

CCTV Policy

May 2023

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| Department | Housing Services |
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Audit Log

| Date of Change | Who updated | Details of the change |
|-----------------------|--------------------|--|
| August 2020 | Linda Gove | Initial development and launch. |
| March 2023 | Joseph Ragnoli | Amended policy to factor in Housing Ombudsman recommendations. |
| May 2023 | Joseph Ragnoli | Policy amended following suggestions from internal stakeholders. |
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1. Introduction

- 1.1 This Policy sets out and outlines how Paragon Asra Housing Limited, known as PA Housing may use and operate Closed Circuit Television (CCTV). This policy applies to the use of CCTV at PA Housing offices, residential properties, and any partnering property associated with PA Housing.
- 1.2 CCTV systems proposed and installed are for the safety and security of Customers and staff. This policy refers to customers living in properties owned and managed by the organisation, staff working in properties and in PA Housing offices, as well as any partnering property.
- 1.3 This Policy should be read in conjunction with the Data Protection Policy, CCTV Installation Procedure, Breach Management Procedure, Subject Access Request Procedure, Customer Guidance on CCTV, Access to CCTV Footage Procedure, Anti-Social Behaviour Policy, and Data Retention Policy.
- 1.4 PA Housing shall only use CCTV where it is a proportionate and necessary measure to achieve a defined business objective.

The collective word 'customers' is used throughout the policy but refers to the following in specific instances and will be applied variously:

- **Tenants** – people with a legal tenancy/joint tenancy with accountabilities/responsibilities/liabilities
- **Residents** – people who reside in our schemes/properties including household members, otherwise same as tenants.
- **Leaseholder** - people with a legal contract with accountabilities/responsibilities/liabilities

2. Scope

- 2.1 This CCTV Policy applies to all CCTV (service chargeable CCTV, Covert CCTV, Temporary CCTV, customer CCTV and customer video doorbells)
- 2.2 It applies to all footage captured by these installations and to those people responsible for or operating any CCTV installation falling within this scope.
- 2.3 This policy applies to all PA colleagues, PA Customers, contractors, partner organisations, suppliers, consultants, and agents that work for or process, access, use or manage personal data, via CCTV, on behalf of PA Housing.
- 2.4 PA Housing will operate overt surveillance meaning surveillance that is openly carried out with clear signage. No camera will be hidden from view, and all will be prevented from focusing on areas that would not respect people's right to privacy (e.g., individual back gardens)

- 2.5 CCTV cameras may be placed in shared areas.
- 2.6 PA Housing will only use covert surveillance in extreme circumstances and in conjunction with partner agencies such as the police and will adhere to strict regulations required for using covert surveillance.
- 2.7 PA Housing will be responsive to requests from Police for CCTV images and will consider these formal requests on a case-by-case basis.
- 2.8 PA Housing will not generally record sound and will do so only where the circumstances meet the requirements of 'exceptional circumstances' as set out in the Surveillance Camera Commissioner's CCTV Code of Practice.
- 2.9 Some door entry systems have inbuilt cameras to allow for greater security within the building. PA Housing will treat the images captured by these cameras in the same way as images captured by CCTV cameras.

3. **Key Principles**

- 3.1 PA Housing recognises its responsibility to provide an environment where, as far as possible, our customers can benefit from the quiet enjoyment of their properties. We recognise that a critical element of this is working to prevent anti-social behaviour and crime, in and around our properties, in the community, and to create safe environments where people want to live, and safe environments for staff to work.
- 3.2 PA Housing acknowledges that there is a range of ways in which we may achieve these aims and that one of these may be the installation of CCTV systems to enhance the security and safety of customers and staff.
- 3.3 PA Housing takes anti-social behaviour seriously. The Antisocial Behaviour, Crime and Policing Act 2014 defines antisocial behaviour as conduct:
- that has caused, or is likely to cause, harassment, alarm, or distress to any person.
 - capable of causing nuisance or annoyance to a person in relation to that person's occupation or residential premises, or
 - capable of causing housing-related nuisance or annoyance to any person.

3.4 PA Housing may use and operate CCTV for the prevention and detection of crime and to facilitate the identification, apprehension, and prosecution of offenders in relation to crime and community safety for issues including but not limited to:

- Intimidation, verbal abuse or making threats.
 - Harassment
 - Persistent noise and rowdy behaviour
 - Vandalism, graffiti, or criminal damage to property
 - Fly tipping.
 - Criminal behaviour
 - Drug-related issues, and dealing drugs
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- Evidence of pet fouling, and/or pets kept in unsuitable places or violating our policy

4. Responsibilities

4.1 The Chief Executive Officer is responsible for ensuring that all the organisation's data processing activities comply with the law and the best practices set out in its policies and procedures.

4.2 The Data Protection Officer is responsible for defining work practices that are compliant with the law and best practices through establishing policies and procedures and ensuring that they are made available to all relevant people.

4.3 The Executive Director of Assets is responsible for monitoring all CCTV installations from their inception through their installation, operation and management and eventual decommissioning.

4.4 For all PA Housing owned and service chargeable CCTV the Property and Building Services Team is responsible for ensuring that all information including video footage, still images, and audio recordings is captured, transmitted, and stored securely.

4.5 Temporary installations of temporary/covert CCTV will be installed and monitored by the Tenancy Solutions Team.

4.6 The Property and Building Services Team, Development Team, Housing Management Team, and Tenancy Solutions Team are responsible for:

- Undertaking Data Protection Impact Assessments as required
- Ensuring the security of CCTV equipment under their responsibility and for complying with this policy and related documentation
- Ensuring the security of the information collected/captured by CCTV equipment they are responsible for
- Ensuring that the CCTV equipment they are responsible for is operating in compliance with this policy and related documents.

4.7 All relevant staff will have appropriate training to carry out their role in relation to CCTV.

- 4.8 PA Housing holds a CCTV register that covers each site with Temporary/Covert, Service Chargeable CCTV in operation. This covers:
- Data Protection Impact Assessment (DPIA)
 - Site Checklist
 - ICO Notification
 - CCTV equipment in place
 - Review date for new or existing CCTV equipment and a removed date
 - Record of CCTV system quality checks
- 4.9 PA Housing holds no responsibility to oversee or manage video doorbells (e.g., Ring Doorbell) that a customer has installed themselves, unless PA Housing has provided/gifted the equipment to the customer. The owner (e.g., customer) of the equipment will be classified as the data controller and will retain all responsibility for GDPR compliance and related GDPR issues/concerns.
- 4.10 PA Housing are responsible in ensuring that that all customers who are gifted video doorbells are given adequate information and support to enable them to install and use the video doorbell in a GDPR compliant way.
- 4.11 Should a customer's own private CCTV installation become the implicated reason in a neighbour dispute or an allegation of harassment is made, then PA Housing may uphold its right to withdraw permission and to request that cameras are removed. If a video doorbell is implicated as the reason for a neighbour dispute or allegation of harassment, then PA Housing reserves the right to act in line with the antisocial behaviour policy.

5. **Installing CCTV**

- 5.1 PA Housing will consider installing service chargeable or temporary/covert CCTV systems if there is a specific need that cannot be met through other reasonable methods and a DPIA is undertaken. (Related Procedure - CCTV Installation Procedure)
- 5.2 For new build housing developments, PA Housing will consider installation on a case-by-case basis, ensuring that a proposed scheme meets the aims set out above relating to preventing antisocial behaviour and crime and creating a safe environment.
- 5.3 Whether planning the installation of a new system or modifying an existing one, a site risk assessment and DPIA must be completed. The consideration will include, but not be limited to:

- Area(s) that the system will cover
- Detail required in the resulting images, normally expressed using defined industry terms like 'identity' and 'recognise'
- Reason for that coverage including the target and activity
- Provides an explicit and mutually agreed instruction to the designer/service provider
- Ensures that the designer/service provider takes responsibility for design and product selection
- Process of user acceptance and confirming that the designed and installed system meets the brief
- Provides instructions on privacy and cyber-security requirements.

5.4 PA Housing may, on occasion, choose to install service chargeable CCTV system as part of a health and safety-based risk assessment.

6. **Customer request for installing CCTV**

6.1 Requests from customers who believe that service chargeable CCTV would enhance their area, will be assessed to ensure compliance with this policy. Requests should be made on the Customer Request Form which can be found on the CCTV section of the PA Housing website.

6.2 In most cases PA Housing will install CCTV only when the installation and subsequent costs such as maintenance costs to be charged to customers as a Service Charge have been agreed and a customer consultation has taken place.

6.3 Customers who intend to install private CCTV to their residence must apply to PA Housing for permission before installation, the form for this can be found on the CCTV section of the PA Housing website. The CCTV camera must capture only the customers' property and must not capture video or audio from shared areas or other customers' property. Further information on this can be found on the PA Housing website.

6.4 PA Housing will not unreasonably withhold consent for any requests from customers to install private CCTV equipment and will consider the following factors:

- Why is CCTV needed
- Could any other means be used to protect the property or occupants
- What is the CCTV recording?
- Will the CCTV be intrusive on neighbours or other's privacy?
- How will the neighbours' feel about CCTV being installed
- Any other factor which we deem reasonable

6.5 In instances where a customer wishes to install a video doorbell (e.g., Ring Doorbell) where no alteration to the fabric of the building is required, PA Housing are not required to be notified by the customer and will not grant explicit permission should it be requested.

7. **CCTV Signage**

- 7.1 Signage will be installed to ensure staff, customers, visitors, and members of the public are aware they are entering an area that is covered by CCTV. The signage will include the PA Housing logo and the relevant contact details.
- 7.2 Customers who are gifted video doorbells by PA Housing will be provided the necessary signage.

8. **Storage, retention, and disposal**

- 8.1 All recorded images are recorded and securely stored. Recorded images will be stored for a maximum of 30 days unless required for evidential purposes, or as part of a subject access request. Images will automatically be deleted after this period.
- 8.2 Images will be stored either on site or off-site with data transmitted via internet safe servers.
- 8.3 Images required for an investigation shall be retained for no longer than a period of 2 years following the end of the investigation.

9. **Access and viewing**

- 9.1 PA Housing will restrict access to recorded digital images either live or stored. Only authorised staff may view images recorded. We may also provide the police with access to footage for the purpose of crime detection or prevention.
- 9.2 The viewing of recorded CCTV images shall take place in a restricted area, for example, in a designated member of staff's office. Other parties will not be allowed to have access when a viewing is taking place.
- 9.3 The Director of Specialist Housing Services and Support shall maintain a register of all requests for CCTV footage disclosure. The Data Protection Officer will assist in whether the disclosure should be made.

10. **Disclosure and Access**

- 10.1 Disclosure of recorded material will only be made in accordance with PA Housing's aims of CCTV considering:
- The purpose of the request, aim of the requestor and proposed use of the requested footage.
 - The organisation's lawful grounds for disclosure.
 - The rights of individuals which may favour non-disclosure.
 - The necessity of the disclosure to further the requestors' purpose.

- 10.2 Recorded CCTV images shall only be reviewed where there is a defined business need. Requests to review recorded CCTV images shall be submitted to the Data Protection Officer.
- 10.3 Where PA Housing is required to share images, the Data Protection Officer must authorise the granting of the request, and a written record of any such disclosures will be kept on site.
- 10.4 Images recorded by CCTV on PA Housing property and partnering property will be used only by PA Housing, except where PA Housing is statutorily required to share CCTV digital recordings with third parties such as the Police.

11. **Subject Access Request**

- 11.1 Anyone who believes that they have been filmed by CCTV is entitled to ask for a copy of the data, subject to exemptions contained in the Act, and PA Housing will provide images in line with our Subject Access Request process.
- 11.2 Images can only be provided if it will not be prejudicial to criminal enquiries or proceedings. We will obscure third parties where appropriate.
- 11.3 A person whose image has been recorded and retained and who wishes access to the data must apply in writing to the Data Protection Officer. They need to give the following information to enable us to find their image:
- Location
 - Date
 - Time
 - Photographic evidence to identify the person
- 11.4 The Data Protection Officer has the right to refuse a request for a copy of the data particularly where such access could prejudice the prevention or detection of crime or the apprehension or prosecution of offenders.

12. **Maintenance and Servicing of CCTV**

- 12.1 CCTV installations shall be subject to a structured schedule for routine maintenance undertaken by appropriately qualified staff/contractors.
- 12.2 PA Housing Building Services staff and authorised contractors will access the images for purposes of maintenance and servicing of the system.
- 12.3 A series of checks will be undertaken to verify the compliance of the CCTV installation to this policy, including:
- Monthly still to live image check
 - Monthly data retention check
 - Monthly privacy information check
 - Periodic re-evaluation of the need (in line with DPIA findings)
 - Annual check of maintenance records

13. **Related Policies and Procedures**

Data Protection Policy
Data Breach Procedure
Subject Access Request Procedure
Customer Guidance on CCTV
CCTV Installation Procedure
Access to CCTV Footage Procedure
Anti-Social Behaviour Policy

14. **Policy**

We reserve the right to modify or amend this Policy at any time and for any reason, providing it maintains compliance with the Data Protection Legislation and General Data Protection Regulation (EU) 2016/679).