



Audio-Visual Recording Policy

Version 3
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Investigations

Audio-Visual Recording Policy

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2. Introduction

2.1 Policy statement

The Alberta Motor Vehicle Industry Council (AMVIC) reserves the right to video and/or audio record interviews conducted by a Peace Officer/ Investigator and administrative reviews conducted by the Director of Fair Trading (as delegated) to provide a sufficient record of investigative activities and administrative reviews.

2.2 Purpose

This policy outlines the collection, use and distribution of audio-visual recordings collected by AMVIC. It is important to note that all audio-visual recordings obtained by, or on behalf of AMVIC are the property of AMVIC and fall within the scope of this policy.

2.3 Definitions

In this policy:

- i. 'Audio-Visual (A/V) Recordings' refers to recordings with audio and/or visual components.
- ii. 'AVI' means Audio Video Interleave file. It is a commonly used video format that contains both audio and video.

3. Policy

3.1 Roles and responsibilities

3.1.1 Senior manager of investigations

The senior manager of investigations may delegate various responsibilities to AMVIC's managers of investigations, the investigations coordinator and the IT generalist as it relates to this policy. The key duties of the senior manager of investigations include:

- Ensuring compliance with all aspects of this policy.
- Ensuring recording devices are stored in a safe and secure location.
- In consultation with the IT generalist, provide training to users regarding obligations and compliance with this policy.

3.1.2 IT generalist

The IT generalist shall be responsible for A/V recording operations. The key duties of the IT generalist include:

- Overseeing day-to-day operations and maintenance of A/V recording systems at a specific site location.

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- Ensuring the safe disposal of personal information and records that are no longer required.

3.1.3 Investigations coordinator

The investigations coordinator shall be responsible for maintaining and storing A/V recordings relating to investigation files. The key duties of the investigations coordinator include:

- Exporting, renaming and cataloguing AVI A/V recordings to AMVIC's secured network storage.
- Facilitating the transcription of A/V recordings when requested.

3.1.4 Issues and program support specialist

The issues and program support specialist shall be responsible for maintaining and storing A/V recordings relating to administrative reviews. The key duties of the issues and program support specialist include:

- Exporting, renaming and cataloguing AVI A/V recordings to AMVIC's secured network storage.
- Facilitating the transcription of A/V recordings when requested.

3.1.5 System user

Users are AMVIC staff who operate or maintain the A/V recording system for a particular location. The duties and responsibility of the user include:

- Complying and adhering to all aspects of this policy.
- Contacting the IT generalist immediately if any issues with the system's function or performance is noticed.
- Ensuring that no personal information is disclosed.
- Ensuring that no copies of data and images in any format (hardcopy, electronic, etc.) are taken from the A/V recording system without the appropriate approval.
- Forwarding all requests for access to A/V records to the senior manager of investigations.

3.2 Requirements for collection

AMVIC shall post signs, visible to members of the public, at all entrances or prominently displayed on the perimeter of the location being A/V recorded.

3.3 Record identification

All records (storage devices) shall be clearly identified (labelled) as to the date of the recording and a unique identifier (licence or registration number).

A/V recordings from Administrative Reviews and interviews shall be stored on the AMVIC hard drive. The computer time and date stamp shall be understood to be a part of this identification.

Should there be a malfunction of the A/V recording during a review, the malfunction will be documented and no video or subsequent transcript will be available for use as a result.

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3.4 Access to audio-visual recordings

Access to A/V recordings shall be restricted to authorized personnel only in order to comply with their roles and responsibilities as outlined in this policy.

3.5 Use and distribution of audio-visual recordings

A/V recordings of Administrative Reviews are for internal AMVIC use only and are not intended to be entered as evidence during the administrative appeal process. However, if a criminal offence takes place during the Administrative Review, A/V recordings may be provided to law enforcement for investigative purposes.

A/V recordings of an interview completed by an AMVIC peace officer or investigator (e.g.: warned and caution statement) may form part of the investigation and therefore, may be subject to disclosure. The storage of these A/V recordings will fall under the responsibility of the investigating officer who has conducted the interview, along with their supervisor(s). The peace officer will seek the assistance of the IT generalist to save A/V recordings to a memory stick or DVD if required for investigative purposes and with approval from the Senior Manager of Investigations. These devices will be locked in the investigating officer's exhibit locker at all times.

No copies of the A/V recordings will be provided to external parties at any time, with the exception of law enforcement. The decision to provide A/V recording information to law enforcement lies with the senior manager of investigations.

In accordance with Section 6(1) of the *Freedom of Information and Protection of Privacy* (FOIP) Act, any persons who have been interviewed have a right of access to any record in the custody or control of a public body. Section 7(1) of the FOIP Act outlines how to request such records.

3.6 Custody, control, retention and disposal of audio-visual records

AMVIC retains custody and control of all original A/V recordings. Information collected from the A/V recording system will be retained as per the requirements set out in the Records Retention and Disposition Schedule (2004/027).

A/V recordings pertaining to investigation files shall be kept for 11 years after close of file.

A/V recordings pertaining to administrative reviews shall be kept for two years after conditions of license or registration have been met or the end of the appeal period, whichever is longer.

AMVIC will take all reasonable efforts to ensure the security of records in its custody and control and ensure their secure disposal. The IT generalist will be responsible for ensuring that personal information is removed from and disposed of prior to disposing of old storage devices. Disposal methods may include shredding, burning, or erasing depending on the type of storage device.

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3.7 Responsibilities of employees and contractors

AMVIC employees and contractors must adhere to this policy and must not disclose, access or use information contained in the A/V recording, its components, files or database for personal reasons nor disclose, dispose, destroy, erase or alter any record without proper authorization from the senior manager of investigations and without following the terms and conditions contained in this policy.

4. Administration

4.1 Related documents and legislation

Freedom of Information and Protection of Privacy Act

4.2 Procedures

4.3 Forms

4.4 Amendment history

Version	Date	Summary of update
1.	Sept. 23, 2015	Original
	Feb. 8, 2018	Administrative change: <i>Fair Trading Act</i> to <i>Consumer Protection Act</i> (motion 18-026)
2.	Oct. 2, 2019	Update to roles and responsibilities, record identification, use of A/V recording and update to new template. Reviewed and approved.
3.	Sept. 15, 2022	Amendments to job title and format of AV recordings. Reviewed and approved by AMVIC CEO, Malcolm Knox.

4.5 Scheduled review date

September 2025