



CLOSED-CIRCUIT TELEVISION SYSTEM (CCTV) POLICY

KCCC operates Closed-Circuit Television System (CCTV) to ensure the health, safety and protection of all children, staff, educators, families, guardians, students, volunteers, and visitors who attend KCCC's premises (**Attendees**).

KCCC operates CCTV in various internal and external locations, as detailed in this policy.

The aim of this policy is to clearly outline the purpose, use of, and access to CCTV recordings, to ensure the safety and security of all Attendees, and to ensure compliance with all applicable laws.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is protected.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS

12	Meaning of serious incident
181	Confidentiality of records kept by approved provider
195	Application of Commonwealth Privacy Act 1988

RELATED POLICIES

Child Safe Environment Policy	Record Keeping and Retention Policy
Health and Safety Policy	Supervision Policy
Privacy and Confidentiality Policy	Work Health and Safety Policy



PURPOSE

KCCC has a responsibility to provide a safe and secure working and learning environment.

The use of CCTV installed at KCCC aims to:

1. enhance the overall safety and security of people, the premises and equipment;
2. assist in the identification and/or investigation of any incident which may necessitate action being taken; and
3. facilitate the review and documentation of reportable incidents to the relevant regulatory authorities, and to any department or agency as required by law.

KCCC's use of CCTV is designed to be reactive rather than proactive, meaning it is to be used in response to specific incidents, not to proactively monitor Attendees.

KCCC complies with all relevant laws, including to the Privacy Act 1988 (Cth) (Privacy Act), the Australian Privacy Principles, and the Surveillance Devices Act 1999 (Vic).

SCOPE

This policy applies to all Attendees of the Service.

IMPLEMENTATION AND INSTALLATION

KCCC is responsible for ensuring that the CCTV system is installed and operates in compliance with relevant laws and regulations.

KCCC will ensure that:

1. Any third party engaged to install or service its CCTV system is qualified, licensed, and reputable;
2. Cameras will be installed in accordance with relevant laws and regulations;
3. Cameras will be clearly visible and not concealed in any way; and
4. All cameras and systems are maintained and serviced as per manufacturer's instructions.



CAMERA USE

Closed-Circuit Television (CCTV) operates at the Service and comprises of:

- 23 fixed position cameras (which may be increased or moved due to changes around the centre)
- A monitor
- Digital Hard Drive Recorder
- 1 Public Information Sign

CAMERA LOCATIONS

- Entry and exit points
- Foyer Area
- Learning spaces
- Outdoor play spaces
- Pantry
- Kitchen
- Hallways
- Reception

The CCTV recording system operates in real mode, monitoring the site continuously 24 hours a day.

Footage and information collected via the recording system will be governed by [Australian Privacy Principles](#) and all relevant staff will be kept up to date with requirements under Australian privacy law.

The CCTV systems do not record sound.

STORAGE OF FOOTAGE

KCCC will not store footage for longer than is strictly necessary to fulfil its purpose, generally for a period of [30 days], unless otherwise required for an internal investigation, legal proceeding or required by law. Generally, KCCC only needs to retain footage for a short amount of time, because the occurrence of incidents usually emerge reasonably quickly.

In the case of an internal investigation or legal proceeding, the footage may be stored for periods of up to 12 months after the completion of the investigation or legal proceeding, or otherwise as required by law.



Any recorded footage will be destroyed or de-identified when it is no longer needed. CCTV footage is kept in a secure location. KCCC will use its best endeavours to ensure the footage is secure, but acknowledges that a small risk of the system being compromised is unavoidable.

REVIEW OF AND ACCESS TO FOOTAGE

Viewing of recorded footage is strictly limited.

Requests to Review Footage

Any request to view, access, or release any recorded footage must be made in writing to and approved by the General Manager (or, if the General Manager is absent, the People and Culture Manager). The General Manager maintains discretion as to the approval of such requests, but may only do so if:

1. it is for a lawful purpose;
2. the request is made in writing;
3. it directly involves the person making the request, or their child or property; and
4. it is related to an incident or investigation, or the identification of an incident or investigation.

Where a request to view or access the footage is approved by the General Manager:

1. the footage must be viewed in the first instance by **at least two of**:
 - a. the General Manager;
 - b. the People and Culture Manager; or
 - c. if either the General Manager or the People and Culture Manager are not available, a KCCC Board member;

(Reviewing Parties)

- and not in the presence of the person requesting access to the footage;
2. the Reviewing Parties will advise the person making the request what is contained in the footage, based on the Reviewing Parties' detailed notes of the footage;
 3. in limited circumstances, the Reviewing Parties may approve that the person making the request view the footage, but only where:
 - a. there is some benefit material benefit to either the requester or to KCCC in allowing the footage to be reviewed; and
 - b. the viewing is for one of the purposes set out in this policy;



- c. the viewing would not cause a health, wellbeing or safety risk concern to another person, and would not be an unreasonable intrusion into another person's privacy; and
 - d. the request is approved by a majority of the KCCC Board.
4. copies of the footage will not be given to the person making the request unless required to do so by law, and secondary copies (eg mobile phone recordings of the footage) are strictly prohibited.

Where a request to view or access the footage is declined by the General Manager:

1. the person making the request may appeal the decision to the KCCC Board by making a written submission for the KCCC Board's review;
2. The KCCC Board will then decide (by majority) whether the request should be approved; and
3. the decision of the majority of the KCCC Board will be final.

Requests by the General Manager

In some instances it may be necessary for the General Manager to request access to CCTV footage. Where the General Manager would like to make a request, they must do so in writing to the People and Culture Manager.

Release to other parties

Footage relating to an incident or an investigation, or the identification of an incident or investigation, may only be viewed by other internal personnel on a strictly confidential, need-to-know basis including by:

1. the General Manager and the People and Culture Manager;
2. members of the KCCC Board;
3. any staff member directly involved in the incident or investigation.

Imagery will only be released to a third party as required by law, or to cooperate with a government agency or regulatory authority if it is reasonably necessary for a law enforcement activity. In such circumstances, Attendees whose image is contained in the released footage will be notified of its release and the reasons for its release (where legally possible).



Register of Access to CCTV Footage

The General Manager and the People and Culture Manager must maintain a register of viewed CCTV footage, including details about the person making the request to access the footage, the purpose for the request and the reason for its approval, the nature and content of the footage, and details of the dates and times accessed.

MANAGEMENT/NOMINATED SUPERVISOR:

Management will comply with current CCTV Australian laws, to ensure:

- all staff, educators and families have been notified in writing about the surveillance devices at the Service including:
 - the kind of surveillance to be carried out (camera, computer or tracking)
 - how the surveillance will be carried out
 - when the surveillance will start and if it will be continuous or intermittent and
 - whether the surveillance will be for a specified limited period or ongoing
 - who has access to the footage (police, legal representatives)
 - how and when the footage will be deleted
- clear expectations of staff and educators in the workplace and their responsibility for upholding the Service's privacy obligations have been discussed
- all cameras are clearly visible
- signs are placed at the entrance of the Service to advise staff, families, and visitors about the surveillance
- there is no external access to the footage (e.g. families or staff members cannot log in and view footage)
- cameras are not installed in private areas such as bathrooms or shower areas (for employees and children)
- maintenance and upgrades of cameras are conducted as required
- cameras are positioned to ensure the most effective coverage
- compliance with the Privacy Act, including handling of any personal information
- CCTV Footage is kept secure and destroyed or de-identified when it is no longer required
- confidentiality is maintained at all times
- the correct time and date are covered
- a request to view a recording is in accordance with Australian law



- new employees, students and volunteers are provided with a copy of the CCTV policy as part of their induction
- families are provided with a copy of this policy/ or access to this policy during enrolment or orientation to the Service

CONTINUOUS IMPROVEMENT/REFLECTION

Our *CCTV Policy* will be reviewed annually.

SOURCES

Australian Government, Office of the Australian Information Commissioner. (2019). Australian Privacy Principles: <https://www.oaic.gov.au/privacy/australian-privacy-principles-guidelines/>

Education and Care Services National Regulations. (2011).

Fleming, J. (2016). Childcare centre safety. *Belonging Early Years Journal* (5)1, 86-88.

NSW Government, Office of the Children's Guardian *Child Safe Standards* (2020).

Privacy Act 1988

Revised National Quality Standard. (2018).

Workplace Surveillance Act 2005

REVIEW

Policy reviewed by	Suzie Mansell	General Manager	1/3/2024
Policy created	January 2024	Next review date	January 2025