

Title	CCTV Policy
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Document Owner	Justine Hart
Post of Document Owner	Housing Manager
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## 1. Introduction

1.1 This Policy covers Women's Pioneer Housing's use of closed circuit television (CCTV) systems.

1.2 This policy does not cover the following:

- CCTV installed, managed and used by other organisations;
- Dummy CCTV cameras, whether installed by WPH or third parties;
- CCTV cameras installed by WPH residents within their homes.

1.3 WPH reserve the right to ensure that CCTV installed by residents is compliant with the relevant guidelines, and does not breach the tenancy agreement, and will require installations that do not meet these standards to be either amended or removed at the tenant's expense.

## 2. Purpose

2.1 This policy aims to ensure that WPH's use of CCTV systems adheres to relevant guidance and legislation (including data protection legislation); is not abused; and is correctly and efficiently operated.

2.2 This policy links to the following sections of the WPH Corporate Plan 2018-2023:

- Objective 1 – Providing high quality homes and services for existing and future tenants.
- Objective 2 – Supporting our residents' independence and wellbeing

## 3. Legislation/Regulation

3.1 The principle sources for this policy are the Information Commissioner's Office (ICO) code of practice for surveillance cameras and personal information (*In The*

*Picture*, first issued 2000, revised 2015); and the Home Office Surveillance Camera code of practice (issued 2013).

- 3.2 The relevant items of legislation informing these sources are: Data Protection Act 1998 (DPA); Protection of Freedoms Act 2012 (POFA). The ICO code of practice was first issued following the passage of the DPA, and it was revised following the passage of the POFA. The Home Office code of practice was created following a specific provision of the POFA.
- 3.3 Section 20 of the Landlord and Tenant Act 1985 (as amended) ('the 1985 Act') provides that a landlord (as defined by **Section 30** of the 1985 Act) pertaining to resident consultation including also applies as CCTV is a service chargeable item.
- 3.4 Similar policies from other RSLs have also been consulted to ensure consistency of approach<sup>1</sup>.

## **4. Policy**

### **4.1 Resident request for CCTV**

- 4.1.1 Resident may request CCTV in the common areas of their building or estate. All requests will be considered initially by the Housing Manager.
- 4.1.2 In order to meet the threshold for consultation the CCTV request must comply with the justification criteria below.

### **4.2 Justification for CCTV Installation**

- 4.2.1 CCTV will be used where there is a clear and identifiable problem with ASB and/or criminal behaviour; where other reasonable responses have not proven to be effective; and where use of CCTV is proportionate to the problem at hand<sup>2</sup>.
- 4.2.2 Unless in exceptional circumstances, CCTV will not be our first response to a problem. Where alternative reasonable responses have not been followed, agreement for the installation of CCTV should not be forthcoming<sup>3</sup>. Residents will be consulted on the installation of CCTV as the cost is service chargeable.
- 4.2.3 Any installation proposals will be subject to a data impact assessment prior to installation to mitigate any data protection risks.

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<sup>1</sup> Policies consulted were from Red Kite Community Housing, The Barnet Group, and Progress Housing Group.

<sup>2</sup> The Home Office code (section 1.4) states that "the government is fully supportive of the use of overt surveillance cameras in a public place whenever that use is: in pursuit of a legitimate aim; necessary to meet a pressing need; proportionate; effective, and; compliant with any relevant legal obligations".

<sup>3</sup> The ICO code (section 4) states that "the fact that it is possible, affordable or has public support should not be the justification for processing personal data".

- 4.2.4 points of the CCTV form must be satisfied before installation will be approved, the form is in line with the ICO's 12-point compliance checklist<sup>4</sup>.
- 4.2.5 Installation of CCTV will be agreed at Director level following the presentation of a business case, a data impact assessment, consultation response and a completed CCTV form. This will apply even in cases where the Police have made a specific request that CCTV be installed.
- 4.2.6 In some cases residents will ask to install video door bells, particularly if they are a victim of domestic abuse. Residents may install their own camera system (including the use of video doorbells) on the condition that no aspect of their tenancy or lease is breached when doing so – this may be particularly useful for residents experiencing domestic abuse. WPH reserve the right to inspect the installation and require its removal if the tenancy agreement or lease is breached.

### **4.3 Communication with residents for new installation**

- 4.3.1 The outcome of the consultation will be communicated to residents.
- 4.3.2 New installations will be communicated with residents clearly.
- 4.3.3 The use of CCTV is communicated in our fair processing notices to residents which is available on the company website.

### **4.4 Review of existing provision**

- 4.4.1 All existing CCTV installations will be logged on a central secure database, in accordance with the WPH Information Management and Security Policy.
- 4.4.2 Each installation will be reviewed on an annual basis, unless the installation is intended to address a shorter-term problem, in which case review can happen sooner.
- 4.4.3 The review will establish: (a) if there is still a need for the installation; (b) if the installation is still compliant with ICO guidelines (i.e. in terms of signage, direction of cameras, positioning of monitors).
- 4.4.4 Residents should also be consulted, but where an installation is demonstrably non-compliant it will be removed or amended to become compliant.
- 4.4.5 The review will use the same standard form referred to in 5.1.4 to ensure consistency of approach. If the review finds that all points are no longer satisfied, consideration must be given to removal of the installation.

### **4.5 Individual responsibilities**

- 4.5.1 Responsibility for installation review lies with the Housing Manager.

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<sup>4</sup> ICO code, appendix 2 – see 6.1 below.

- 4.5.2 Responsibility for maintaining the CCTV equipment lies with the Estate Services Manager.
- 4.5.3 Responsibility for maintaining the CCTV database lies with the Housing Manager.
- 4.5.4 Responsibility for registering WPH's use of CCTV with the ICO lies with the Head of HR and Corporate Services.
- 4.5.5 Responsibility for ensuring CCTV compliance with ICO guidelines is with the Director of Housing when agreeing to the installation and the Housing Manager upon review.

#### **4.6 Training**

- 4.6.1 Training on the use of CCTV systems used in each installation will be given to all WPH staff members who might reasonably be expected to use it (ie local ESOs, Scheme Managers, Housing Officers). This will ensure that staff absence will not prevent use of systems.
- 4.6.2 Refresher training on CCTV for those devices remaining in place will take place annually.
- 4.6.3 Training on data protection issues raised by use of CCTV will be included in overall corporate data protection training.

#### **4.7 Record keeping/access requests**

- 4.7.1 CCTV footage will not usually be kept for longer than 30 days, in line with the WPH Data Retention Policy, unless required by the Police or to support court action. Certain CCTV equipment may store footage for less than 24 hours. Where external requests are received and approved while images are still stored, the required images will then be stored in a secure location with access for necessary individuals only.
- 4.7.2 Requests for access to CCTV footage will be carried out in accordance with the WPH Subject Access Procedure and treated as a Subject Access Request.

#### **5. Further Information**

- 5.1 [ICO code of practice](#)
- 5.2 [ICO 12 point compliance checklist](#)
- 5.3 [Home Office code of practice](#)

#### **6. Contact Officer**

- 6.1 Aidan McCarthy – Housing Manager

#### **7. Linked Policies**

- ASB policy and procedure
- Information Management and Security Policy
- Subject Access Procedure
- Data Retention Policy

## Women's Pioneer Housing CCTV Compliance checklist

To be completed:

- a) Before installation of new CCTV system – agreement of SMT will need to be obtained.
- b) Annually to ensure continuing compliance of existing CCTV systems.

	Comments	Further Action points (with timescales)
Is the location, coverage, and operation of CCTV equipment (including signage) compliant with ICO requirements?		
<p>If requesting a new installation, only answer point a).</p> <p>a) What problem is the CCTV intended to solve?</p> <p>b) Has the presence of CCTV led to an improvement since the last review?</p> <p>c) If so, is CCTV still required?</p>	<p>a) comment</p> <p>b) comment</p> <p>c) comment</p>	
Which officer has overall responsibility for this CCTV provision?		
Have relevant staff been trained?		
Have we registered CCTV processing with the ICO?		
Does Women's Pioneer have an in date policy and procedure on the use of CCTV?		
Does the equipment provide high quality images suitable for use by law enforcement bodies?		
a) Are the images securely stored?	a) comment	

<p>b) Is access limited to authorised staff?</p> <p>c) Is access prohibited to all third parties with the exception of law enforcement agencies?</p>	<p>b) comment</p> <p>c) comment</p>	
<p>a) How long is data held for?</p> <p>b) Is this no longer than is needed for any incident to come to light and be investigated?</p> <p>c) Is data deleted after this point?</p>	<p>a) comment</p> <p>b) comment</p> <p>c) comment</p>	
<p>Have we outlined our use of CCTV on our website?</p>		

This section to be completed for new **and** existing installations:

Compliance checklist carried out by – name	Job title	Date review carried out	Date next review due

This section for **new installations only**:

Installation agreed – name of SMT member	Job title	Date installation agreed	Date first review due

**Checklist is based on advice from Trowers & Hamlin received by WPH 27 September 2017, and ICO compliance checklist issued in 2015.**