
- reviewing complaints or community feedback submitted to Emergency Management and Security, and;
- providing guidance and feedback about the Program.

The outcomes of the Advisory Committee shall reflect the purpose, goals, and objectives of the Program stated in the Code of Practice.

Membership and Meeting Frequency

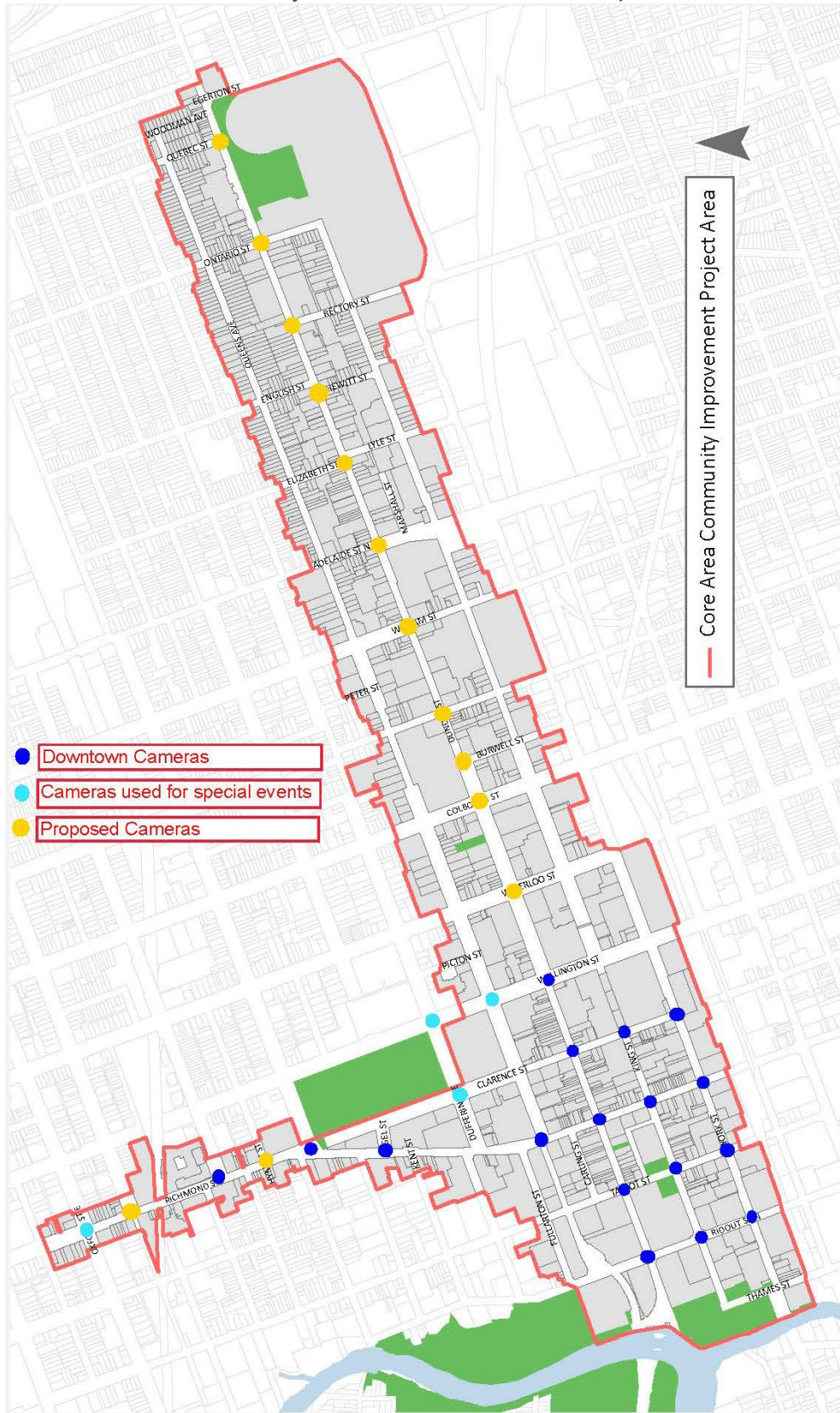
The advisory committee shall consist of the following representatives and shall meet (virtually or in person) as required or once annually:

- a) a representative from the City Clerk's Office to advise the committee about compliance with MFIPPA and act as Chair of the Committee;
- b) a representative from Emergency Management and Security to advise the committee about the management and operation of the Program;
- c) at least one representative from the business community;
- d) a representative from London Police Services to assist the committee in measuring the success of this Program; and,
- e) other staff as required to providing technical, and administrative support.

Confidentiality

All Advisory Committee members shall sign an oath of confidentiality prior to their first meeting.

Appendix B - Core Area Boundary and Camera Location Map



Appendix C - Audit Procedures

Audit Procedures

1. Review the London Downtown Closed-Circuit Television (CCTV) Program Code of Practice.
2. Ensure that adequate camera monitoring staff are present at the time specified audit procedures are being performed.
3. Select a sample of four recordings, each for a 15-minute period, from 17 cameras located in the Core Area. Review the recordings for compliance with Section 10 of the Code of Practice and ensure the recordings have not monitored individuals in any manner that would constitute a violation of the Code of Practice.
4. Return recorded incidents to the City Hall SOC;
5. Obtain the camera monitoring logbook and review the following information:
 - a. If reported incidents were properly recorded in accordance with Section 16 of the Code of Practice;
 - b. If only authorized staff had access to the City Hall SOC;
 - c. If recorded information was released according to the Code of Practice requirements contained in section 15 of the Code of Practice; and
 - d. Confirm that entries are complete and entered in a consistent manner.
6. Produce a Report and provide it to Emergency Management and Security.

Appendix D - Access to City Hall Security Operations Centre Procedure

Procedure to Access City Hall Security Operations Centre (SOC)

The City Hall SOC is located the main floor of City Hall and is the operational centre for the Closed-Circuit Television System for Downtown Surveillance in the City of London.

- Access to the SOC will be controlled by Security Card Access and authorized by a Security Leadership representative on duty.
- Any person requesting access to the SOC shall either notify Emergency Management and Security prior to arriving at City Hall or proceed directly to SOC intake to advise that they require admittance to the SOC and provide the reasons therein.
- Security personnel on shift shall notify the Security Leadership representative on duty that an individual has requested access to the SOC and provide the reason for the request.
- The Security Leadership representative on duty shall review the request and either approve or deny entry.
- Excluding London Police Services, any person permitted access the SOC shall swear or affirm an Oath of Confidentiality in witness of a Commissioner of Oaths.
- Excluding London Police Services, any person requiring entry to the SOC for the purposes of viewing/auditing the CCTV camera Program shall ensure they have made prior arrangements to attend in person.
 - If any person is permitted entry to the SOC for the purposes of viewing/auditing the CCTV camera Program, Security personnel shall log the details of visit in the camera monitoring logbook which shall include:
 - The date and time of the visit;
 - The name of the individual entering the SOC;
 - The reasons for the visit; and
 - Confirmation that the Oath of Confidentiality has been sworn or affirmed in witness of a Commissioner of Oaths.
- Any person entering the SOC shall be attended by Security personnel on duty at all times.
- Security personnel shall ensure that persons granted access to the SOC exit securely.

Appendix E - Data Sharing Agreement between London Police Services and The Corporation of the City of London

October 11, 2001 - Sharing Agreement – Closed Circuit Television System for Downtown Surveillance

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON,
(hereinafter referred to as “the Disclosing Party”) OF THE FIRST PART

-AND-

THE LONDON POLICE SERVICES BOARD,
(hereinafter referred to as “the Collecting Party”) OF THE SECOND PART

WHEREAS The Corporation of the City of London and The London Police Services are involved in the Downtown Surveillance Closed Circuit Television (“CCTV”) Camera Program;

AND WHEREAS the London Police Services may on some occasions require access to the surveillance tapes, which may contain Personal Information, to be used in Law Enforcement investigation work;

AND WHEREAS the Corporation of City of London is subject to the Municipal Freedom of Information and Protection of Privacy Act (the “Act”) which regulates the sharing of Personal Information.

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. DEFINITION

- a) “Incident” means an event recorded by the closed circuit television camera which results in or is likely to result in a response and or subsequent investigation by the Collecting Party.
- b) “Personal Information” when used in this Agreement shall have the meaning ascribed to it in the Act.
- c) “Law Enforcement” when used in this Agreement shall have the meaning ascribed to it in the Act.

2. PURPOSE OF THE DATA SHARING

The purpose of this data sharing agreement is to allow the Collecting Party to use the CCTV tapes for Law Enforcement purposes. This Personal Information contained on the tapes will be shared in order to facilitate the Collecting Party becoming aware of an Incident in an act monitored by video surveillance to assist in response and subsequent investigation.

Personal Information must be shared in order to identify individuals involved in an Incident in certain subject areas. This Information is originally collected in order to monitor activity at various locations within the downtown area. Information

obtained through video monitoring shall be used exclusively for Law Enforcement purposes and in accordance with the standards set out by the Act.

3. AUTHORITY TO COLLECT PERSONAL INFORMATION

The collection of Personal Information which is the subject matter of this agreement is authorized by Section 28(2) of the *Act*; and

4. AUTHORITY TO SHARE PERSONAL INFORMATION

The sharing of Personal Information which is the subject matter of this agreement is authorized by Section 32(g) of the *Act*.

5. PERSONAL INFORMATION TO BE SHARED

The Disclosing Party will provide to the Collecting Party:

- a) The required video tapes when the image recorded would assist in a specific investigation, and;
- b) A computer disk of the Personal Information that is requested.

6. USE OF PERSONAL INFORMATION

The information provided by the Disclosing Party to the Collecting Party shall only be used in compliance with of the Act to assist in response to and subsequent investigation of an Incident.

Neither party shall use the Personal Information provided under this Agreement for any purpose other than that set out in this Agreement and which is specifically authorized by the *Act*.

Any Personal Information obtained/disclosed in connection with the Agreement, shall not be subsequently disclosed unless the disclosure is in compliance with section 32 of the *Act*.

7. METHOD OF SHARING DATA

Personal Information described in clause 5 above, shall be provided to the collecting party in electronic format (on a CD).

The Camera Operator will isolate the focus of the camera on the Incident and/or area and when requested by the London Police Service will transfer the Information onto a CD. It is anticipated that there will be no physical loss of data during the transfer.

8. ACCURACY AND SECURITY OF THE PERSONAL INFORMATION

To ensure compliance with section 30(2) of the *Act*, the parties agree that the following procedures shall be adhered to:

- (a) The camera operator, when observing an Incident, will make a manual entry in the Camera Monitoring Log Book indicating weather conditions, date, time, incident type, start time and end time of Incident.
- (b) Access to tape records or to the City Hall Security Office will only be permitted for lawful, proper and sufficient reasons and must be authorized by the Manager on duty. Records will be kept of all access by recording the name of the individual concerned and the time of arrival and departure.
- (c) When a video tape is required to be developed and viewed, the requesting officer shall complete a Video Tape Request Form and deliver same in person to the on duty camera operator to obtain a video tape. The on duty camera operator shall request the development of the video tape by Technology Services and make an entry in the Camera Monitoring Log Book indicating that:
 - (i) the tape has been created, sealed and provided to the requesting officer
 - (ii) the name of the officer requesting the seizure
 - (iii) the incident number, date and time and
 - (iv) name of camera operator requesting the tape be made by Technology Services.

Tape seals shall be kept in the City Hall Security Office and shall be affixed by the camera operator at the time the videotape is developed and seized by the Police Officer.

When the videotape is no longer required, it is to be returned to the camera operator by the requesting officer for storage retention by City Hall for one (1) year. The date and time of return and signature of the camera operator receiving the videotape shall be entered in the Camera Monitoring Log.

9. TERMINATION OF THE DATA SHARING ACTIVITY

In the event of the termination of this Agreement, the Personal Information shared under this Agreement shall be returned to the Disclosing Party. It will be the Disclosing Party that will regain custody of the Personal Information disclosed to the Collecting Party.

10. PERSONAL INFORMATION BANKS

The Disclosing Party shall attach or link to the Personal Information Bank this new use of Personal Information in accordance with section 35 of the *Act*.

The collecting party shall create a Personal Information bank in its directory of records in accordance with section 34 of the *Act*.

11. AMENDING PROCEDURES

This agreement may be amended by the written agreement of the parties.

12. CHANGES THAT AFFECT THE AGREEMENT

The parties undertake to give one another written notice of any changes in legislation, regulations or policies respecting the parties and programs that are likely to affect this Agreement.

The parties agree that any policies dealing with the security, access, retention and disposal of the shared Personal Information, are in accordance with the Act.

IN WITNESS WHEREOF this Agreement has been signed on behalf of the disclosing party

THE CORPORATION OF THE CITY OF LONDON

AM DeCicco
Mayor
Anne Marie DeCicco, Mayor

Date May 1/02

G.H. Hallman
Clerk
G.H. Hallman, City Clerk

Witness [Signature]

IN WITNESS WHEREOF this Agreement has been signed on behalf of the collecting party by

THE LONDON POLICE SERVICES BOARD

[Signature]
Chair

Date April 18, 2002

Witness [Signature]