

# PRIVACY IMPACT ASSESSMENT

## I BASIC INFORMATION - Existing System – Crystal Pool Video Cameras

### 1. Public Body and Program Area.

Public Body	City of Victoria
Division	
Branch/Section	
Initiative Title	Video Cameras at the Crystal Pool

### 2. Contact Position and/or Name, Telephone Number and E-Mail Address.

(This should be the name of the individual most qualified to respond to questions regarding the PIA).

Name, Title	Sandy Clarke, Manager, Recreation Programs & Facilities
Branch/Section	Crystal Pool
Phone Number	250 361-1707
E-Mail	

### 3. Description of the Program/System/Legislation (Initiative) being assessed.

(Please note here if the initiative does **not** collect, use or disclose personal information). If this is a change to an existing legislation, system or program, describe the current system or program and the proposed changes.

The system being assessed is the video cameras located inside and outside the Crystal Pool facility. The cameras are used for law enforcement purposes and to respond to incidents between users and/or users and staff.

		*Yes	No
(a)	Does this PIA involve a common or integrated program/activity (as defined in the FOIPP Act)?		X
	and		
	Is the common or integrated program/activity confirmed by the written requirements set out in the regulation?		X
(b)	Does this PIA involve a data-linking initiative (as defined in the FOIPP Act)?		X

**If yes, please ensure you have notified the Office of the Information and Privacy Commissioner at an early stage of development of the initiative pursuant to section 69 (5.5) of the FOIPP Act.**

### 4. Purpose/Objectives of the initiative (if statutory, provide citation).

The Crystal Pool has 16 surveillance cameras located outside and inside the building to monitor activity at access points, program areas and the Pool deck. The cameras have been installed for more than 10 years. They were upgraded six years ago with additional cameras installed, but only 16 cameras are active. The cameras not monitoring the Pool deck are for law enforcement purposes to protect against break-ins, theft, vandalism and assaults against patrons or staff. The purposes of the cameras viewing the pool deck are to investigate:

- (i) Injuries to patrons or staff
- (ii) patron behaviour contrary to pool rules and;
- (iii) altercations between patrons or between patrons and staff.

The cameras are not used for staff disciplinary purposes and have never been used for staff disciplinary purposes.

On average the Crystal Pool facility experiences:

- 1-3 bikes stolen per year,
- 20-30 Tags outside building
- 1-3 Car break ins
- 5-10 locker room thefts
- 2-3 customer on customer assaults
- 5 -10 Staff verbal assaults

**5. What are the potential impacts of this proposal? (Include privacy impacts in this description).**

Due to its size and number of entry and exit points the cameras are the most effective method to protect the building, patrons and staff. Monitoring by staff would be prohibitively expensive, possibly put staff in harm's way and camera evidence is more effective than human recall.

The cameras operate 7/24/365. The Crystal Pool is downtown and very accessible. It is continuously busy. It operates from 5:30 AM Monday to Friday and from 6:00 AM Saturday (8:30 AM Sunday) until 6 PM.

There are no cameras in the change rooms or bathrooms. Also, the cameras monitoring outside building access points, the parking lots and the garbage/receiving area are motion activated.

The Crystal Pool has found the cameras provide valuable evidence to assist the police regarding criminal activities. They are also invaluable to protect staff from patron accusations of inappropriate or unprofessional behaviour.

Video footage is stored on the computer's hard drive and is only kept for a month and then overwritten. For example, the first day of the new month overwrites the first day of the previous month. This depends on the length of motion activated footage from the outside cameras. The current maximum retention of video is approximately 45 to 60 days.

The video is kept on one stand-alone computer that is located in the office of the Supervisor, Recreation Administration and Customer Service. A personal password is required to access the video footage on the computer. Two other supervisors also have access and use their own password.

Only the Manager, or a supervisor if the manager is unavailable, assist police to review the tapes if the Police advise the footage is likely to assist with a criminal investigation. On rare occasions the police request if a certain individual is attending the Crystal Pool and will ask to watch the video monitor to observe the individual.

A Protection and Retention Policy to manage the video footage is attached as Appendix C. It incorporates the recommendations in the Public Surveillance System Guidelines – Office of the Information & Privacy Commissioner for BC. Many of the recommendations are currently being followed.

See Appendix A for the locations of each camera and the areas that are under their surveillance.

**6. Provide details of any previous PIA or other form of personal information assessment done on this initiative (in whole or in part).**

There is no previous PIA.

## II DESCRIPTIVE INFORMATION

- 1. Describe the elements of personal information that will be collected, used and/or disclosed and the nature and sensitivity of the personal information.** [See note above about the definition of personal information.]

*For example: Name, home address, gender, age/birthdate, SIN, Employee#, race/national, ethnic origin.*

The cameras capture video images of these individuals:

- Staff locations (i.e. Lifeguards, admission area)
- Patrons using the Pool
- Individuals entering and exiting the Crystal Pool
- Patrons using the other facilities (i.e. the weight room)

- 2. Provide a description (either a narrative or flow chart) of the linkages and flows of personal information collected, used and/or disclosed.**

1. The video feed for all 16 cameras are routed to a desktop computer.
2. The video is stored for approximately thirty days (a month) and then is over-written by the next month's video recordings.
3. The video is stored on the computer is password protected.
4. The information is only used or disclosed in accordance with the Crystal Pool Video Camera Use and Disclosure Policy.
5. The following procedures are followed when the Victoria Police Department requires access to video data for a law enforcement matter:
  - The police contact Sandy Clarke, Manager, Recreation Programs & Facilities (the Manager), or a supervisor if the Manager is not available, and provide her with a police file number and a general description of the law enforcement matter including the date and approximate time period.
  - The Manager, or a supervisor, determines whether or not the video footage requested is necessary to assist the law enforcement matter.
  - If the footage is necessary to assist the police, footage for the date, time and hour(s) and Minutes of footage requested is copied to a CD and provided to the police.
  - The Manager or a supervisor have the right to reduce the time duration of video footage requested is more than required to assist in the police investigation.
  - Accompanying the CD is a cover letter advising the police that the footage contains personal information and must be managed in accordance (please see Appendix B).
6. The following procedures are followed for all non-police related incidents:
  - The Manager, or a supervisor, is contacted and provided with the reason(s) for disclosing video footage.
  - The date and time of video footage requested for disclosure is provided.
  - The Manager or a supervisor determines if the disclosure request is one of the non-law enforcement disclosures described in the Use and Disclosure Policy.
  - The Manager or a supervisor have the right to reduce the time duration of video footage requested if they feel the amount of video requested is not necessary to satisfy the reason or disclosure.
  - A copy of the video footage is provided on a CD.
  - Accompanying the CD is a cover letter advising the police that the footage contains personal information and must be managed in accordance (please see Appendix B).

**III**

**PERSONAL INFORMATION COLLECTION**

(Section 26 and section 27 of the *Freedom of Information and Protection of Privacy Act* "FOIPP Act")

**\*\*IMPORTANT NOTE:** Recent amendments to the FOIPP Act have clarified when personal information has *not* been collected by a public body. See section 27.1 or contact Knowledge and Information Services for further details.

	Yes	No	n/a
Is personal information being collected?	X		

**IF THERE IS NO PERSONAL INFORMATION BEING COLLECTED, GO TO [IV. USE OF PERSONAL INFORMATION](#)**

**1) Authorization for Collection:**

A public body may collect personal information as authorized by one of the following provisions:

s. 26		Yes	No	n/a
<b>(a)</b>	Is the collection of personal information specifically authorized by, or under, an Act, other than the FOIPP Act?	X		
	<b>If yes, please specify the name of the Act and relevant section</b> FoIPPA section 26(b) and 26(d)			
<b>(b)</b>	Is the personal information being collected for law enforcement purposes?	X		
<b>(c)</b>	Is the personal information directly related to, and necessary for, a program or activity of the public body?		X	
<b>(d)</b>	Is the personal information being collected for a prescribed purpose (where there is a regulation defining that purpose)?	X		
	<b>If yes, please specify the prescribed purpose.</b> In addition to the law enforcement purpose the cameras are also to protect staff when incidents involving users occur that causes injury and staff management of rules enforcement			
	(i) Has the individual whose personal information is being collected consented, in the prescribed manner, to that collection?	X		
	<b>and</b> (ii) Would a reasonable person consider that collection appropriate in the circumstances?			
<b>(e)</b>	Is the collection of personal information necessary for the purposes of planning or evaluating a program or activity of a public body?		X	

s. 26		Yes	No	n/a
(f)	Is the collection of personal information necessary for the purpose of reducing the risk that an individual will be a victim of domestic violence, if domestic violence is reasonably likely to occur?		X	
(g)	Is the personal information being collected by observation at a presentation, ceremony, performance, sports meet, or similar event where the individual voluntarily appears and that is open to the public? <b>Please identify event:</b>		X	
(h)	Is personal identity information being collected by:			
	A designated provincial identity information services provider and the collection of the information is necessary to enable it to provide services under section 69.2, or		X	
	A public body from a designated provincial identity information services provider and the collection of the information is necessary to enable the public body to identify an individual for the purposes of providing a service to the individual or the provincial identity information services provider to provide services under section 69.2.		X	

**If none of the above questions has been answered "yes", your office does not have the authority under the FOIPP Act to collect the personal information in question. If you have any questions or require clarification please contact Knowledge and Information Services.**

## 2) How will the personal information be collected?

A public body must collect personal information directly from the individual the information is about, with certain specific exceptions.

	Yes	No	n/a
Will the personal information be collected <u>directly</u> from the individual that the information is about?		X	

**IF YOU ARE ONLY COLLECTING PERSONAL INFORMATION DIRECTLY AS NOTED ABOVE, YOU WILL NOT NEED TO COMPLETE THE NEXT SECTION ON INDIRECT COLLECTION. GO TO [3. NOTIFICATION TO COLLECT INFORMATION](#).**

If the personal information has **not been collected directly** from the individual it is about, check which of the following authorizes the indirect collection:

s. 27(1)		Yes	No	n/a
(a)(i)	Did the individual the information is about authorize another method of collection?		X	
(a)(ii)	Has indirect collection been authorized by the Information and Privacy Commissioner?		X	
(a)(iii)	Has indirect collection been authorized by another enactment?		X	
	<b>If yes, please specify the name of the Act and relevant section(s)</b>			
(a.1)(i)	Is the personal information necessary for the medical treatment of an individual and it is not possible to collect the information directly from that individual?		X	

<b>s. 27(1)</b>		<b>Yes</b>	<b>No</b>	<b>n/a</b>
<b>(a.1)(ii)</b>	Is the personal information necessary for the medical treatment of an individual and it is not possible to obtain authority under (iv) for another method of collection?		X	
<b>(b)</b>	Is the public body collecting personal information disclosed to it by another public body under an authority within sections 33 to 36 of the FOIPP Act?		X	
	<b>Specify relevant section(s) or subsections that apply.</b>			
<b>(c)(i)</b>	Is the personal information being collected for the purpose of determining suitability for an honour or award including an honorary degree, scholarship, prize or bursary?		X	
<b>(c)(ii)</b>	Is the personal information being collected for the purpose of a proceeding before a court or a judicial or quasi-judicial tribunal?		X	
<b>(c)(iii)</b>	Is the personal information being collected for the purpose of collecting a debt or fine or making a payment?		X	
<b>(c)(iv)</b>	Is the personal information being collected for the purpose of law enforcement?	X		
<b>(c)(v)</b>	Is the personal information being collected to reduce the risk that an individual will be a victim of domestic violence, if domestic violence is reasonably likely to occur?		X	
<b>(d)</b>	Is the personal information being transferred to the public body from another public body in accordance with section 27.1?		X	
<b>(e)</b>	Is the personal information being collected necessary for delivering a common or integrated program or activity?		X	
<b>(f)</b>	Is the personal information about an employee, other than a service provider, and the collection of the information is necessary for the purposes of managing or terminating an employment relationship between a public body and the employee?		X	
<b>(g)</b>	Is the information personal identity information that is collected by the designated provincial identity information service that is necessary to provide services under section 69.2?		X	
	<b>Additional details as required (e.g., explanation of method of collection)</b>			

***If none of the above authorities have been checked, your office does not have the authority under the FOIPP Act to collect the personal information in question. If you have any questions or require clarification please contact Knowledge and Information Services.***

### **3) Notification to collect information**

A public body must ensure that an individual from whom it collects personal information is notified of the collection as outlined below.

<b>27(2)</b>		<b>Yes</b>	<b>No</b>	<b>n/a</b>
	Has the individual from whom personal information is being collected, been informed of:			
	(a) the purpose for collection?	X		

27(2)		Yes	No	n/a
	(b) the legal authority for collection?	X		
	(c) the contact information of the person who can answer questions regarding the collection?	X		
<b>Additional details as required (e.g., method of notification)</b>				
There are signs, but they don't include a phone number for further information.				

**Notification is not required if the answer is “yes” to any of the following:**

27(3)		Yes	No	n/a
(a)	Is the personal information about law enforcement or anything referred to in section 15(1) or section 15(2) of the FOIPP Act?	X		
(b)	Has the Minister responsible for the FOIPP Act excused your public body from complying because it would			
	(a) result in the collection of inaccurate information?		X	
	<b>or</b>			
	(b) defeat the purpose or prejudice the use for which the personal information is collected?		X	
(c)	The information			
	(a) is not required, under subsection 27(1), to be collected directly from the individual the information is about, <b>and</b>		X	
	(b) is not collected directly from the individual the information is about			
(d)	Is the information collected by observation at a presentation, ceremony, performance, sports meet or similar event at which the individual voluntarily appears and that is open to the public.		X	
	<b>Please identify event:</b>			
27 (4)	Is it reasonable to expect that notifying an employee of collection under subsection 27 (1) (f) would compromise			
	(a) the availability or accuracy of the information, or		X	
	(b) an investigation or a proceeding related to the employment of the employee?			
<b>Additional details as required</b>				
Notification is necessary because the law enforcement purpose is not the purpose for the cameras.				

***If you have not provided the required notification as outlined above, please contact Knowledge and Information Services.***

#### **IV USE OF PERSONAL INFORMATION - (Section 32 of the FOIPP Act)**

	Yes	No	n/a
Is personal information being used?	X		

**IF THERE IS NO PERSONAL INFORMATION BEING USED, GO TO [V. DISCLOSURE OF PERSONAL INFORMATION](#)**

***Under the FOIPP Act, a public body may use personal information in its custody or under its control only for certain specified purposes as outlined below.***

The public body **must** check one or more of the authorities listed below:

<b>s.32</b>		<b>Yes</b>	<b>No</b>	<b>n/a</b>
<b>(a)</b>	Has the individual the personal information is about consented to the use? (Note: Supporting documentation must be on file.)		X	
<b>(b)</b>	Will the information be used only for the purpose for which it was obtained or compiled or for a use consistent with the original purposes?	X		
<p><b>Please provide details of the original purpose for which the personal information was obtained or compiled. Include, if applicable, details of the consistent/secondary use.</b></p> <p>The personal information is collected for the use and disclosure reasons contained in the Crystal Pool Video Camera Use and Disclosure Policy</p>				
<b>(c)</b>	If the personal information was disclosed to the public body by another public body under an authority within sections 33to 36, is the information being used for that same purpose?		X	
<p><b>Specify subsection(s) being applied</b></p>				

***If you have not checked one of the above, you do not have the authority to use the information. If you have any questions or require clarification please contact Knowledge and Information Services.***

**V DISCLOSURE OF PERSONAL INFORMATION**

(Section 33, section 33.1, section 33.2, section 33.3, section 34, section 35 and section 36 of the FOIPP Act)

	<b>Yes</b>	<b>No</b>	<b>n/a</b>
Is personal information being disclosed?	X		

**IF THERE IS NO PERSONAL INFORMATION BEING DISCLOSED, GO TO [VI. ACCURACY AND CORRECTION OF PERSONAL INFORMATION](#).**

***A public body may disclose personal information in its custody or under its control only as permitted under sections 33.1, 33.2, or 33.3 of the FOIPP Act.***

**1) Disclosure of Personal Information**

Sections 33, 33.1, 33.2 and 33.3 of the FOIPP Act provide the legislative authority to disclose personal information. Section 33 provides that personal information **cannot** be disclosed unless it is authorized under section 33.1 or 33.2.

**Please choose the main authorization(s) for disclosure below. All authorities that may apply do not need to be checked, only the main authorizations for the initiative.**



s. 33.1	Disclosure inside OR outside Canada	Yes	No	n/a
(1)(a)	In accordance with Part 2 (pursuant to an FOI request)	X		
(1)(a.1)	<p>If the information or disclosure is of a type described in section 22(4) (e), (f), (h), (i) or (j):</p> <p>22(4) A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy if</p>			
	(e) the information is about the third party's position, functions or remuneration as an officer, employee or member of a public body or as a member of a minister's staff,		X	
	(f) the disclosure reveals financial and other details of a contract to supply goods or services to a public body,		X	
	(h) the information is about expenses incurred by the third party while travelling at the expense of a public body,		X	
	(i) the disclosure reveals details of a licence, permit or other similar discretionary benefit granted to the third party by a public body, not including personal information supplied in support of the application for the benefit, or		X	
	(j) the disclosure reveals details of a discretionary benefit of a financial nature granted to the third party by a public body, not including personal information that is supplied in support of the application for the benefit or is referred to in subsection 22(3)(c).		X	
(1)(b)	<p>If the individual the information is about has identified the information and consented, in the prescribed manner, to its disclosure inside or outside Canada, as applicable (Note: Supporting documentation must be on file)</p>		X	
(1)(c)	In accordance with an enactment of British Columbia (other than the <i>Freedom of Information and Protection of Privacy Act</i> ) or Canada that authorizes or requires its disclosure		X	
<b>Specify name of enactment and relevant section(s)</b>				
(1)(c.1)	If the personal information is made available to the public in British Columbia under an enactment, (other than the <i>Freedom of Information and Protection of Privacy Act</i> ) that authorizes or requires the information to be made public		X	
<b>Specify name of enactment and relevant section(s)</b>				
(1)(d)	<p>In accordance with a provision of a treaty, arrangement or written agreement that</p> <p>(i) authorizes or requires its disclosure, and</p> <p>(ii) is made under an enactment of British Columbia (other than the <i>Freedom of Information and Protection of Privacy Act</i>) or Canada</p>		X	
<b>Specify name of enactment and relevant section(s)</b>				
(1)(e)	<p>To an individual who is a minister, an officer of the public body or an employee of the public body other than a service provider, if</p> <p>(i) the information is necessary for the performance of the duties of the minister, officer or employee,</p>	X		

s. 33.1	Disclosure inside OR outside Canada	Yes	No	n/a
	<p><b>and</b></p> <p>(ii) in relation to disclosure outside Canada, the outside disclosure is necessary because the individual is temporarily travelling outside Canada</p>			
	<p><b>If paragraph (1)(e)(ii) applies, please explain how the travel is <i>temporary</i> and why disclosure outside Canada is <i>necessary</i></b></p>			
(1)(e.1)	<p>To an individual who is a service provider of the public body, or an employee or associate of such a service provider, if</p> <p>(i) the information is necessary for the performance of the duties of the individual in relation to the public body,</p>			
	<p><b>and</b></p> <p>(ii) in relation to disclosure outside Canada,</p> <p>(A) the individual normally receives such disclosure only inside Canada for the purpose of performing those duties, and</p> <p>(B) the outside disclosure is necessary because the individual is temporarily travelling outside Canada</p>		X	
	<p><b>If paragraph (1)(e.1)(ii) applies, please explain how the travel is <i>temporary</i> and why disclosure outside Canada is <i>necessary</i></b></p>			
(1)(f)	<p>To an officer or employee of the public body or to a minister, if the information is immediately necessary for the protection of the health or safety of the officer, employee, or minister</p>		X	
(1)(g)	<p>To the Attorney General or legal counsel for the public body, for the purpose of preparing or obtaining legal advice for the government or public body or for use in civil proceedings involving the government or public body</p>	X		
(1)(h)	<p>To the minister responsible for the <i>Coroner's Act</i> or a person referred to in section 36 of that Act, for the purposes of that Act</p>	X		
(1)(i)	<p>If</p>			
	<p>(i) the disclosure is for the purposes of collecting amounts owing to the government of British Columbia or a public body by</p>			
	<p>a. an individual, or</p>			
	<p>b. corporation of which the individual the information is about is or was a director or officer,</p>			
	<p><b>and</b></p> <p>(ii) in relation to disclosure outside Canada, there are reasonable grounds for believing that</p>		X	
	<p>a. the individual the information is about is in, resides in or has assets in the other jurisdiction, or</p>			
	<p>b. if applicable, the corporation was incorporated in, is doing business in or has assets in the other jurisdiction</p>			
1(i.1)	<p>For the purposes of</p>			
	<p>(i) a payment to be made to or by the government of British Columbia or a public body,</p>		X	

s. 33.1	Disclosure inside OR outside Canada	Yes	No	n/a
	(ii) authorizing, administering, processing, verifying or cancelling such a payment, or		X	
	(iii) resolving an issue regarding such a payment		X	
(1)(j)	(i) Repealed.			
(1)(k)	For the purposes of			
	(i) licensing or registration of motor vehicles or drivers, or		X	
	(ii) verification of motor vehicle insurance, motor vehicle registration or drivers licences		X	
(1)(l)	For the purposes of licensing, registration, insurance, investigation or discipline of persons regulated inside or outside Canada by governing bodies of professions and occupations		X	
(1)(m)	If (i) the head of the public body determines that compelling circumstances exist that affect anyone's health or safety, and (ii) notice of disclosure is mailed to the last known address of the individual the information is about, unless the head of the public body considers that giving this notice could harm someone's health or safety		X	
(1) (m.1)	For the purpose of reducing the risk that an individual will be a victim of domestic violence, if domestic violence is reasonably likely to occur		X	
(1)(n)	So that the next of kin or a friend of an injured, ill or deceased individual may be contacted		X	
(1)(o)	In accordance with section 36 (disclosure for archival or historical purposes)			
(1)(p)	The disclosure (i) is necessary for			
	(A) installing, implementing, maintaining, repairing, trouble shooting or upgrading an electronic system or equipment that includes an electronic system that is used in Canada by the public body or by a service provider for the purposes of providing services to a public body, or			
	(B) data recovery that is being undertaken following failure of an electronic system that is used in Canada by the public body or by a service provider for the purposes of providing services to a public body		X	
	<b>and</b> (ii) in the case of disclosure outside Canada (A) is limited to temporary access and storage for the minimum time necessary for that purpose, and (B) in relation to data recovery under subparagraph (i)(B), is limited to access and storage only after the system failure has occurred			

X	<b>If paragraph (1)(p)(ii) applies, please explain how the temporary access and storage is for the <i>minimum time necessary</i></b>		
(1)(q)	If the information was collected by observation at a presentation, ceremony, performance, sports meet or similar event at which the individual voluntarily appeared and that was open to the public.  <b>Please identify event:</b>		X
(1)(r)	If the information  Was disclosed on a social media site by the individual the information is about,  Was obtained or compiled by the public body for the purpose of enabling the public body to engage individuals in public discussion or promotion respecting proposed or existing initiatives, policies, proposals, programs or activities of the public body or respecting legislation relating to the public body,  <b>and</b>		X
	Is disclosed for a use that is consistent with the purpose described in subparagraph (ii).		
	<b>Additional details as required</b>		
(1)(s)	<u>In accordance with section 35 (disclosure for research or statistical purposes).</u>		X
(1)(t)	<u>To comply with a subpoena, a warrant or an order issued or made by a court, person or body in Canada with jurisdiction to compel the production of information</u>		X
(2)	In addition to the authority under any other provision of this section or section 33.2, a public body that is a law enforcement agency may disclose personal information referred to in section 33		
(2)(a)	To another law enforcement agency in Canada		X
(2)(b)	To a law enforcement agency in a foreign country under an arrangement, a written agreement, a treaty or provincial or Canadian legislative authority.		X
(3)	The minister responsible for this Act may, by order, allow disclosure outside Canada under a provision of section 33.2 in specific cases or specified circumstances, subject to any restrictions or conditions that the minister considers advisable.		X
(4)	In addition to the authority under any other provision of this section or section 33.2, the Insurance Corporation of British Columbia may disclose personal information if,  (a) the information was obtained or compiled by that public body for the purposes of insurance provided by the public body, and  (b) disclosure of the information is necessary to investigate, manage or settle a specific insurance claim.		
(5) and (6)	For the purposes of operating the designated provincial identity information services as permitted under section 33.1 (5) and (6)		X
(7)	To respond to citizens' enquiries as permitted under section 33.1(7)		X
	<b>Additional details as required</b>		

s. 33.2	Disclosure inside Canada only	Yes	No	n/a
(a)	For the purpose for which it was obtained or compiled or for a use consistent with that purpose (see section 34)	X		
<p><b>Please provide details of the original purpose for which the personal information was obtained or compiled. Include, if applicable, details of the consistent/secondary use.</b></p> <p>A secondary disclosure could be to the Coroner's office in the event someone died at the pool. One person has in the last 10 years.</p>				
(b)	Repealed.			
(c)	To an officer or employee of the public body or to a minister, if the information is necessary for the performance of the duties of the officer, employee or minister			
(d)	To an officer or employee of <ul style="list-style-type: none"> <li>(i) a public body, or</li> <li>(ii) an agency</li> </ul> or to a minister, if the information is necessary for the delivery of a common or integrated program or activity and for the performance of the duties, respecting the common or integrated program or activity, of the officer, employee or minister to whom the information is disclosed			
(e)	To an officer or employee of a public body or to a minister, if the information is necessary for the protection of the health or safety of the officer, employee or minister		X	
(f)	To the auditor general or any other prescribed person or body for audit purposes		X	
(g)	To a member of the Legislative Assembly who has been requested by the individual the information is about to assist in resolving a problem		X	
(h)	To a representative of the bargaining agent, who has been authorized in writing by the employee whom the information is about, to make an inquiry		X	
(i)	To a public body or a law enforcement agency in Canada to assist in a specific investigation			
	(i) undertaken with a view to a law enforcement proceeding, or	X		
	(ii) from which a law enforcement proceeding is likely to result			
(j)	To the archives of the government of British Columbia or the archives of a public body, for archival purposes		X	
(k)	Repealed.			
(l)	To an officer or employee of a public body or to a minister, if the information is necessary for the purposes of planning or evaluating a program or activity of a public body		X	
<p><b>Additional details as required</b></p>				
s. 33.3	Disclosure to Public Without Request	Yes	No	n/a
(1)	Do the records fall within a category established under section 71 (1)?		X	
<p><b>Additional details as required</b></p>				

(2)	Do the records fall within a category established under section 71.1 (1)?		X
	<b>Additional details as required</b>		

2) **Systematic or Repetitious Disclosure/Exchanges?**

		Yes	No	n/a
i.	Do the disclosures of personal information under section 33.2 occur on a regular basis?		X	
ii.	Has an Information Sharing Agreement been completed for these disclosures/exchanges?			X
iii.	Has information related to the Information Sharing Agreement(s) been entered into the <b>Personal Information Directory</b> ?			X

**Personal information exchanges within a public body do not normally require an Information Sharing Agreement (ISA) if they are for a consistent purpose as defined under section 33.2(a) of the Act or are necessary for the performance of an employee of the public body under section 33.2(c). However, depending on the nature and sensitivity of the personal information exchanged, the public body might choose to prepare an ISA or similar written statement of understanding.**

3) **Research or Statistical Purposes (Section 35)**

	Yes	No	n/a
Has a researcher requested access to personal information in an identifiable form for research purposes?		X	

**If “yes”, a research agreement that conforms to the criteria established in section 35(d) must be in place. Contact Knowledge and Information Services for assistance.**

**Please note: Research using personal information may only be conducted if it meets all of the terms of section 35.**

4) **Archival or Historical Purposes (Section 36)**

The archives of the government of British Columbia, the archives of a public body, or a board or a francophone education authority (as defined in the [School Act](#)) may disclose personal information in its custody or under its control to be disclosed for archival or historical purposes as authorized by section 36.

Please check the authorization(s) for disclosure listed below.

		Yes	No	n/a
(a)	The disclosure would not be an unreasonable invasion of personal privacy under section 22			X
(b)	The disclosure is for historical research and is in accordance with section 35 (research agreements)			X
(c)	The information is about someone who has been dead for 20 or more years			X
(d)	The information is in a record that has been in existence for 100 or more years			X

***If you have not answered “yes” to any of the above authorizations for disclosure you do not have the authority to disclose personal information. If you have any questions or require clarification, please contact Knowledge and Information Services.***

**VI ACCURACY AND CORRECTION OF PERSONAL INFORMATION**  
(Section 28 and section 29 of the FOIPP Act)

**If an individual's personal information will be used by a public body to make a decision that directly affects the individual, the public body must make every reasonable effort to ensure that the information is accurate and complete. An individual must also have the ability to access, or have corrected or annotated, their personal information for a period of one year after a decision has been made based upon the personal information.**

		Yes	No	n/a
1.	Are there procedures in place to enable an individual to request/review a copy of their own personal information?			X
2.	Are there procedures in place to correct or annotate an individual's personal information if requested, including what source was used to update the file?			X
3.	If personal information is corrected, are there procedures in place to notify other holders of this information?			X
<b>If yes, please provide the name of the policy and/or procedures, a contact person and phone number.</b>				
	Policy/procedure:			
	Contact person:	Manager, Recreation Programs & Facilities		
	Phone number:			
<b>Additional details as required</b>				
The video footage cannot be corrected or annotated and is not retained except for the reasons described in Part I and II.				

***If any of the questions above have been answered "no", please contact Knowledge and Information Services for further clarification.***

**VII SECURITY AND STORAGE FOR THE PROTECTION OF PERSONAL INFORMATION**  
(Sections 30 and 30.1 of the FOIPP Act)

**Note:** For PIAs related to new or existing systems, this section should be completed by the Branch of the ministry responsible for systems maintenance and security, and signed off by this branch, in the [Signatures](#) section.

For PIAs that do not involve systems initiatives, this section should be completed by the program area completing the PIA. In this case, the signature of the systems representative is not required.

Section 30 of the Act requires a public body to protect personal information in its custody or under its control by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

		Yes	No	n/a
1.	Is there reasonable technical security in place to protect against unauthorized access or disclosure?	X		
2.	Is there reasonable physical security in place to protect against unauthorized access or disclosure?	X		
3.	Are there branch policies and procedures in place for the security of personal information during routine collection, use and disclosure of the information?	X		
<b>If yes, please provide the name of the policy and/or procedures, a contact person and phone number.</b>				
	Policy/procedure:			
	Contact person:	Manager, Recreation Programs & Facilities		
	Phone number:			
<b>Additional details as required</b>				
No video footage is stored in the cameras. It is downloaded in real time to the computer.				
4.	Have user access profiles been assigned on a need-to-know basis?	X		
5.	Do controls and procedures exist for the authority to add, change or delete personal information?  It is not possible to add or change information. The system deletes information automatically as it is over-written.			X
6.	Does your system security include an <b>ongoing</b> audit process that can track use of the system (e.g., when and who accessed and updated the system)?	X		
<b>Please explain the audit process and indicate how frequently audits are undertaken and under what circumstances</b>				
Whoever accesses the computer can be tracked by their personal password to the system.				
7.	Does the audit identify inappropriate accesses to the system?	X		
<b>Additional details</b>				
An unnecessary access by someone with a password could be determined If there was no incident or police request correlating with the time of access.				

***If any of the questions above have been answered "no", please contact your Ministry's Security Officer. If you have any questions or require clarification please contact Knowledge and Information Services.***

**Section 30.1 requires a public body to ensure that personal information in its custody or under its control is stored only in Canada and accessed only in Canada unless the individual the information is about has consented or the disclosure is otherwise allowable under the Act.**

		Yes	No	n/a
	Will the information be stored or accessed only in Canada?	X		



**Personal information in a public body's custody or under its control must be stored and accessed only in Canada, unless one of the following applies:**

		Yes	No	n/a
(a)	Has the individual the personal information is about identified it and consented, in the prescribed manner, to it being stored in or accessed from another jurisdiction?			X
	<b>Please explain</b>			
(b)	Will the personal information be stored in or accessed from another jurisdiction for the purpose of a disclosure that is authorized under the <i>Freedom of Information and Protection of Privacy Act</i> ?			X
	<b>Please explain</b>			
(c)	Will the personal information be disclosed under section 33.1(1)(i.1)?			X
	<b>Please explain</b>			

***If you have not answered "yes" to any of the above authorizations for storage or access of personal information outside Canada or if you require clarification, please contact Knowledge and Information Services.***

## VIII RETENTION OF PERSONAL INFORMATION - (Section 31 of the FOIPP Act)

**If a public body uses an individual's personal information to make a decision that directly affects the individual, the public body must retain that information for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it.**

		Yes	No	n/a
1.	Do you have an approved records retention and disposition schedule?		X	
2.	Is there a records retention schedule to ensure information used to make a decision that directly affects an individual is retained for at least one year after use?  Video is only retained beyond a month for the purposes described in Parts I and II. When this occurs, the Police retain their copy for the same length of time they retain evidence. The City of Victoria retains video as long as required to resolve the reason for retaining it.	X		

***If you answered "no" to the above questions, your procedures may need to be revised. Please contact your Records Officer.***

**Note: Records of provincial public bodies and designated organizations/public bodies cannot be destroyed unless approval is granted under the authority of the *Document Disposal Act*. Please consult with your Records Officer to initiate the records scheduling process.**

## Comments:

1. The video surveillance sign above the front entrance doors needs to be replaced with a larger sign that includes a contact phone number for users to call for additional information.

Suggested wording:

*Public areas of the Crystal Pool are video monitored. For further information please call 250 361-0347*

2. Cameras 6, 9, 10 and 11 need adjusting to avoid capturing part of the roadways to the West and North of the facility. This can be done as part of maintenance work as time allows.
3. The Security and Retention Policy, attached as Appendix C, should be adopted to help manage the video.

**X SIGNATURES**

**PUBLIC BODY APPROVAL:**

<hr/> Program Manager	<hr/> Signature	<hr/> Date
Rob Gordon <hr/> Information Access & Privacy Analyst	 <hr/> Signature	09/25/2013 <hr/> Date
Sheryl Masters <hr/> Manager, Administration Legislative & Regulatory Services	 <hr/> Signature	10/08/2013 <hr/> Date
<hr/> Director, Legislative and Regulatory Services Department	<hr/> Signature	<hr/> Date

**GO TO: PERSONAL INFORMATION DIRECTORY (to add PIA and/or ISA summary)**

**X SIGNATURES**

**PUBLIC BODY APPROVAL:**

Wendy CLARKE  
Program Manager

[Handwritten Signature]  
Signature

Sept 25/13  
Date

\_\_\_\_\_  
Privacy Analyst

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Manager, Administration  
Legislative & Regulatory Services

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director, Legislative and Regulatory  
Services Department

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**GO TO: PERSONAL INFORMATION DIRECTORY (to add PIA and/or ISA summary)**

**APPENDIX A**

**Camera Locations**

<b>CAMERA</b>	<b>LOCATION</b>	<b>VIEWING AREA</b>	<b>COMMENTS</b>
<b>1</b>	Front desk	Mounted on wall behind registration desk extending to area directly in front of desk	
<b>2</b>	Men's change room stairs	Faces stairs and captures immediate area around the stair	
<b>3</b>	Pool Deck	Also captures bathroom entrances but at a ninety degree angle, so as not to video inside of bathrooms when doors open	
<b>4</b>	Exit doors of the front lobby	Camera mounted inside on downward angle to capture inside and outside the doors.	
<b>5</b>	Basement hallway	Camera mounted above entry door to building and captures entire hallway	Storage area
<b>6</b>	Back parking lot	Partially captures street	Large video monitoring sign present Adjust as it captures part of road
<b>7</b>	Pool Deck/Steam Room	One of four cameras located at each corner of the pool deck. Steam room entry area is captured	
<b>8</b>	Bike racks outside front entrance	Just bike racks and immediate area around the racks	
<b>9</b>	Southwest parking lot	Mounted on dome, difficult to access	Adjust as it captures part of road
<b>10</b>	Garbage and receiving area and parking area		Large video monitoring sign present Adjust as it captures part of road
<b>11</b>	Northwest side of building		Adjust as it captures part of road
<b>12</b>	Pool deck	Captures area between the two pools	
<b>13</b>	Fish eye camera	Captures entire pool and pool deck	Image quality is poor

<b>14</b>	Front entrance	Inside area where users can go right or left to change rooms or downstairs to fitness room	
<b>15</b>	Upstairs weight room	Area inside room and entrances to the room	
<b>16</b>	Women's side entrance	Captures stairwell	This area is also a child minding area that has an exit nearby

## APPENDIX B

### **CRYSTAL POOL VIDEO CAMERA USE AND DISCLOSURE POLICY**

To comply with the Part 3 (Protection of Privacy) provisions of the Freedom of Information and Protection of Privacy Act (the Act) all uses and disclosures of video footage must comply with this policy.

#### **Use:**

- The only uses of camera footage are for the purposes identified in Part I of this PIA.
- These purposes of the video footage are:
  - Law enforcement
  - Investigate injuries to patrons or staff
  - Investigate patron behaviour contrary to pool rules and;
  - Investigate altercations between patrons or between patrons and staff.
  
- **Other uses:**
  - If another use of the camera footage is identified, before the footage is used for this new use, the following steps must occur:
    - The Privacy Coordinator must be advised in writing describing:
      - the new use
      - the purpose of the new use
      - how will the new use be managed
    - The Privacy Coordinator determines If the new use is in compliance with the Act.
    - The footage cannot be used until the Privacy Coordinator advises that the new use is in compliance with the Act.
  - This PIA must be updated and signed off within two weeks of the new use being approved.

#### **Disclosure:**

- Disclosure of video footage will comply with the disclosure procedures described in Part II of this PIA
- A cover letter must accompany every video containing video footage provided to the VFD or other third party. The letter will contain the following information:
  - A description of the video footage (i.e. the month, day, year hour(s) and minute(s) disclosed).
  - The specific cameras numbers video footage was disclosed from.
  - The authority to disclose it (i.e. a law enforcement matter).
  - The reason for its disclosure (i.e. "you are being provided the footage for the purpose of investigating a car break-in at the Crystal Pool parking lot on a specific date and time", the police file number should be included).
  - Advise that the footage is subject to the Act after it is disclosed and that it must be managed in accordance with the privacy provisions it.
- A new disclosure will follow the same process described above for new uses.
- See sample disclosure cover letter on the next page.

## **APPENDIX C**

### **SECURITY AND RETENTION POLICY**

This policy pertains to the protection of the computer, video footage copied from the computer's hard drive and staff who have access to the video footage and are responsible to providing copies to the Police and/or City staff.

#### **Copying video:**

1. Video stored on the computer's hard drive can only be copied for the purposes described in Parts I and II of this PIA.
2. Only the Manager, Recreation Programs & Facilities, and the three Crystal Pool supervisors are authorized to copy video.
3. A signed copy of the Disclosure Cover Letter must be kept with copies of video footage given to the Police or City staff.
4. Copies of video footage must at all times be kept in a secure location with access only to authorized Crystal Pool staff (the Manager and supervisors) and the Police or City staff it was provided to.

#### **Retaining copied video:**

1. The Police will use their retention policy to manage video copies they receive.
2. City staff will keep video copies as long as is required to complete the purpose for which it was copied.
3. All video copies retained by City staff will be destroyed in such a way as to prevent unauthorized access to it. For example, a CD will be broken in two.



5. **DISCLOSURE COVER LETTER**

**DATE**

**TO:**  
**ADDRESS:**

**Dear: Name of Police Officer or Third Party**

**Re: Request for disclosure of video footage**

On DATE you requested a copy of video footage for the time period PROVIDE THE SPECIFIC DATE AND TIME DETAILS. Enclosed is video footage for this time period taken from cameras PROVIDE THE NUMBERS OF THE CAMERAS that identify their locations.

You are being provided the enclosed video footage for the purpose of the police investigation into a PROVIDE DESCRIPTION OF THE INVESTIGATION on the date stated above. it is believed that the footage will identify the person responsible for the TYPE OF CRIME or provide information that will help identify this person. The police file number OF your investigation is NUMBER.

The footage remains subject to the Freedom of Information and Protection of Privacy Act and can only be used for the purpose in which it was disclosed.

Sincerely,

Name

Cc: The Information Access and Privacy Analyst