

Australian Retailers Association

VIDEO SURVEILLANCE CODE OF PRACTICE

Introduction

Video surveillance is conducted by retailers to enhance the safety of staff, customers and others visiting retail stores and to protect merchandise and other assets.

The Australian Retailers Association recognises that video surveillance is potentially intrusive and this Code of Practice has been developed to protect the rights of retailers, their employees, customers, suppliers and all others visiting retail premises.

Use of Video Surveillance

Video Surveillance will only be used within the retail industry for lawful purpose, which is related to one of the following:

- Monitoring high risk safety areas
- Monitoring pedestrian traffic
- Perimeter security
- Access security
- Overt protection of merchandise and assets
- Covert protection of merchandise and assets

Video surveillance should not be conducted in change rooms, fitting rooms, toilet cubicles or any other area, which can be considered to be of an intimate nature where people would reasonably expect to have privacy.

Notification of the Use of Video Surveillance

Retailers should notify staff, customers and all other people entering the premises of their intention to conduct video surveillance.

Signage advising that video surveillance is used should be prominently displayed, in simple language, at entrances to stores. Where necessary, consideration should be given to signage in languages other than English.

A person who enters a store, which displays such signage, implies that he or she accepts the use of video surveillance as a condition of entry.

Employees should be advised that both fixed and portable CCTV systems are used within the industry as tools in the investigation of unlawful activities.

Signage advising of the use of video surveillance should also be displayed on staff notice boards to ensure that all employees are aware of the practice.

Notification of the use of video surveillance should also form part of the induction process for new employees and where CCTV monitoring facilities form part of a retailer's security system, staff should be given the opportunity to view those facilities.

Principles for Conducting Video Surveillance

Retailers will ensure that:

- All staff using video surveillance equipment are properly instructed in its use and adequately supervised at all times.
- The privacy of persons recorded on video who are not involved in any unlawful activity is protected.
- Video recordings not required for evidentiary purposes are erased as soon as practicable.
- The information recorded is treated as 'confidential' and not shown to any person other than those directly connected with the original recording of the images or involved in the investigation of unlawful activity where the recording is relevant.
- The use of video surveillance is not related to productivity of staff or similar industrial matters and does not unnecessarily intrude on the privacy of employees.

Specific Guidelines for Covert Surveillance

The Code of Practice for Covert Surveillance incorporates all of the principles outlined for general video surveillance. However, in recognition of the potential for intrusion of privacy, additional measures will be adopted. Covert surveillance will only be used to protect merchandise, assets or the safety of individuals.

Decision to undertake Covert Surveillance

Retailers will identify the circumstances for which covert surveillance may be used and the acts which may justify the retailer undertaking the practice.

Approval to conduct covert surveillance in any particular case will be made at a senior level. A written record of approvals will be maintained.

In deciding to conduct covert surveillance, retailers will take into account the following factors:

- That there is reasonable suspicion to believe that an offence or an unlawful activity is about to be committed, is being committed or has been committed.
- That other forms of investigation have been and have been assessed to be unsuitable or other forms of investigation, tried and have been found to be inconclusive or unsuitable.
- The benefits arising from obtaining relevant information by covert surveillance are considered to outweigh to a substantial degree the intrusion on the privacy of the surveillance subject(s).

Where practicable, only material relevant to the purpose of conducting the covert surveillance will be collected and retained.

Retailers will conduct ongoing monitoring of the conduct of covert surveillance and will provide training of staff involved in all aspects of covert surveillance.