

## **Operating Guideline # 1418**

### **Remote Piloted Aircraft Systems Privacy and Data**

**June 12, 2020**



#### **PURPOSE:**

The purpose of this guideline shall be to provide guidance on privacy and data collected from remote piloted aircraft systems for the Muskoka Lakes Fire Department.

#### **GUIDELINE:**

1. Remote Piloted Aircraft Systems (RPAS) will only be deployed to address emergencies and substantial life safety concerns under the authority of the Fire Protection and Prevention Act, allowing rights of entry for fire investigation and emergencies. The Department's primary intention for integrating RPAS technology into its initial action hazard mitigation and response matrix is to increase the incident commanders' "situational awareness." Situational awareness is the ability to fully understand the challenges of a given incident in "real time," thereby providing critical information necessary to guide decision-making. Ultimately, those decisions impact the amount of risk he/she is willing to assume with firefighters' lives.

2. RPAS video capture is viewed as an exceptional step, only to be taken at active emergencies, fire investigations, during training and / or by direction of the Fire Chief.

3. The Remote Piloted Aircraft System video surveillance will be consistent with applicable laws, such as the *Canadian Charter of Rights and Freedoms*.

4. The RPAS video capture system will only be used at emergencies, when there is verifiable complaint filed, and in training when all participants are aware of the recording.

5. The general public will be advised that they may be under surveillance. The public will be informed with clearly written signs at the perimeter of areas, which advise that the area is or may be under surveillance, and indicate the "Muskoka Lakes Fire Department is responsible for the surveillance", include the following "the Fire Chief is responsible for compliance with privacy principles and can be reached by calling 705 646 5282.", to answer questions or provide information about the system in operation.

7. RPAS cameras will not be aimed at or into areas where people have a heightened expectation of privacy: for example, windows of buildings, showers, washrooms, change rooms, etc. Reasonable steps will be taken to ensure that cameras cannot be adjusted or manipulated to capture images in areas that are not intended to be under surveillance.

8. Remote Pilot In Control operators shall be privacy-sensitive. The operators of surveillance systems should be fully aware of the purposes of the system, and fully trained in rules protecting privacy. All operators will review and sign that they understand and will follow these guidelines.

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9. Security of the equipment and images are to be maintained by the Remote Pilot in Control (RPIC). Access to the system's controls and reception equipment, and to the images it captures, will be limited to the designated RPIC, incident commander and law enforcement. Recordings will be securely held for 24 hours unless required by another authority. All recorded photo/video material related to a Department emergent response shall be cataloged immediately after the conclusion of the incident; then surrendered to the Fire Chief or designate.

10. People whose images are recorded should be able to request access to their recorded personal information within 24 hours by contacting the Fire Chief within that window. Severing the personal information in a recording (including technological blurring or blocking of the identities of others) may be necessary to allow individual access, this process may take up to 60 days to complete.

11. The video surveillance system will be subject to independent audit and evaluation annually. The system's operations and its effectiveness should be evaluated regularly to identify unintended negative effects. Audit and evaluation should be conducted by two Senior Leadership Team Managers for the Township of Muskoka Lakes. Audits should ensure compliance with all RPAS guidelines, including ensuring that only pertinent information is collected, that the system is used only for its intended purpose, and that privacy protections in the system are respected. Results of audits and evaluations should be reported to the Fire Chief.

12. The Fire Chief is accountable for privacy compliance and privacy rights associated with the RPAS system. All Fire Department officers, employees and contractors are to adhere to this guideline subject to discipline up to and including termination.

13. The public has a right to know about the video surveillance system that has been adopted. The public may seek to know, for example, who has authorized the recording, whether and why their images have been recorded, what the images are used for, who has access to them, and how long they are retained. All Fire Department members are to refer these inquiries to the Fire Chief or designate.

14. The DJI Mavic series Aircraft are the approved Remote Piloted Aircraft Systems for the Muskoka Lakes Fire Department. The Cameras attached are mounted on a 3-axis stabilized gimbal with CMOS sensor 12MP camera. The colour camera has a 24mm (equiv.) fixed-aperture F2.8 lens with an 83° FOV, and provides an ISO range from 100-3200. The Mavic Enterprise 2 Dual is an infrared camera using a system capable of thermal signature display.

15. The Department or any entity associated with the Department RPAS Program will not engage in the indiscriminate, unobscured publication of footage depicting non-Department personnel. Visual data shall never be displayed on the Department's public facing website or social media portals when not in the best interest of the public. It is the intent of the

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Department by policy and practice, to protect the privacy interests of members of the public or other “non-Department” personnel.

16. It will be the Department’s practice to record visual data of the emergent incident only where there is a specific, identified Department need. Although this is not an exhaustive list, such needs would include footage that captured an unusual occurrence; occurrence of serious building compromise or collapse; roof compromise or collapse; large area involvement with fire (conflagration, flashover, backdraft or explosion); injury or death to a firefighter or member of the public; or in connection with anticipated or pending litigation or compelling public interest.

17. Visual information will be captured to transmit “live” footage to a Department Incident commander or command post. Viewing such live footage may occur during exigent circumstances where an incident demands or impacts the resources or responsibilities of other entities such as law enforcement, public agencies, or utility providers. During these “Unified Command” scenarios, non- Fire Department personnel may have **visual** access to images captured by the RPAS **but only** for the purpose of providing critical information in “real time” necessary to guide decision-making and increasing “situational awareness.”

#### **RESPONSIBILITY:**

It is the responsibility of all firefighting staff to comply with the provisions of this Operating Guideline.

#### **DEFINITIONS:**

RPAS – Remote Piloted Aircraft System is a remotely piloted aircraft, its associated remote pilot station(s), the required command and control links and any other components as specified in the type design.

Incident Commander – The individual responsible for all incident activities, including the development of strategies and tactics and the ordering and the release of resources. The IC has overall authority and responsibility for conducting incident operations and is responsible for the management of all incident operations at the incident site.

RPIC – Remote Pilot In Charge is the person who is properly qualified to exercise the privileges of remote pilot and has the final authority and responsibility for the operation and safety of the RPAS operation.

#### **REFERENCES:**

NFPA 2400 – Standard for small unmanned aircraft systems used for public safety operations