
Policy Title: Mississauga Transit Video/Audio Surveillance

Policy Number: 03-10-03

Section: Corporate Administration

Effective Date: December 7, 2023

Approved by:

Council

Subsection: Security

Last Review Date: December, 2023

Owner Division/Contact:

**Security Services, Enforcement Division,
Corporate Services**

Policy Statement

Video and audio surveillance, when utilized with other security measures, is an effective means of ensuring the security and safety of buses operated by Mississauga Transit (MiWay), the individuals who use them, the employees who operate them and the assets housed within them.

Purpose

This policy establishes procedures to balance security and safety with an individual's right to privacy. Specifically, this policy addresses requirements and responsibilities with respect to:

- The installation and operation of Video/Audio Surveillance Systems on Mississauga Transit buses
- Custody, control and retention of Video/Audio Surveillance System Recordings and Accessed Recordings, and
- Accessing and using Video/Audio Surveillance System Recordings

Scope

This policy applies to all:

- Video/Audio Surveillance Systems installed on Mississauga Transit (MiWay) buses, and
- City employees and/or external individuals using Mississauga Transit and/or accessing Video/Audio Surveillance System Recordings

Related Policies and By-laws

- Corporate Policy and Procedure - 03-02-08 – Freedom of Information and Protection of Privacy
- Transit By-law 425-03, as amended from time to time

Legislative Considerations

This policy is written in compliance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and the *Ontario Employment Standards Act, 2000*.

Definitions

For the purposes of this policy:

“Accessed Recording” means information accessed from a Video/Audio Surveillance System.

“Authorized Employee” means any employee authorized to create an Accessed Recording, including but not limited to an employee from the Crime Prevention, Transit Enforcement, Transit Business Systems and/or the Transit Equipment teams.

"Bus" means any vehicle that is either owned or used by the City for the express purpose of providing public transport service by Mississauga Transit (MiWay).

“City” means the Corporation of the City of Mississauga.

"Director" means the director, Mississauga Transit Division, Transportation and Works Department, or their designate.

“FOI Request” is a written request, submitted along with the application fee prescribed in the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), by a person seeking access to a Record.

“Personal Information” shall be defined in accordance with the definition provided in the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

“Recording” means information recorded by and stored on a Video/Audio Surveillance System which has not been accessed by an Authorized Employee.

"Video/Audio Surveillance System" or "System" means the combination of devices installed on Buses that enables continuous or periodic video or audio recording, observing or monitoring of the exterior and interior of Mississauga Transit (MiWay) Buses and/or individuals boarding, travelling on, or alighting Mississauga Transit (MiWay) Buses and includes the storage device used to store the Recording.

Administration

This policy is administered by Security Services in consultation with the Director.

Accountability

Directors

Applicable directors are accountable for ensuring all applicable managers/supervisors are aware of this policy and of any subsequent revisions.

Senior Manager, Transit Operations

The Senior Manager, Transit Operations is responsible for designating Transit Equipment Team members to operate the System and for ensuring that operation of the System is limited to Authorized Employees.

Manager, Security Risk

The Manager, Security Risk is responsible for:

- Designating Authorized Employees to operate the System, maintaining a list of all Authorized Employees and ensuring operation of the System is limited to Authorized Employees, and
- Approving requests to access Recordings

Managers/Supervisors

Managers/supervisors with staff who are responsible for the installation, operation and use of the System and/or the custody, control, access to or retention of Accessed Recordings are accountable for:

- Ensuring staff in their respective work units are aware of this policy and any related protocols, as well as any subsequent revisions, and
- Ensuring applicable staff are trained on this policy and any related protocols, as well as any subsequent revisions, with respect to their specific job function

Transit Enforcement Services

Transit Enforcement Services, in consultation with the Director, is responsible for:

- Maintaining and reviewing protocols for the installation, operation and use of the System
- Ensuring that all proposed changes to the existing System and/or newly proposed Systems meet the requirements of this policy, as well as other relevant City policies and by-laws, prior to implementation
- Maintaining custody of Video/Audio Surveillance System Recordings, ensuring appropriate security and controls are in place and retaining Accessed Recordings in compliance with the Records Retention By-law, and
- Establishing an appropriate training program for the operation of System equipment, including responsibilities with respect to protection of privacy and confidentiality

Transit Equipment Team, MiWay Maintenance

The Transit Equipment Team is responsible for:

- System installation, and
- System maintenance and repair

Crime Prevention, Security Services

The Crime Prevention Team is responsible for:

- Creating Accessed Recordings upon receipt of an approved request for access, and
- Disclosing Accessed Recordings in an appropriate format

Access and Privacy Officers

Access and Privacy Officers are responsible for:

- Providing advice and guidance on complying with MFIPPA, as required
- Processing Freedom of Information Requests, and
- Investigating and responding to unauthorized access to or disclosure of a Video/Audio Surveillance System Recording or Accessed Recording

Employees

All City employees are responsible for reviewing this policy, attending training related to this policy, as required, and adhering to this policy.

Authorized Employees are responsible for:

- Complying with this policy in performing their duties and functions related to the operation of the System
- Refraining from accessing or using Recordings for personal reasons or unauthorized purposes
- Ensuring that Recordings and/or Accessed Recordings are not altered, erased or destroyed without proper authorization
- Ensuring that Recordings are accessed and Accessed Recordings are created and disclosed in accordance with this policy, and
- Protecting the privacy of individuals by collecting, using, disclosing and disposing of Personal Information in compliance with MFIPPA

System Configuration and Operation

The System begins recording every time a Bus is turned on, continuously records video and audio while the Bus is in operation, and continues to record video and audio for 30 minutes after the bus is turned off. The System stores no more than 168 hours of Recordings.

Public Notice

A sign providing notice of the collection of Personal Information is installed in a visible location on all Buses where a Video/Audio Surveillance System is installed. The sign advises persons entering the Bus that the vehicle is under video/audio surveillance.

Camera Location

Camera placement is assessed by Bus type. Camera locations require the approval of the Director.

Microphone Location

The microphone is located at the front of the Bus near the operator's workstation.

Recordings

System Capacity

When video and audio is recorded it is stored in a secure manner on the bus on which it was recorded. The storage capacity of the System is up to 168 hours of Recordings. When the storage capacity is reached, existing Recordings are automatically overwritten with real-time Recordings. Once this occurs, the overwritten Recordings are no longer available.

Retention of Recordings

Recordings that have not been accessed are deemed transitory records and are not subject to the retention provisions set out in the Record Retention By-law.

Monitoring of Recordings

The System does not support monitoring video and/or audio in real time.

Accessed Recordings

Requests for Access to System Information

Requests to access video and/or audio information must be in writing and directed, as appropriate, to either the Access and Privacy Unit in the form of a [Freedom of Information Request](#) or Crime Prevention at crime.prevention@mississauga.ca.

Creating an Accessed Recording

Accessed Recordings are created by Authorized Employees for the following purposes:

- A law enforcement-related investigation, following consideration of a request from police or another law-enforcement agency, including Mississauga Transit Enforcement Officers
- Activities necessary to the proper administration of the Mississauga Transit system, including but not limited to:
 - An investigation of a collision or a personal injury involving a Bus, and to prosecute or defend a related claim or proceeding
 - An investigation of a known or alleged incident or complaint involving misconduct, safety or security of people or assets, including with respect to workplace violence and harassment, and to take appropriate disciplinary measures, or to prosecute or defend a related claim or proceeding, including a labour grievance
 - To implement health and safety measures and to prevent harassment, and
 - As required by law
- Responding to an FOI Request

Retention of Accessed Recordings

Accessed Recordings are deemed Corporate records and are subject to the retention and destruction provisions set out in the Record Retention By-law.

Use of Accessed Recordings

Accessed Recordings should be used for the purpose(s) for which they were created, or consistent purposes. However, if an Accessed Recording is created for a purpose consistent with this policy, and if through subsequent review of the Accessed Recording it is found that an employee engaged in inappropriate behavior in contravention of a law or a City policy, the City may use the Accessed Recording to address the behavior as a performance issue in the workplace.

Disclosure of Accessed Recordings

At the discretion of Crime Prevention staff, and in collaboration with the Access and Privacy Unit where applicable, disclosure may be provided in the following ways:

- Crime Prevention staff may provide a verbal or written summary of the relevant video/audio
- The video/audio may be reviewed by the requestor in the presence of authorized staff, and/or
- A copy of the Accessed Recording may be provided in digital format

Anyone who receives a copy of an Accessed Recording from an Authorized Employee is required to sign an applicable Video/Audio Release Form.

Unauthorized Access or Disclosure

Any employee with knowledge of unauthorized access to or disclosure of any Video/Audio Surveillance System Recording or Accessed Recording must immediately inform the Access and Privacy Officer.

Compliance

Failure to comply with this policy, including any unauthorized access to or disclosure of information is cause for disciplinary action up to and including termination of employment.

Revision History

Reference	Description
GC-06-02-2010 - 2010 09 29	
LT-June 19, 2014	Admin revision to add aiding Transit Enforcement Officers in the investigation of vandalism to Use of Information Collected.
February 8, 2017	Revised Use of Information Collected section to enable Risk Management to request access to records in accordance with the policy.

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June 14, 2018	Scheduled review. Revised to change retention period from 24 hours to 7 calendar days.
March 7, 2022	Scheduled review, no changes required by Security or MiWay
LT – 2023 12 07	Revision to add provisions related to Audio Surveillance. Content revised to improve clarity and to reflect current practices.
September 3, 2024	Housekeeping revision to update the Owner Division/Contact to reflect current organizational structure.