

86. BODY WORN CAMERAS POLICY

Purpose

This policy provides guidance to staff and contractors, and the general public, on the ethical, lawful and efficient use of body worn cameras (BWC) and recorded data. It aims to ensure that any audio/video data collected through the use of these devices will only be used, or provided to any third party, in accordance with Council policies, procedures and legislative requirements.

Body camera technology will be used by Douglas Shire Council to promote and maintain a safe work environment (for example, by discouraging and documenting occupational violence), and provide evidence where required to investigate complaints.

Scope

This policy applies to all staff who are required to wear and use body worn cameras (BWC) in the course of performing their duties for Douglas Shire Council.

This policy also applies to Management, Records and Information and Communication Team (ICT) personnel and contractors insofar as they have supervisory and technical responsibilities in relation to body worn cameras.

This policy does not apply to the administration and operation of fixed CCTV systems.

Principles

Authorised persons who, as part of their normal duties, are responsible for engaging with individuals or entities for the purpose of compliance and enforcement activities, should utilise a BWC in the exercise of their powers. The use of these devices is intended to:

- Assist in the lawful collection of evidence for actual or suspected breaches of legislation, including delegated State legislation and Council local laws.
- Maintain and improve community safety.
- Mitigate identified risks to the health, safety and welfare of Council officers in the execution of their duties.
- Provide a record of the interaction between an officer and a potential complainant in situations that may result in an allegation of inappropriate behaviour or other complaint.
- Assist in the investigation of allegations of inappropriate conduct by officers

Training

All staff required to use a BWC will receive training including:

- a. Practical use of equipment; and
- b. Operational guidance, e.g., when to commence and cease recording; and
- c. Legal implications of using such equipment.

Use and Security

BWC will be stored in a secure location when not in use. They will be issued to individual officers, who will be responsible for the correct operation of the device, including ensuring they are fully charged before each shift.

The loss or theft of any BWC is to be immediately reported to the relevant supervisor.

BWC will be used at all times when the Authorised Person is exercising their powers and will be worn on a prominent location of the officer's body, uniform or clothing.

Where practicable, officers will inform the individual (or group) that the BWC is recording. However, it is acknowledged that this is not a legal requirement in the State of Queensland and as such, there may be occasions when to do so would escalate the incident or put the officer in danger if such a warning was given.

Data Management

Recordings must be downloaded from the BWC for storage on Council's evidence management software or other secure file location, as determined by the officer's relevant supervisor or manager, in consultation with ICT, and in line with any of Council's policies regarding information security or data compliance.

All recordings are a record of Council and must not be accessed or distributed, unless authorised.

Recordings will, upon request, be made accessible as soon as practicable to the Queensland Police Service and other law enforcement agencies, if it is deemed "reasonably necessary" for a law enforcement activity.

Members of the public who have been identified as being recorded by a BWC may request access to the footage, as per the *Right to Information Act 2009* and Chapter 3 of the *Information Privacy Act 2009*.

Related Legislation

Information Privacy Act 2009 (QLD)

Right to Information Act 2009 (QLD)

Public Records Act 2002 (QLD)

Related Documents

Douglas Shire Council Code of Conduct

Policy Review

This policy is to be reviewed whenever legislation changes, or every 4 years if no changes have been required to be enacted, at the direction of the Chief Executive Officer.

Policy Details

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Revoked/Superseded	

This policy is to remain in force until otherwise determined by Council.