

Metlink CCTV Policy

A policy to ensure CCTV systems across the Metlink network are implemented and managed in line with the Privacy Act 2020.

Policy owner and responsibilities	<ol style="list-style-type: none"> 1. The Group Manager Metlink is responsible for signing off this policy as the policy owner and is accountable for accepting any privacy risks on behalf of Metlink. 2. Tier 3 managers / Senior Managers are responsible for signing off any associated Privacy Threshold / Impact Assessments on behalf of Metlink. 3. The Privacy Officer / external privacy advisor is responsible for reviewing any associated Privacy Threshold / Impact Assessments and recommending any changes required. 4. Manager Policy Metlink is responsible for review of this policy.
Date policy comes into effect	The first working day following the date of approval by the Group Manager
Related policies and legislation	<p>Privacy Act 2020</p> <p>GWRC Privacy Policy 2020</p> <p>Greater Wellington’s Privacy Incident Management Guidance 2020</p> <p>GWRC Policy on the installation and use of camera surveillance systems (December 2023)</p> <p>Privacy and CCTV – A guide to the Privacy Act for businesses, agencies and organisations (Privacy Commissioner, 2009)</p> <p>Greater Wellington Rail, Bus, and Ferry Partnering Contracts</p> <p>Releasing personal information to Police and law enforcement agencies: Guidance on health and safety and Maintenance of the law exceptions (Privacy Commissioner, 2017)</p> <p>Memorandum of Understanding : Camera surveillance assets operating in the Metlink Network (GWRC, GWRL, Police, Transdev, Tranzit, Uzabus, NZ Bus, Mana Coaches; June 2019)</p> <p>Greater Wellington Code of Conduct</p>
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Approved: 
 Samantha Gain
 Group Manager Metlink

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1. Policy Purpose and Application

The purpose of this policy is to define the camera and audio surveillance and recording systems (CCTV) operating within the Greater Wellington Regional Council (GWRC) Metlink Group and to outline the mechanisms and processes that protect the privacy of individuals.

The policy is intended to ensure that:

- Metlink complies with its obligations under the Privacy Act 2020 (Privacy Act).
- Metlink complies with GWRC's policy on the use of CCTV systems where Metlink or Greater Wellington Rail Limited (GWRL) has access to or controls the system.
- CCTV data is made available to individuals in compliance with information privacy principle (IPP) 6 of the Privacy Act.
- CCTV data is handled in an appropriate manner that meets Metlink's lawful purposes while protecting individual privacy, including in relation to the collection, storage, use, disclosure and retention of CCTV data.

2. Scope and definitions

This policy applies to Metlink CCTV systems used in public or semi-public spaces.

The following definitions are used in this policy:

- **"Camera surveillance system" or "CCTV system"** means a system that captures video or images of individuals or information relating to individuals and includes a range of technologies such as CCTV cameras, digital photography and video recorders.
- **"CCTV data"** means video footage, images or audio information captured by CCTV systems, including Metlink CCTV systems or CCTV systems owned and operated by third parties which Metlink has access to. There is no audio capturing capability on Metlink's CCTV network, however, there is capability to collect audio on operator systems.
- **"Public space"** means a space that is completely accessible to the public (e.g. a train station, a bus hub, or a bus stop).
- **"Semi-public space"** means a space that (even if privately owned) is accessible to the public during certain hours (e.g. bus, or train).
- **"Metlink CCTV systems"** means all Metlink owned, operated, or controlled CCTV systems as outlined in Appendix A, including CCTV systems owned by Greater Wellington Rail Limited (GWRL) (CCTV systems used on the rail network) and

Metlink (CCTV systems used on the bus network, but not including cameras on buses).

This policy also applies in a more limited way to CCTV systems owned and operated by third parties, as follows:

- Third parties that own or operate their own CCTV systems are responsible for ensuring that the CCTV data those system collect is managed in accordance with the Privacy Act.
- There are contractual arrangements in place between Metlink and certain third parties, such as bus operators, which require these third parties to manage CCTV systems in a way that complies with the Privacy Act.
- Metlink may in some circumstances have access to CCTV data collected via third party CCTV systems. This policy applies to Metlink's collection, use and retention of such CCTV data.

3. Background

Metlink aims to provide a public transport network where customers, employees, and the general public feel safe. One aspect of this is the prevention of crime and anti-social behaviour, which Metlink addresses in a number of ways, such as:

- Using crime prevention through environmental design principles (CPTED) when planning and building infrastructure, including the use of security lighting, fencing, security alarms, etc.
- Training staff in customer service and conflict management.
- Employing security patrols, which may be random, planned, or in response to incidents on the Public Transport network.
- Reducing or preventing graffiti (including patrols, use of anti-graffiti materials, prompt removal of tags, etc).
- Using monitored and unmonitored CCTV systems.
- Providing 'emergency call points' on trains and at railway stations.
- Co-operating with other agencies, including local councils, the police, KiwiRail, and public transport operators.

This policy deals specifically with the use of CCTV systems but should be understood in the wider context where camera use is one element of the overall approach to security. It is recognised that CCTV systems cannot be guaranteed to prevent criminal activities from occurring, but they can be used to collect evidence for the investigation and prosecution of these events.

A feeling of personal safety is highly correlated with overall satisfaction with public transport in Metlink's customer satisfaction surveys, and national research identifies that personal security concerns become common barriers to the use of public transport after dark by regular public transport users. CCTV systems are installed across the network to foster an increase in overall customer satisfaction, and remove the barrier outlined above for people who do not feel safe to use public transport.

4. Overarching Principles

This policy considers the information privacy principles in the Privacy Act and aims to ensure, in each instance, that when Metlink utilises a CCTV system, we comply with these principles by:

- having a clear purpose for using CCTV systems and CCTV data.
- making sure people know about CCTV systems in use and their purpose.
- stating how CCTV data will be used.
- setting out whether CCTV data will be disclosed to others (including Police).
- setting out how long the images will be kept for.
- ensuring CCTV data is kept safe, and making sure that only authorised people can see it.
- ensuring that individuals can access any CCTV data about of themselves in a way that protects the privacy of others.

5. Collection of CCTV Data

5.1 Areas of Operation

Metlink CCTV systems may operate in the following locations:

- On trains.
- At rail stations (including the station, carpark, bridges and subways).
- At bus network infrastructure, such as bus shelters.
- At bus hubs, layovers, interchanges, and other bus facilities including bus driver toilets.

All cameras must be positioned to ensure that they only collect the CCTV data required. If any private property is included within the images, this will either be digitally masked, or permission will be sought from the property owner prior to use. Cameras will not be used to monitor adjacent or nearby premises or buildings, unless it is explicitly for following participants in a situation of concern.

Appendix A contains a record of the general location of current cameras in operation as at the date of this policy's approval. These locations are subject to change upon review given the size and dynamic nature of the network.

5.2 Equipment Selection

Across the network a variety of cameras are used, with varying technical capabilities including:

- Pan.
- Tilt.
- Zoom.
- Operation in low light conditions.
- Relocatable.
- Remote operation.

When installing new cameras, Metlink considers that the appropriate kind of camera must be selected to ensure the capabilities meet but do not exceed the required purpose for the camera.

Under our partnering contracts with the bus operators, CCTV systems on buses must have the capability to record audio upon activation of the duress alarm. Recording of audio within two metres of the driver cab is also permissible. As of the adoption of this policy, Metlink is aware that there are mixed arrangements across the operators in terms of whether they are recording audio in the driver cab at all times or only when the duress alarm is triggered.

No CCTV systems controlled or owned by Metlink have the ability to capture audio. No CCTV systems controlled or owned by Metlink have the ability to capture facial recognition information or any other biometric information. This policy will be updated in the event that Metlink implements audio recording technology across the CCTV network.

5.3 Hours of Operation

Metlink CCTV systems operate 24 hours a day, 7 days a week but specific cameras are only monitored as required:

- Cameras in public areas at stations, at bus hubs and in car parks can be monitored in real time and are recorded. However, they may not be monitored or recorded at all times.
- Cameras covering emergency call points at stations will be monitored whenever the call points are activated. Audio calls made from emergency call points may also be recorded.
- Cameras on trains may be monitored in real time and can be downloaded and viewed as required in response to reported / suspected incidents.

6. Purpose for Collection of CCTV Data

Metlink CCTV systems and CCTV data may be used for the following primary purposes:

- Deterring or preventing criminal events, objectionable behaviours and safety incidents occurring whilst using public transport or on GWRC property.
- Immediately detecting criminal events, objectionable behaviours and safety incidents occurring whilst using public transport or on GWRC property.
- Collecting evidence for the prosecution of criminal events occurring whilst using public transport or on GWRC property.
- Reducing instances of fare evasion.
- Resolving customer complaints and queries, including matters regarding staff conduct.

CCTV systems and CCTV data may also be used for the following directly related purposes, in a way that does not uniquely identify individuals:

- Monitoring patterns of travel behaviour in groups of customers, using software that interprets numbers and locations of customers within the network.
- Conducting research, such as into the nature of incidents affecting the public transport system.
- Managing assets and infrastructure, in a way that does not uniquely identify individuals.
- Maintaining and managing the CCTV systems in use.
- Staff training.

7. Ownership, Maintenance and Retention of CCTV Data

7.1 Responsible Officers

The following officers are responsible for the Metlink CCTV systems in operation:

- Group Manager Metlink – Group owner and responsible for sign-off of this policy.
- Metlink Manager Policy – responsible for policy review and updates.

These Responsible Officers (ROs) are responsible for providing access to officers to the CCTV network and ensuring that the officers who have access, need it for the purposes outlined in section 6.

- Metlink Senior Manager Assets & Infrastructure.
- Metlink Senior Manager Operations & Partnerships.
- Metlink Manager Network Operations.

7.2 Installation and Maintenance of Metlink CCTV Systems

Metlink CCTV systems are installed and maintained under service provider contracts:

- An installation and maintenance contract between GWRL (in regard to surveillance systems at railway stations) and the contractor; and

- An installation and maintenance contract between GWRC (in regard to surveillance systems at bus hubs) and the contractor.

At the adoption date of this policy, the contractor responsible for installation and maintenance of all Metlink CCTV systems is Red Wolf Security Limited (**Red Wolf**).

The current and any future installation and maintenance contracts will require that the matters set out in this policy are understood by the contractor including (if necessary) by recording that the relevant contractor is responsible to ensure that its personnel that have access to CCTV data must comply with this policy.

7.3 Security of CCTV Data

Metlink takes reasonable steps to protect the CCTV data it stores against loss, inappropriate access or disclosure. Security safeguards include:

- Having an audit trail so staff access to CCTV data can be monitored.
- Limiting access to only authorised staff.
- Prohibiting removal of CCTV data from its location of storage unless approved by a Responsible Officer.
- Upgrading technical software, operating systems, and data storage capabilities.
- Securely deleting CCTV data when no longer required.

7.4 Retention of CCTV Data

CCTV data is automatically overwritten. Only authorised staff by can make copies of CCTV data. Copies are kept for a limited time in a secured network and the reason for the copy being made must come under one of the purposes listed in this policy.

Retention timeframes depend on the camera location, as hard drive sizes vary by station. Generally, CCTV data is retained for up to 30 days unless it relates to an incident or there is another lawful purpose to retain it for a longer period of time.

7.5 Management of Information About Incidents

In the following section, 'incident' or any alleged 'incident' refers to a criminal event, objectionable behaviour, safety incident, or matter under the Health and Safety at Work Act 2015. Incidents might be reported by any person, including customers or staff.

Metlink and transport operators will ensure that when incidents are identified:

- CCTV data related to the incidents may be transferred to secure media for storage (with both a master copy and working copy) or uploaded via a secure portal to authorised parties for viewing. There must be restricted access to these files.
- Details of every incident recorded will be documented.

- Once the incident has been distributed to relevant parties, is no longer needed, and there is no further investigation or requirement relating to the CCTV data, Metlink's copy of the CCTV data will be securely deleted.

8. Disclosure of CCTV Data

To meet the purposes set out in section 6, Metlink may be required to disclose CCTV data to third parties in some circumstances, as set out below.

8.1 Disclosure to the Police

Metlink may proactively disclose CCTV data about an incident to New Zealand Police, where it believes on reasonable grounds that this is necessary for the maintenance of the law. The Police may also make a request to Metlink for CCTV data that relates to an investigation.

Metlink must release CCTV data to the Police if required by a Production Order. In other cases, Metlink requires the Police to put requests for CCTV data in writing and to specify (to the extent possible) the date, time, and location of the incident, and the reason for the request.

Any request not made in writing due to urgency of the request will trigger the download and saving process of CCTV data to ensure it is not overwritten. However, this CCTV data may not be provided until a RO is satisfied that the release of the data has evidence of the request attached to it and that the release of the data is appropriate.

8.2 Disclosure to Other Third Parties

With the authorisation of a RO, Metlink may also disclose CCTV data to the following third parties, usually in response to a request from that third party:

- The New Zealand Transport Agency Waka Kotahi.
- The Transport Accident Investigation Commission.
- Transport operators, where necessary to assist with the management of incidents involving their staff; or
- Insurance companies, usually via the Police.

8.3 Disclosure Under LGOIMA

Members of the public and private sector agencies have the right to request CCTV data under the Local Government Official Information and Meetings Act 1987 (LGOIMA). There is an assumption that Metlink will release CCTV data in response to a LGOIMA request. However, Metlink may withhold CCTV data where permitted by LGOIMA, such as to protect the privacy of a natural person.

LGOIMA requests should be made by emailing Metlink at info@metlink.org.nz or by calling Metlink's contact centre on 0800 801 700.

LGOIMA requests for CCTV data that was collected by a third-party CCTV system will be transferred to that third party in accordance with section 12 of LGOIMA.

9. Individual Rights in Relation to CCTV Data

9.1 Access to CCTV Data by Individuals

Any individual who is recorded by Metlink's CCTV systems has the right under Information Privacy Principle 6 of the Privacy Act to request access to that CCTV data. However, care will be taken to protect the privacy of others.

Any request by an individual to access CCTV data will be assessed in relation to the ability to readily retrieve the information about the individual while protecting the privacy of any other identifiable individual in the data. Where this is not possible, Metlink will take other steps to make the CCTV data available to the requester, such as providing a written record of an incident, or providing the requester with an opportunity to view but not retain the CCTV data.

Privacy Act requests should be made by emailing the GWRC Privacy Officer at privacy@gw.govt.nz.

The requestor may be required to provide photographic evidence of identity before Metlink proceeds with the request for access to CCTV data that relates to them.

Privacy Act requests for CCTV data that was collected by a third-party CCTV system will be transferred to that third party in accordance with section 43 of the Privacy Act.

9.2 Public Awareness and Complaints

To increase public awareness of Metlink's CCTV network:

- The location of all third-party cameras is contractually required to be clearly apparent to the public with signage in the immediate vicinity of each camera. Signage identifying third party cameras must also clearly indicate the details of the relevant third party that owns and operates the camera.
- A list of all locations where cameras are operating is available in Appendix A of this policy or on request (contact Metlink: info@metlink.org.nz or 0800 801 700).
- When station or bus shelter facilities are upgraded, the use (and location) of cameras is included in any stakeholder or community consultation.
- Any third-party contracted to Metlink should make available to the public a privacy statement providing details regarding any system involving use of CCTV where it relates to the public transport network. Metlink should be provided the opportunity to provide feedback on the privacy statement.

Complaints in relation to any aspect of Metlink's CCTV network should be addressed to the GWRC Privacy Officer at privacy@gw.govt.nz.

10. Third-Party CCTV Systems and CCTV Data

Third Parties, such as bus and ferry operators, are responsible for their own compliance with the Privacy Act in regard to CCTV systems that they own, even when operated within the public transport network.

10.1 Access to Third-Party CCTV data by GWRC

Metlink may have access to third-party CCTV data on request to enable Metlink to:

- Investigate incidents.
- Review and investigate instances of possible fare evasion.
- Audit compliance with Metlink's contract for services.

If Metlink has a contractual right to access third party CCTV data, this right is encouraged to be included in the third party's privacy statement.

Any CCTV data obtained by Metlink from a third party will not be shared by Metlink with any other party, including the Police and members of the public, unless mandated by law. CCTV data obtained by Metlink from a third party will be securely destroyed as soon as it is no longer required.

10.2 Requests for Third-Party CCTV Data

Any request to access third party CCTV data – such as those outlined above at section 8 – must be transferred to the third party from which Metlink obtained the data. No third-party CCTV data must be provided by Metlink unless required by law.

11. Making the Policy Available

Responsible Officers are responsible for ensuring that this policy is appropriately communicated to all staff who need to comply with it. Staff who manage relationships with third parties who have CCTV systems relevant to the public transport network are also responsible for ensuring that the policy is understood by those relevant parties.

This policy will be published on the Metlink website.

12. Breaches to Policy

Any potential breaches of this policy by staff required to comply with it will be taken very seriously.

Any allegations or instances of potential breaches will be investigated fully by Metlink. During the investigation, Metlink reserves the right to temporarily suspend access to CCTV systems.

For GWRC staff, breaches of this policy may be considered misconduct or serious misconduct which could result in disciplinary action, and could include be issued with a first warning, final warning or possible dismissal.

For non-GWRC staff, breaches could result in a permanent or temporary revoking of access to CCTV systems, and a formal complaint may be referred to the staff member's employer.

Depending on the nature of any breach, the matter may also be referred to the Police and the Privacy Commissioner.

13. Audit Process

The Responsible Officers (with assistance from a GWRC Privacy Officer) oversee the operation of Metlink's CCTV systems including reporting and overseeing the internal audit process and compliance with this policy.

The operation of remotely controlled cameras and the making of copies of CCTV data is audited to ensure CCTV data is not misused.

Audits are undertaken of records of access to CCTV systems, CCTV data, and the provision of CCTV data to third parties.

In addition, regular external audits are scheduled to occur as part of a wider security audit.

Appendix A - Schedule of Metlink Controlled Camera Surveillance Locations (*as of February 2024*)

i. Trains

ii. Stabling Yards

- Wellington
- Upper Hutt
- Masterton
- Waikanae
- Paekakariki

iii. Stations with Camera Surveillance

General

- Wellington station station platforms

Johnsonville Line

- Johnsonville station
- Raroa station
- Khandallah station and carpark
- Box Hill station
- Simla Crescent station
- Awarua Street station
- Ngaio station and carpark
- Crofton Downs station and carpark

Hutt Valley Line

- Ngauranga station
- Petone station and carparks
- Ava station
- Woburn station and carpark
- Waterloo station and carparks
- Epuni station
- Naenae station
- Wingate station
- Taita station and carpark
- Pomare station and carpark
- Manor Park station and carpark
- Silverstream station and carpark
- Heretaunga station
- Trentham station and carpark
- Wallaceville station
- Upper Hutt station and Eastern (Goodshed Road) carpark

Kapiti Line

- Takapu Road station and carpark
- Redwood station and carpark
- Tawa station and carpark
- Linden station
- Kenepuru station
- Porirua station and carpark
- Paremata station and carpark
- Mana station and carparks
- Plimmerton station
- Pukerua Bay station and carpark
- Paekakariki station and carpark
- Paraparaumu station and carparks
- Waikanae station and carparks

Melling Line

- Melling station and carpark
- Western Hutt none

Wairarapa Line

- Maymorn station
- Featherston station and carpark
- Woodside station and carpark
- Matarawa none
- Carterton station and carpark
- Solway station and carpark
- Renall Street station
- Masterton station and carpark

iv. Buses

- These are controlled by the bus operator.

v. Bus Hubs with Camera Surveillance

Lambton Interchange (Internal Building) – multiple cameras controlled by Wellington City Council. GWRC has limited access.

Lambton Interchange

- Stop A - Bus Stop - 5500
- Stop B - Bus Stop - 6000
- Stop C – Bus Stop - 6001
- Shelter Stop C – Bus Stop - 6001

Wellington Hospital, Rintoul Street

- Shelter Stop A - Bus Stop - 6055
- Shelter Stop B - Bus Stop - 7017
- Shelter Stop C - Bus Stop - 6017

Kilbirnie, Evans Bay Parade

- Shelter Stop A - Bus Stop - 6224
- Shelter Stop B - Bus Stop - 7224
- Shelter Stop C - Bus Stop - 7026

Miramar, Miramar Avenue

- Shelter Stop A - Bus Stop - 7083
- Shelter Stop B - Bus Stop - 6081

Karori, Glenmore Street

- Shelter Stop A - Bus Stop - 4319
- Shelter Stop B - Bus Stop - 5319

Brooklyn, Cleveland Street

- Shelter Stop A - Bus Stop - 7700
- Shelter Stop B - Bus Stop - 7720
- Shelter Stop C - Bus Stop - 6720

Johnsonville, Moorefield Road and Johnsonville Mall

- Shelter Stop A - Bus Stop - 3000
- Shelter Stop B - Bus Stop - 3081
- Shelter Stop C - Bus Stop - 3250

Bunny Street, Lower Hutt

- Shelter Stop C - Bus Stop – 9130

Te Herenga Waka, Victoria University of Wellington, Kelburn

- Shelter Stop A – Bus Stop - 4915

248 Thorndon Quay – Bus Layover & Drivers Facility (3 cameras).

vi. Bus driver toilets

Bus driver toilets and facilities may have up to 4 cameras operating to cover the sides of each facility.

vii. Ferries

These are controlled by the ferry operator.

viii. Relocatable Cameras

Deployed anywhere on the public transport network in response to incidents or community concerns. Signage will be present.