

CCTV on School Buses

Information Sheet for School Bus Operators

Contract Provisions regarding Approved Monitoring Equipment (including video recording and CCTV equipment)

Under the Passenger Service Contract Standard Conditions (PSC Standard Condition), the Crown may direct Operators to install Approved Monitoring Equipment (including video recording or CCTV equipment) in Approved Vehicles or Alternative Vehicles.

If the Crown directs Operators to install Approved Monitoring Equipment, the Crown must reimburse reasonable installation costs of that equipment. If CCTV is included as part of that Approved Monitoring Equipment, Operators will receive an additional annual allowance per vehicle to cover ongoing maintenance and replacement of the approved CCTV system.

In relation to Approved Monitoring Equipment, the Crown may ask operators to supply recorded video footage and issue directions regarding the maintenance, use, testing, modification, audits, and data retention of the equipment.

Refer to clause 9.5 ('Approved Monitoring Equipment') and clause 20 ('Collection and use of video footage in respect of Trips') of the PSC Standard Conditions for more information.

Current Position

Currently, the Crown has not specified any Approved Monitoring Equipment. This means there is no contractual requirement for Operators to install CCTV systems on their school buses.

Therefore, a decision whether to install a CCTV system on an Approved Vehicle is at an Operator's discretion.

If an Operator chooses to install a CCTV system on their school bus, they are responsible for ensuring they comply with privacy and surveillance laws and any applicable standards.

The contractual provisions in clause 9.5 and clause 20 of the PSC Standard Conditions do not apply to CCTV systems that are not installed as part of an Approved Monitoring Equipment directive. This means that State Growth cannot and will not ask Operators to provide video footage from their CCTV systems and cannot issue directions on how Operators manage or use their systems.

Reimbursement is not available for the installation of CCTV systems that are not Approved Monitoring Equipment.

State Growth cannot provide legal advice to operators on their use of, or methods for operating, CCTV where they choose to install it.

Considerations for Operators

If you choose to independently install CCTV on your Approved Vehicles, State Growth recommends you seek legal or expert advice.

As a starting point, here is a non-exhaustive list of some things you may want to consider:

1. For what purpose will you collect or use CCTV footage?
2. How will you keep CCTV records secure?
3. How long will you keep recorded CCTV footage?
4. How will you make sure operating staff are trained in the use of CCTV and what policies and procedures will you have in place?
5. How will you limit access to CCTV to staff who are appropriately trained and authorised?
6. What safeguards will you have in place to prevent the tampering, misuse or loss of any data?
7. How will you make sure CCTV systems are regularly maintained, tested and the time and date is checked for accuracy?
8. How will you let passengers on the bus know that they will be recorded?
9. How will you let you drivers and staff know that they will be recorded during their shifts?
10. How will you respond if a school, a parent or carer, a Tasmania Police officer or member of the public asks to view specific CCTV footage?
11. How will you ensure your CCTV system complies with applicable laws, such as the *Personal Information Protection Act 2004* (Tas), *Privacy Act 1988* (Cth) and the *Listening Devices Act 1991* (Tas) if you are also recording audio.

For More Information.

<https://business.gov.au/people/customers/install-video-surveillance> provides information to assist businesses in planning the installation of video surveillance in their premises and guidance on privacy legislation and surveillance regulations.