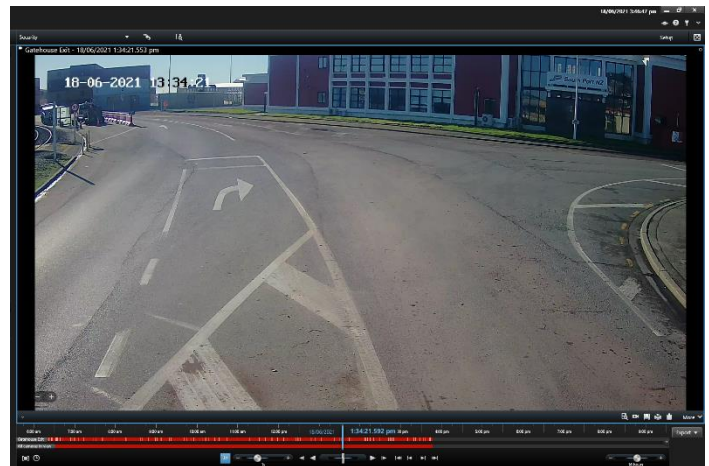




# South Port NZ

## CCTV Surveillance Policy



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CCTV Surveillance Policy	V1	9 September 2021	31 August 2022	Port General Manager

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# CCTV SURVEILLANCE POLICY

## 1. Application

- 1.1 This policy sets out a framework for the use and application of CCTV by South Port. It aims to follow best privacy practice to ensure that images captured, collected and stored are handled in a professional and confidential manner to protect the privacy of individuals and comply with our legal obligations under the Privacy Act 2020.
- 1.2 This CCTV Surveillance Policy applies to all:
- a) South Port Employees, Port Users, Service Providers and Customers of South Port and any members of the general public who may enter premises or facilities owned and/or operated by South Port.
  - b) Any contractor or subcontractor engaged by South Port to provide goods and/or services to South Port;
  - c) Any port user that accesses or utilises South Port's land, buildings or facilities to conduct their operations, including third parties such as tenants, licensees, contractors and sub-contractors, transport companies and customers;
  - d) Any party that is subject to South Port's Common User Safety Protocols or PCBU Policy, in force from time to time;
  - e) Any employee of a party referred to in paragraphs b), c) or d) above;
  - f) Any other person accessing a South Port site.

## 2. Background and Purpose

- 2.1 South Port operates, or intends to operate, CCTV cameras at all of its facilities.
- 2.2 CCTV footage is captured for health and safety, security and operational purposes, including but not limited to:
- a) Protecting the safety and security of South Port personnel, customers and third parties.
  - b) Protecting the security of property, buildings and critical infrastructure owned and/or operated by South Port.
  - c) Monitor and observe vehicular and pedestrian traffic on berths roads, carparks, pedestrian walkways and other common areas.
  - d) Monitoring activities taking place at South Port facilities to identify and respond to any health, safety, security or operational risks.
  - e) Ensuring South Port complies with national and international security measures designed to keep our port safe and secure – including but not limited to the Maritime Security Act 2004, the International Ship and Port Facility Security (ISPS) Code, and the requirements of Maritime New

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Zealand (MNZ) which is responsible for verifying South Port as compliant with international security requirements.

- f) Monitoring and assessing activities in order to identify opportunities for improvement and maximise efficiencies.
- g) Deterring unsafe work practices and/or criminal behaviour and/or activities that breach South Port's Common User Safety Protocols and other health, safety and environmental rules and requirements.
- h) Capturing information that could be used to identify/prevent or detect/investigate a crime, security breach, health and safety event and/or a staff incident.
- i) Other ancillary purposes such as assisting with resource allocation and management, traffic management and staff training.

2.4 This policy excludes:

- a) CCTV systems installed in, on or from any facilities leased or occupied by a tenant or licensee.
- b) The use of video recording for training, marketing, promotional or video conferencing purposes.
- c) The recording of teaching and learning activities and the subsequent use of such recordings.
- d) The use of live web-streaming cameras installed by South Port for public interest viewing (ie web cams).

### 3. Definitions

- 3.1 "CCTV" means South Port's closed-circuit television system that relies on strategic placement of cameras capturing images that are monitored, primarily for health and safety, security and operational purposes.
- 3.2 "Authorised User" means any Employee authorised in accordance with Clauses 4 and 8.
- 3.3 "Employee" includes any person employed by South Port, or a subsidiary of South Port, regardless of whether he/she is employed on a permanent or fixed term or casual basis
- 3.4 "Port User" means a business that utilises South Port's common area facilities to conduct their operations. This includes third parties such as tenants, licensees, contractors and sub-contractors, transport companies, customers, and other port visitors. A Port User may also lease or hire plant and equipment from South Port.
- 3.5 "Service Provider" means a business that provides a service direct or indirect to South Port. This includes contractors and other service providers such as suppliers, auditors, MPI, Customs etc. It also includes sub-contractors engaged by a lead contractor.
- 3.6 "Privacy Officer" means the person appointed by South Port for the purposes of Section 201 of the Privacy Act 2020 to ensure compliance by South Port. As at the date of adoption of this Policy, the office of Privacy Officer is held by the Human Resources Manager.

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#### 4. Responsibility

- 4.1 The Port General Manager has overall responsibility for overseeing the implementation of this policy and maintaining the integrity of the CCTV system, which involves:
- a) Working with Authorised Users (as provided in Clause 8) for the administration and implementation of this policy;
  - b) Deciding operating hours and locations of CCTV;
  - c) Work with the Privacy Officer to ensure South Port complies with the Privacy Act;
  - d) Ensure that Authorised Users are trained in respect of CCTV related matters.

#### 5. Privacy Act 2020

- 5.1 South Port Employees having access to CCTV shall at all times:
- a) Operate with efficiency, impartiality and integrity and comply with the principles of the Privacy Act 2020.
  - b) Maintain confidentiality in regard to duties and observations.
  - c) Take all necessary steps to maintain security of the monitors and footage (tapes, drives, disks etc).
- 5.2 South Port shall post the Privacy Notice attached as [Appendix 1](#) on its website and display in a prominent position in the Watch House and in the Administration Building.

#### 6. CCTV System

- 6.1 CCTV in use by South Port shall comprise a range of fixed-position cameras, pan tilt and zoom cameras, motion-activated recording, display monitors, digital recorders and public information signs.
- 6.2 CCTV operates 24 hours per day, 7 days per week.
- 6.3 Display screens in the Watch House will display 'real time' images monitoring vehicle and pedestrian traffic on berths, roads, carparks, pedestrian walkways and other common areas; and these images will be able to be viewed by Security Personnel as well as anyone else in the Watchhouse.
- 6.4 The recording devices/servers for CCTV cameras are to be installed in a secure location. Only persons trained and authorised as CCTV Operators are allowed access to recorded CCTV footage stored in this location.
- 6.5 CCTV footage will record to the hard drive for no more than 28 days before being overwritten in a continuous recording cycle. Where an incident or suspected incident has been identified, the relevant footage may be exported for evidential purposes to allow a thorough and proper investigation into the incident.

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## 7. Camera Locations

- 7.1 CCTV cameras are or will be located at various places on South Port premises and may be relocated from time to time.
- 7.2 CCTV cameras are deliberately sited to cover as much of our premises as is possible, including:
- a) Site entry points
  - b) vessels (ie harbor tugs, pilot launch and other floating plant);
  - c) inside or outside buildings;
  - d) roadways and pedestrian walkways;
  - e) emergency locations (eg assembly points or where emergency equipment is accessed);
  - f) operational areas with high-risk equipment, processes or chemicals;
  - g) areas where cash, high value equipment and high value information are stored or handled.
- 7.3 CCTV cameras will be positioned in a way that will not intrude to an unreasonable extent on the privacy of individuals
- 7.4 Where appropriate, privacy enhancing technologies will be used.
- 7.5 CCTV cameras must not be installed in any manner which breaches the personal privacy of an individual. Cameras must not under any circumstances be installed within or facing inside:
- a) toilets;
  - b) showers;
  - c) sleep rooms;
  - d) any room used by a health provider;
  - e) individual offices.
- 7.6 All new and/or replacement cameras are to be approved by the CCTV Administrator and recorded in South Port's register of CCTV cameras.
- 7.7 Temporary use of covert systems:
- a) Covert systems may only be used for South Port's internal purposes in exceptional circumstances and with the prior approval of the Chief Executive.
  - b) Exceptional circumstances may include where there is a strong suspicion of criminal activity or serious misconduct or may give rise to a health and safety risk to any person or damage to the environment, and which cannot reasonably be detected by other means.
  - c) The use of covert cameras for staff performance management purposes is not permitted.
  - d) CCTV cameras will be removed immediately upon conclusion of any investigation.

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- 7.8 Except in the case of a temporary covert system, no camera will be hidden from view.
- 7.9 Mobile or portable cameras may be used to monitor compliance on construction sites (or similar) and to record progress of project work.

## 8. Monitoring of CCTV System - Authorised Users

- 8.1 Only staff approved by the Port General Manager shall be permitted to monitor CCTV images and/or to have access to recorded footage. Approval for monitoring purposes shall be granted where such monitoring is directly relevant to the functions of the Employee's role.
- 8.2 All staff granted approval to monitor CCTV images must receive appropriate training in the technical, legal, and ethical parameters of appropriate camera use. Training shall include the proper operation of the equipment and infrastructure and, where appropriate, its maintenance.
- 8.3 South Port reserves the right to have remote access to all footage. Where cameras are monitored via a mobile device (such as a smartphone, tablet or similar device), the user shall ensure that no unauthorised person has the ability to view the device.
- 8.4 The following users shall be granted access to view and operate the CCTV system:

CCTV System Manager	Full system access to all CCTV camera features and programming	<ul style="list-style-type: none"> <li>Port General Manager (or his delegate)</li> </ul>
CCTV High Level Support	Full system access to all CCTV camera features, programming for maintenance purposes and exporting/downloading footage	<ul style="list-style-type: none"> <li>Designated IT staff</li> </ul>
CCTV High Level User	Full system access to all CCTV camera features (including discretion to playback to approved regulatory agencies)	<ul style="list-style-type: none"> <li>Marine Operations Manager</li> <li>Port Facility Security Co-ordinator</li> <li>Designated Managers</li> <li>Designated H &amp;S staff</li> </ul>
CCTV Operator	Majority system access, including playback, for designated cameras (subject to any limitations imposed by the CCTV Systems Manager)	<ul style="list-style-type: none"> <li>Designated Managers</li> <li>Designated Supervisors</li> <li>South Port Security</li> </ul>
CCTV View Only	Live view only	<ul style="list-style-type: none"> <li>Delegated South Port staff</li> <li>Police by request</li> <li>Approved third parties (subject to written approval from the CCTV System Manager)</li> </ul>
CCTV View Only, in common areas per Clause 6.3	Live View only	<ul style="list-style-type: none"> <li>Watch House reception/waiting area</li> </ul>

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8.5 User responsibilities are set out in [Appendix 2](#).

## 9. Requests for Access and Use of CCTV Footage

9.1 Requests for a copy of CCTV footage must be made in writing in the form attached in Appendix 3, and submitted to the Marine Operations Manager in first instance.

9.2 Upon receipt of a request, South Port will:

- a) Take reasonable steps to check CCTV images are accurate, complete, relevant and not misleading before using them.
- b) Consider the ease of access to the footage, and the need to protect the privacy of other persons.
- c) If the footage can be located, take measures to ensure the relevant footage is saved.
- d) Respond to the request within 20 working days.

9.3 South Port will approve or decline the request having regard to the necessity for the request by reference to the purpose for which it is sought and the requirements of the Privacy Act 2020.

9.4 Where it is determined that footage may appropriately be supplied to any party reasonable steps shall be taken to ensure that the footage is used solely for the authorised purpose and none other.

9.5 If a request is unable to be granted without unreasonably breaching the privacy of another person, South Port may in its absolute discretion:

- a) Provide a written description of the activities in the footage pertaining to the individual requesting the information; and/or
- b) Where practicable, make use of privacy enhancing technologies (eg masking); and/or
- c) Arrange for a viewing of the footage in question.

9.6 All access to CCTV images must be logged where access is granted to a third party (ie not a South Port Employee).

9.7 South Port shall be entitled to charge for time spent and costs incurred providing footage. The cost structure as at the date of adoption of this policy is set out in Appendix 4.

## 10. Signage

11.1 Signage advising of CCTV cameras will be installed at all main entry points and as close to where individual cameras and/or camera areas are located.

11.2 Signs will clearly display the message “Surveillance Cameras in Operation” or a similar message (see Appendix 5 for examples) and be of a size and style that makes them readily visible.

11.3 South Port’s website and induction processes will also include a notice stating that CCTV is operating.

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## 12. Breaches and Complaints

### 12.1 South Port staff:

- a) Any alleged breach of this policy by an Employee will be investigated forthwith. A deliberate or willful breach could constitute serious misconduct.
- b) Any misconduct, whether arising from a breach of this policy or associated with an incident detected by CCTV, will be handled in accordance with our Code of Conduct and the relevant employment agreement.

### 12.2 Third Parties

- a) A breach of this policy by a third party will be dealt with in accordance with our Common User Safety Protocols (CUSP), PCBU Policy and any Safety Agreement in force between South Port and the third party.

12.3 Any complaint relating to the use of CCTV must be submitted in writing to, and shall be investigated by, the Privacy Officer.

## 13. Reviews

13.1 CCTV usage will be reviewed on 30 June 2022 and annually thereafter.

13.2 The costs for providing CCTV footage shall be reviewed on 30 June 2022 and annually thereafter. Any increases shall take effect as from 1 July each year.

13.3 This policy will be reviewed on 31 August 2022 and biennially thereafter.

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## APPENDIX 1 – NOTICE OF CCTV OPERATION

1. South Port operates CCTV on its premises and surveillance footage will be collected and held by SPNZ.

2. Purpose:

CCTV footage is captured for security, operational and health and safety purposes, including:

- a) Protecting the safety and security of South Port personnel, customers and third parties.
- b) Protecting the security of property, buildings and critical infrastructure owned and/or operated by South Port.
- c) Monitoring vehicular and pedestrian traffic on berths roads, carparks, pedestrian walkways and other common areas.
- d) Monitoring activities taking place at South Port facilities to identify and respond to any health, safety, security or operational risks.
- e) Ensuring South Port complies with national and international security measures designed to keep our port safe and secure – including but not limited to the Maritime Security Act 2004, the International Ship and Port Facility Security (ISPS) Code, and the requirements of Maritime New Zealand (MNZ) which is responsible for verifying South Port as compliant with international security requirements.
- f) Monitoring and assessing activities in order to identify opportunities for improvement and maximise efficiencies.
- g) Deterring unsafe work practices and/or criminal behaviour and/or activities that breach South Port's Common User Safety Protocols and other health, safety and environmental rules and requirements.
- h) Capturing information that could be used to identify/prevent or detect/investigate a crime, security breach, health and safety event and/or a staff incident.
- i) Other ancillary purposes such as assisting with resource allocation and management, traffic management and staff training.

3. Disclosure of Information Held

The information collected may be disclosed to the Police and published by the Police if the Police decide that is desirable in the circumstances. The information collected may be accessed by South Port staff and used for the purposes in paragraph 2 above.

4. Access to CCTV

Individuals identified on CCTV have the right to ask for access to footage about them and request that information be corrected. All requests will be dealt with under the Privacy Act.

5. Charges

South Port shall be entitled to charge for providing footage. Rates are reviewable annually. The current rates (as at 1 February 2021) are:

\$120.00 (plus GST)	for the initial request (maximum 90 minutes)
\$100.00 (plus GST)	for every additional hour thereafter
\$20.00 (plus GST)	for USB stick, if CCTV footage is required to be copied (no external devices will be accepted)

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## APPENDIX 2 – AUTHORISED USERS

1. The CCTV Administrator is responsible for:
  - a) Ensuring the installation and maintenance of equipment is sufficient.
  - b) Undertaking an annual review of this policy.
  - c) Undertaking an annual review of the use of all CCTV cameras.
  - d) In conjunction with the Privacy Officer, organising the training and authorising of CCTV Operators.
  - e) Ensuring all new installations are GIS mapped.
  - f) Ensuring that requests for footage are processed effectively within agreed deadlines.
  - g) Establishing and overseeing South Port's CCTV Access Log.
  - h) On-going maintenance and accuracy of the CCTV camera inventory and related service provider agreements.
  - i) Ensuring signage is in place and in accordance with this policy.
2. CCTV High Level Support are responsible for:
  - a) Implementing all maintenance to the CCTV system as required, including security level access for designated/delegated staff.
  - b) Maintaining a record of all footage viewed and released to third parties in a CCTV Access Log.
3. CCTV High Level Users are responsible for:
  - a) Protecting the integrity of the CCTV system.
  - b) Accessing CCTV footage only for approved purposes.
  - c) Referring all requests for copies of footage to CCTV High Level Support.
4. CCTV Operators are responsible for:
  - a) Protecting the integrity of the CCTV system.
  - b) Accessing CCTV footage only for approved purposes.
  - c) Ensuring all requests for footage are in writing.
  - d) Retrieving footage requested for viewing by the Police within 24 hours of the receipt of the request and recording footage released in the CCTV Access Log.
  - e) Referring all requests for copies of footage (other than from a Police Officer) to CTV High Level Support.

Note:

- (i) Users may view recorded data that cover areas that they manage, but may not make or keep recordings without first complying with the access storage and use process set out in this policy.
- (ii) This includes applying in writing giving reason(s) why they require a copy of the footage.
- (iii) This is to ensure full transparency and to maintain the integrity of the system.

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**APPENDIX 3 – APPLICATION FORM FOR ACCESS TO CCTV IMAGES**

<b>Please return this form to Port Facility Security Co-ordinator:</b> On receipt of your completed form, we will respond to your request promptly, and in no more than 20 working days. If we encounter any difficulties in locating your image(s) we will keep you informed of our progress.	
<b>I request a copy of images recorded by South Port's CCTV surveillance system:</b>	
Person making the request <i>(include full name and position/title)</i>	
Name of organisation	
Postal address <i>(if different from above)</i>	
Daytime contact number	
Email address	
<b>Details of image to be viewed</b>	
Date/Estimated time	
Location <i>(please be as precise as possible)</i>	
I require a copy of the images for the purpose(s) of:	
Person(s) to whom the images will be disclosed, and reasons for doing so	
<b>I acknowledge and agree that:</b> (i) <i>The footage provided will only be used for the purpose(s) set out above.</i> (ii) <i>I will not make a copy of these images, other than for the specific purposes set out above.</i> (iii) <i>I will not disclose the images to any persons other than those listed above, unless lawfully required to do so.</i> (iv) <i>I will not publish any images on the internet or give them to the news media.</i> (v) <i>I will pay for the cost of providing a copy of these images to me.</i>	
Dated:	Signed:
<b>To be completed by Port General Manager or Marine Operations Manager or Privacy Officer</b>	
Request <b>Approve / Declined</b> (please circle)  If declined give reason(s): <i>(continue on separate sheet if required)</i>   Signed: ..... Dated: ____ / ____ / ____	

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**APPENDIX 4 – CCTV FOOTAGE – COST STRUCTURE**

*Note: these charges are effective as from 9 September 2021 and will be reviewed annually*

\$120.00 (plus GST) for the initial request (maximum 90 minutes)

\$100.00 (plus GST) for every additional hour thereafter

\$20.00 (plus GST) for USB stick, if CCTV footage is required to be copied  
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## APPENDIX 5

## SIGNAGE SAMPLES



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