

OFFICIAL AND FINAL



 CITY OF Welland	Policy Title: Video Surveillance Policy and Procedures	
	Date of Approval: July 16, 2025	Policy Number: LS-02-2025
	Approved By: CLT	Lead Role: Manager of Facilities
	Cross Reference: HR-016- (Employee) Electronic Monitoring Policy	Associate Role: City Clerk
	Revision Date: July 31, 2025	Next Review Date:

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1. Purpose

To govern the use of Video Surveillance Systems (VSS) to enhance safety and security at City facilities and to protect City assets in accordance with the privacy provisions of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), the Information and Privacy Commissioner of Ontario (IPC) Guidelines for the Use of Video Surveillance 2015 (IPC Guidelines), and any other relevant legislation.

The policy aims to protect the privacy and rights of individuals by ensuring the responsible use of VSS to minimize privacy risks.

Section 28(2) of MFIPPA provides that personal information may be collected without consent when it is expressly authorized by statute, used for the purpose of law enforcement, or necessary for the proper administration of a lawfully authorized activity.

2. Policy Statement


The City of Welland recognizes the need to balance an individual's right to privacy and the need to ensure the safety and security of City employees and the public. The City supports the use of video surveillance, when used with other measures.

Video surveillance is designed to minimize privacy intrusion, to promote public and employee safety and to enhance security to prevent unauthorized activities, reduce risk and liability exposures in accordance with best practices.

3. Application

This policy applies to all VSS installed at City facilities. It also applies to employees, including full-time, part-time, casual, contract, volunteer and co-op placements as well as contractor and service providers while performing authorized activities for the City.

This policy does not apply to covert surveillance used as part of an investigation tool for law enforcement purposes or to workplace surveillance systems used to conduct surveillance of employees.

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4. Policy Objectives

The objectives of this policy are to govern the requirements and responsibilities with respect to:

- Compliance with Ontario's privacy laws including its obligation with respect to notice, collection, access and use, disclosure, retention and disposal of personal information, including fundamental data minimization.
- The installation and operation of video surveillance systems.

5. Definitions


Definitions are set out in Appendix A to this policy.

6. General Provisions


6.1 Video Surveillance Systems

- All locations for a video surveillance camera and accompanying signage requires the approval of the City Clerk and the Manager of Facilities.
- Prior to the installation of VSS, the following factors must be considered:
 - The use of VSS must be justified based on verifiable, specific reports of incidents of crime or significant safety concerns.
 - VSS should only be considered after other measures of deterrence or detection have been considered and rejected as unworkable.
 - The proposed design and operation of the VSS should minimize privacy intrusion.
 - The equipment shall not have sound capability unless deemed necessary for specific law enforcement purposes.
- Camera placement will be assessed and determined on a case-by-case basis. A Video Surveillance Security Threat Assessment (Form VSS-01-25) shall be conducted to determine the effects the VSS may have on personal privacy and the ways in which any adverse effects can be mitigated.

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- d) The VSS shall be installed to monitor only those public areas identified as requiring video surveillance.
- e) All reasonable steps shall be taken to mitigate any adverse privacy effects. No camera will be placed so that it views into an area where the public and employees have a greater expectation of privacy, such as washrooms, change rooms or directed to look through the windows of adjacent buildings or onto adjacent property.
- f) Cameras adjustable by designated employees/contractor employees should be restricted, if possible, so designated employees/contractor employees cannot adjust or manipulate the cameras to overlook spaces that are not identified or intended to be covered by the video security surveillance systems.
- g) VSS will not be used passively for surveillance purposes (meaning the equipment will not be panned or zoomed remotely) to prohibit the viewing of locations not intended to be monitored.
- h) Appropriate areas for VSS include entrances, exits, general purpose areas, common areas, corridors, receiving areas, parking lots, and exterior building perimeters.
- i) The equipment may operate on a 24/7 hours and days basis. However, where possible, VSS should be restricted to periods when there is a demonstrably higher likelihood of significant incidents/crime being committed and detected in the area under surveillance.
- j) The location and particulars of the capabilities of the VSS shall be tracked and documented in the Video Surveillance Camera Location Inventory Form (Form -02-25).
- k) All VSS storage devices shall be secure and equipped with encryption or other security measures to protect data integrity. Each storage device shall be identified by location.

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6.2 Operation of Video Surveillance Systems

- a) Only the City Clerk, and employees and contractors authorized by the Manager of Facilities or City Clerk, shall be permitted to access, monitor and operate the VSS. The Manager of Facilities shall maintain an up-to-date list of all designated positions and persons.
- b) Video monitors shall only be accessed by designated employees/contractor employees. They shall be kept in a strictly controlled access area and the monitors shall not be in a position that enables public viewing or viewing by unauthorized employees. The monitors shall be turned off when not required.

6.3 Public Notice


Public notice shall be provided to individuals that video surveillance is in use by:

- a) Posting signs, clearly visible to employees and the public, at all entrances and within common areas and/or prominently displayed on the perimeter of the grounds of all facilities under security surveillance.
- b) Informing individuals of the legal authority for the collection of personal information, the principal purpose(s) for which the personal information is intended to be used, the title, business address, and telephone number of the employee or designate who can answer questions about the collection.
- c) The public notice and signage shall be clear, and language-neutral along with a graphic depiction of the use of video security, generally as set out in Form VSS-03-25.
- d) Posting on the City's website, including the camera inventory.

6.4 Use of Video Recordings

1. The information collected through video surveillance shall only be used:
 - a) To assess the effectiveness of safety and security measures taken at a particular facility.
 - b) To investigate an incident involving the safety or security of individuals, employees, facilities or assets.

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- c) To provide law enforcement agencies with evidence related to an incident under investigation.
 - d) To provide evidence as required to protect the City's legal rights.
 - e) To respond to a request for information under MFIPPA.
 - f) To investigate a critical bodily injury, as defined by and reported to, the Ministry of Labour.
 - g) To investigate an incident or allegation of serious employee misconduct.
 - h) To aid in the investigation of a potential or active insurance claim.
 - i) To aid the Facilities Division in the investigation of acts of vandalism or suspicious activity at City facilities.
 - j) Training, or
 - k) For a consistent purpose or as required by law.
2. Any uncertainty whether a use is consistent with the uses outlined in this policy shall be determined by the City Clerk.
3. Any time a City incident report is completed, the applicable video surveillance record shall be proactively pulled and generally retained for thirty (30) days and may be disposed of thereafter if not required for a permitted use under Section 6.4(1) of this policy.

6.5 Access and Disclosure

1. **Right of Access** - Any employee or member of the public who has been recorded by the VSS has a general right of access to his or her own personal information under Section 36 of MFIPPA and shall file a Freedom of Information (FOI) request with the City Clerk.

Access to an individual's own personal information may depend upon whether third parties may be affected by the request for access and whether any exempt information may be severed from the record.

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2. **Public Requests** – Any person may submit a written request for access to video surveillance records to the City Clerk under MFIPPA (freedom of information process) and pay the prescribed fees.

The FOI request should contain sufficient detail, such as the approximate time and date, the location of the incident, if known, to enable an experienced employee, upon a reasonable effort, to identify the record. Access depends on whether there is an unjustified invasion of another individual's privacy and whether any exempt information can be reasonably severed from the record.


3. **Internal Requests** – Employees or authorized contractors/contractor employees/consultants shall submit a request, in writing (Form VSS-04-25), to the City Clerk for a copy of video surveillance footage if it is necessary in the performance of their duties and in the discharge of the City's business, or to direct video surveillance to law enforcement. The City Clerk shall determine whether access can be granted. In deciding, the City Clerk may consult with Human Resources, Legal Services and/or other persons.

4. **Law Enforcement Requests** – If access to video surveillance records is required for the purpose of a law enforcement investigation, the requesting Officer must complete a Law Enforcement Request Form (Form VSS-05-25) and submit the form to the City Clerk. The City Clerk shall access the requested records with the assistance of the designated employee/security contractor employee. The City Clerk shall then provide the video records according to the request or pursuant to a warrant (Sections 32 (e) and (f) of MFIPPA).

Disclosure of video surveillance records is permitted when staff observe an illegal activity on municipal property and disclose the video surveillance records to a law enforcement agency to aid an investigation from which a proceeding is likely to result (Section 32(g) of MFIPPA).

Disclosure of video surveillance records may be permitted in response to a verbal request by a law enforcement agency only in situations involving an emergency, imminent danger or in hot pursuit, and under compelling circumstances affecting the health or safety of an individual.

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5. The City Clerk shall access the requested footage with the assistance of the designated employee/security contractor. The City Clerk shall receive the footage in the Security Drive where applicable. The City Clerk shall provide the video records according to the request or pursuant to a warrant (Sec. 32(e) and (f) of MFIPPA).
6. For audit purposes, the City Clerk shall log the following information in the Access Log Record (Forms VSS-05-25 and VSS-06-25):
 - The date and time of the original, recorded incident, including the location/number of the applicable camera. For example: Camera 1 - Front Entrance - Welland Main Arena.
 - The name of the designated employee/security contractor at the time of the incident.
 - The case file number of the agency's investigation.
 - A description of the circumstances justifying the disclosure.
 - The means used to disclose the video surveillance record.

6.6 Access and Access Log Record

After any access to the VSS, the Clerk shall complete the Access Log Record (Form VSS-06-25).


6.7 Viewing Images

When video surveillance records must be viewed by law enforcement or for investigative reasons, this must only be completed by a designated individual(s) authorized by the City Clerk in a private, controlled area that is not accessible to other employees, visitors or the public.

6.8 Unauthorized Access and/or Disclosure (Privacy Breach)

If video surveillance records containing personal information are improperly disclosed or are suspected to have been disclosed to an unauthorized person and/or a potential privacy breach has occurred, the employee or contractor who is

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aware of the disclosure, must immediately inform the City Clerk who shall follow the Privacy Protocol: Guidelines for Managing a Privacy Breach (VSS-07-25).


6.9 Live Viewing

- (a) Council approved a strategic partnership with the Niagara Regional Police at its meeting of June 3, 2025, to share video surveillance data with the Real Time Operations Centre (RTOC) and staff were directed to develop and implement a data-sharing agreement, with operational protocols, to enhance public safety.
- (b) Notwithstanding Section 6.9(a), live viewing is restricted to time periods when there is a demonstrably higher likelihood of safety and security concerns involving employees, contractors, the public or corporate assets, or the commission of unauthorized activity in the area under surveillance. Live feed monitors shall be turned off when not in use.

6.10 Access and Secure Storage

- a) If the City can redact or remove personal information of individual(s) that may have been captured on the VSS and it is considered exempt information, the City may use tools and techniques such as:
 - Digitizing analogue footage to enable the use of more powerful editing tools.
 - Blacking out or blurring images of individuals that are not subject to the request.
 - However, if the City does not have the ability to redact or remove personal information, the City shall outsource the requirement to a suitable provider with the consent of the requester, and the cost shall be borne by the requester.
- b) Video surveillance equipment and video surveillance records shall be stored in a secure, access-controlled location to ensure the integrity of the information.
- c) Access to video surveillance records and equipment shall be limited to the City Clerk, Manager of Facilities, and designated employees/contractor employees.

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- d) Any employee accessing video surveillance records must sign a Confidentiality Agreement (Form VSS-08-25) agreeing to adhere to this policy.
- e) In accordance with the Records Classification and Retention Schedule (RCRS), the VSS and video surveillance records shall be securely disposed of in such a way that the personal information cannot be reconstructed or retrieved.

6.11 Retention and Destruction

- a) Brief retention periods minimize the risk of improper use and disclosure. Unless requested by the public, employees or law enforcement agencies, video surveillance records shall be retained for a period of up to thirty (30) days, are considered transitory and are automatically erased by being overwritten in accordance with the RCRS.
- b) If a video surveillance record is proactively pulled in anticipation of a request, the video surveillance record may be stored for up to thirty (30) calendar days. If a request is not received within this time, then the video surveillance record shall be manually deleted in accordance with the RCRS.
- c) Digital recording equipment may only be destroyed when replaced by a new piece of equipment or when it is not repairable. It may only be destroyed by an authorized service person, and it shall be destroyed in a manner that ensures that it can no longer be used by any person and that the recorded information cannot be reconstructed or retrieved by any person.
- d) When video surveillance records related to personal information have been “used,” meaning when video surveillance containing images of individuals or other identifiable information is accessed or disclosed, the video surveillance record shall be retained for at least one year. Simply viewing a live feed does not represent a “use” of personal information.

6.12 Training

Employees and contractors who have access to the VSS equipment and the video surveillance records shall receive training in accordance with the provisions of this policy. The training will be carried out by the City Clerk and the Manager of

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Facilities utilizing the Video Surveillance Policy Training Checklist (Form VSS-09-25).

6.13 Regular Audit and Evaluation

The City Clerk and Manager of Facilities shall conduct regular reviews of the VSS and this policy to ensure that:

- Video surveillance continues to be justified according to the camera inventory and if so, whether its use can be restricted.
- Reported incidents and access pursuant to a request is properly recorded in the access log.
- Video surveillance records are being properly retained and/or destroyed, and
- Any formal or informal information requests from the public have been tracked.

6.14 Delegation of Authority

After the approval of this policy, the City Clerk is hereby delegated the authority to amend this policy from time to time as deemed necessary.

6.15 Accessibility

The City shall ensure that all elements of the video surveillance program comply with the Accessibility of Ontarians with Disabilities Act, 2005, and its associated regulations.

7. Roles and Responsibilities


7.1 The Chief Administrative Officer shall:

- Approve this policy on behalf of the Corporate Leadership Team.
- Ensure consistent application and City-wide compliance with this policy.

7.2 The City Clerk shall:

- Process requests for disclosure of video surveillance records under MFIPPA.
- Respond to requests from the public and employees about the collection, use, and disclosure of personal information captured by the VSS.

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- Provide advice and recommendations to employees to assist in complying with this policy and MFIPPA.
- Facilitate access requests by law enforcement agencies.
- Post the VSS Notice of collection of personal information on the City's website.
- Work with department manager(s) and employee(s) in the event of an improper disclosure of personal information. Notify the IPC in the event of a privacy breach, where appropriate.

7.3 The Manager of Facilities shall:

- Be responsible for the overall management of the video surveillance program.
- Ensure a public notice for video surveillance is posted at all City sites that have a VSS camera notifying the public of the collection of personal information and the use of the information.
- Provide job specific training.
- Ensure those employees designated to be responsible for the VSS operations at their site location comply with this policy and related directions, including:
 - Complying and adhering to all aspects of this policy.
 - Monitoring the video surveillance cameras.
 - Ensuring all aspects of the VSS are functioning properly.
 - Documenting all relevant information as directed by the City Clerk.
 - Ensuring that no personal information is disclosed without the approval of the City Clerk.
 - Ensuring that no copies of video surveillance records, data/images, in any format (hardcopy, electronic, etc.) are taken from the VSS without the approval of the City Clerk.
 - Forwarding all requests for access to video surveillance records to the City Clerk for processing.

7.4 The City Clerk and Manager of Facilities shall jointly:

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- Ensure the reasons for the proposed video surveillance equipment/systems are consistent with the IPC Guidelines for the use of video surveillance cameras in public places.
- Undertake regular evaluations of the VSS to ensure compliance with this policy and to ensure the camera locations are still necessary.
- Conduct a Security Threat Assessment for any proposed new installations, including identifying any privacy risks, being considered after the approval of this policy.
- Approve all camera locations.
- Develop VSS and privacy training for City and contract staff who have responsibilities under this policy.
- Conduct internal audits of the system, as required to ensure compliance with this policy and MFIPPA.

7.5 Information Services shall be responsible for the technical aspects of video surveillance and not necessarily footage access. Technical aspects include video camera network infrastructure and replacement and maintenance of equipment and systems.

7.6 All employees shall:


- Review and comply with this policy and MFIPPA in performing their duties and responsibilities related to the operation of the VSS.
- Adhere to this policy and the Confidentiality Agreement (Form VSS-08-25).
- Report any suspected privacy breach to their managers or supervisors.
- Report any problems with the VSS to their managers or supervisors.

7.7 Where the City has a contract with a service provider, the contract shall provide that failure by the service provider to comply with relevant legislation and established policies and procedures is considered a breach of contract leading to penalties and including contract termination.

8. References

- The [IPC Guidelines for the Use of Video Surveillance](#) – October 2015 and future updates.
- [IPC Technology Fact Sheet](#) – Video Surveillance – November 2016.

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- The Municipal Freedom of Information and Protection of Privacy Act.
- The Municipal Act.
- City of Welland – HR-016 – Electronic Monitoring Policy (of Employees).
- City of Welland Records Classification and Retention Schedule.

9. Video Surveillance System Forms

Form VSS-01-25	Video Surveillance Security Threat Assessment
Form VSS-02-25	Video Surveillance Camera Location Inventory
Form VSS-03-25	Video Surveillance Camera Signage-Notice of Collection
Form VSS-04-25	Internal Request Form for Disclosure of Video Surveillance Records
Form VSS-05-25	Law Enforcement Officer Request Form – Access to Video Surveillance Records
Form VSS-06-25	Video Surveillance Records Access Log Form
Form VSS-07-25	Privacy Protocol: Guidelines for Managing a Privacy Breach
Form VSS-08-25	Video Surveillance Confidentiality Agreement
Form VSS-09-25	Video Surveillance Policy Training Checklist

Revision History

Reference	Description	Date	Approval and Date
Added Section 7.5 under Roles and Responsibilities – Information Services -Employees renumbered to Section 7.6	To reference role and responsibilities of Information Services	July 31, 2025	S. Conidi, Deputy Clerk August 5/25

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Definitions – Video Surveillance Policy

APPENDIX A

1. **City** means the Corporation of the City of Welland.
2. **Clerk** means the City Clerk of the City of Welland or designate.
3. **Consistent purpose** means personal information collected by the City of Welland used for the purpose for which it was collected.
4. **Facility** means any building, property or land that is either owned or occupied by the City.
5. **Incident** means events or allegations of inappropriate behaviour which would be in violation of law, or of a by-law, policy or procedure relating to employee or public conduct.
6. **Manager of Facilities** means the Manager of Facilities, Operations and Development, Community Services Department for the City of Welland, or designate.
7. **MFIPPA** means the Municipal Freedom of Information and Protection of Privacy Act.
8. **Personal information** is defined in Section 2 of MFIPPA, as recorded information about an identifiable individual, which includes but is not limited to, information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual. If a video surveillance system displays these characteristics of an identifiable individual or the activities in which he or she is engaged, its contents will be considered “personal information.”
9. **Privacy breach** means an incident involving unauthorized disclosure of personal information, including it being stolen, lost or accessed by unauthorized persons.
10. **Records retention by-law** means the Records Classification and Retention Schedule By-law of the City.
11. **Video surveillance record** means a record of video surveillance information created from the City’s video surveillance system.
12. **Video surveillance system (VSS)** means a video, physical or other mechanical, electronic, digital or wireless surveillance system or device that enables continuous or periodic video recording, observing or monitoring of individuals in public spaces or within City facilities.