

Toronto Community Housing

Closed Circuit Television (CCTV) Surveillance Policy

1. Why Toronto Community Housing has this Policy:

Toronto Community Housing has decided that there may be the need for Closed Circuit Television (CCTV) systems in some of its buildings. CCTV may help provide Toronto Community Housing's tenants, employees, visitors and properties with an increased perception of safety and security, along with other measures that the organization and the community may put in place. The use of CCTV in Toronto Community Housing communities may help to discourage people from committing crimes, and may help to identify people who commit crimes on Toronto Community Housing properties. Toronto Community Housing's focus is to create safe, healthy communities and the use of CCTV equipment is one measure that may be used to assist with that goal.

Toronto Community Housing will keep control of and be responsible for the CCTV surveillance systems in its buildings. Toronto Community Housing recognizes that the use of CCTV systems must balance safety needs and a tenant's reasonable expectation of privacy.

2. What does this Policy apply to?

This Policy applies to all surveillance systems, surveillance monitors and camera recording devices used for security purposes that have been or will be installed by Toronto Community Housing on its properties.

This Policy does not apply to the following CCTV surveillance systems: required by law or a court order or installed by third parties such as the police and commercial tenants.

3. What laws will Toronto Community Housing follow in using the CCTV system?

Toronto Community Housing will follow the applicable privacy sections of the Ontario *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), and will use the Information and Privacy Commissioner's guidelines in its practices related to the collection, use, sharing, storage and disposal of any information received from CCTV systems.

4. How will Toronto Community Housing decide if a building needs CCTV?

Toronto Community Housing will balance an individual's right to privacy and the need to ensure the safety and security of its communities. Toronto Community Housing will work with the community to determine whether a CCTV system is a tool that fits with the community's safe and secure plan. The following factors may be considered as to whether to install a CCTV system in a particular community:

- (a) What other ways of preventing crime have not worked, or what other ways of preventing crime are not possible;
- (b) What reports or incidents of crime or significant safety concerns have been received by Toronto Community Housing;
- (c) Consideration of how CCTV will affect people's privacy, and any privacy issues raised by use of CCTV on its properties; and
- (d) Consultations with people who are affected about whether Toronto Community Housing needs CCTV, including tenants, employees, and the Toronto Police Services.

5. Where will Toronto Community Housing place the CCTV System and Equipment?

A. CCTV Cameras

Toronto Community Housing may place CCTV cameras in public areas of Toronto Community Housing property. Toronto Community Housing will not place CCTV

cameras anywhere that tenants, employees and the public should reasonably expect privacy. For example, Toronto Community Housing will not place cameras directly in front of a tenant's door, or in washrooms and change rooms.

B. CCTV Recording Equipment

Toronto Community Housing will make sure that access to the CCTV recording equipment is kept away from the public. The equipment will be in places that only a few people can get into, such as a locked room. Toronto Community Housing will also make sure that the only people who can access the CCTV cameras and other equipment are Community Housing Managers, contract Property Managers, Toronto Community Housing Community Safety Consultants, Toronto Community Housing Community Safety Officers, and any other Toronto Community Housing employee, contractor or representative with permission to do so.

6. Retention Period of a CCTV Record

The information recorded by the CCTV will be kept for a period of 3 days or such lesser period as permitted by the system. Toronto Community Housing may keep a record longer than the retention period only if it is identified prior to disposal as being needed as part of a criminal, safety or security investigation or for evidentiary purposes.

7. Storage, Record Identification and Logbook

All of the CCTV records that Toronto Community Housing stores will be kept in a locked room with the CCTV equipment. Stored CCTV records will be clearly labelled with the date as its identification. For Digital Video Recorders (DVRs) that store information directly on a hard drive, Toronto Community Housing will use the computer time and date stamp as the identification. For Video Cassette Recorders (VCRs) that store information on videotapes, a label will be affixed to the videotape with the date as its identification.

A logbook will be kept in the locked room where the CCTV system and recording equipment is stored. Those individuals approved to access the system, as identified under section 5 (B) above, must sign the logbook to show when they access the record, how they used it, and when and how it was destroyed. The logbook must include the name of the person who had permission to access the record.

8. Disposal

Toronto Community Housing will do everything reasonably possible to keep CCTV records safe, and to destroy records when they are no longer needed. Old recording storage devices will be destroyed according to the applicable disposal process to ensure that recorded personal information is erased prior to disposal, and cannot be retrieved or reconstructed. Depending on the type of recording and storage device, Toronto Community Housing will shred, burn or erase the record.

9. Restricted Access to CCTV system

Toronto Community Housing will make sure that only the individuals identified under section 5(B) above will have access to the CCTV records, and only those individuals will be allowed to authorize the removal of CCTV records out of storage.

10. Allowing the police to use the CCTV records

If the police need a CCTV record to help them investigate a crime, Toronto Community Housing will let them look at the record and take it with them. Toronto Community Housing will follow the rules set out in MFIPPA. Where appropriate, Toronto Community Housing may request the police to only use the CCTV record as evidence in a court proceeding. Before taking a record, police officers will be required to fill out a release form as provided in Appendix A.

Toronto Community Housing will ask the police to return or destroy the record when the police and courts are finished with it. Toronto Community Housing will keep these records for one year after their return or as required under MFIPPA, and then destroy it in line with the proper disposal method.

11. Who can ask to see what is recorded by CCTV?

Any person who has been recorded by a CCTV system has a right to see what the record shows if it is still stored by Toronto Community Housing. This right is guaranteed by the Ontario *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

Any person who wants to see a CCTV record must write to Toronto Community Housing's Privacy Coordinator as soon as possible after the record was made. The person requesting the record must identify where and when the recording was captured. If a person asks to see a CCTV record, that person can only see images of himself/herself. As with all requests for records, Toronto Community Housing will make sure that any other person identified in the record are blocked out. As with all such requests a fee may be applicable. Requests for access to a record may be denied in certain circumstances as set out in MFIPPA and any other applicable law.

12. Telling the public about the CCTV system

To tell the public that Toronto Community Housing is using CCTV, Toronto Community Housing will post signs on any property that has CCTV.

The following information may be on the signs:

- That CCTV may be in use on the property;
- Which law allows Toronto Community Housing to make records of people;
- The purpose behind the use of CCTV; and

- The title, business address and telephone number of a person who can answer questions about CCTV.

13. What Toronto Community Housing employees need to know

Toronto Community Housing will communicate this policy to its employees and those representatives that manage Toronto Community Housing residential properties. Toronto Community Housing will also make sure that all employees who do anything related to the CCTV systems follow this policy and any related MFIPPA requirements.

14. What contracted service providers need to know

Any time Toronto Community Housing contracts with a service provider that may have a connection that relates to Toronto Community Housing's CCTV system, Toronto Community Housing will tell the service provider that all records in its CCTV systems belong to Toronto Community Housing and must be handled according to this Policy.

Where a service provider does not follow this Policy, Toronto Community Housing may consider that the service provider has breached its contract and may result in the termination of its contract with Toronto Community Housing.

15. What happens if CCTV information is accidentally made public?

If any information from a CCTV record is accidentally made public in breach of this Policy, Toronto Community Housing will deal with the problem quickly and effectively.

Toronto Community Housing will:

- immediately report what happened to its Privacy Coordinator,
- try to get the record back,
- tell the person whose privacy has been violated,
- tell the Ontario Information and Privacy Commissioner, and
- investigate what happened.

16. Reviewing the CCTV system

Toronto Community Housing will review its CCTV equipment on a periodic basis to ensure that it complies with this Policy.

17. Reviewing this Policy

Toronto Community Housing will periodically review and update this Policy.

Appendix A – Sample Release Form

Request for Release of a CCTV Record from Toronto Community Housing Corporation

Police officers must fill in this form before Toronto Community Housing will release any CCTV record. Toronto Community Housing must release the record if requested by police as provided under section 32(g) of the *Municipal Freedom of Information and Protection of Privacy Act*.

I, _____, of the _____,
Print Name of Police Officer Print Name of Police Services

Request a copy of the following record(s):

- 1.
- 2.

The record has personal information about _____,
Print Name of Individual

or is related to an incident that took place on _____.
Date and Time

I am asking for this record to help with an investigation that may lead to a law enforcement proceeding. We will not release the record to third parties including the media without Toronto Community Housing’s prior consent.

Signature of Officer

Badge/Identification Number

Signature of Person Authorized to Release the Record

Date

Date Recorded Device Returned

Appendix B – Sample Signage Content

Attention: These premises may be subject to video surveillance by Closed Circuit Television (CCTV). This is not an emergency response system. Call 911 in the case of an emergency.

Section 28(2) of the Ontario *Municipal Freedom of Information and Protection of Privacy Act* authorizes the collection of personal information by use of CCTV. This information will be used for the purpose of promoting community and building safety.

Any questions about this collection may be directed to: Toronto Community Housing, 931 Yonge Street, Toronto, Ontario, M4W 2H2; Telephone: 416-981-5500; Email: cctv@torontohousing.ca.