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CCTV Policy

Introduction

This policy provides information and guidance on Sutton Housing Society's (SHS) approach to dealing with our resident's (tenant's) use of CCTV and video ring or similar doorbell devices.

In addition to all residents and household members, the policy applies to third party agencies who receive a request to seek information, images, audio or data concerning an SHS resident's CCTV or video doorbell device.

This policy does not alter or amend the tenancy agreement or the terms and conditions which our residents are expected to adhere to concerning the use of their property and the behaviour of their household members, guests and visitors to their home.

Statutory requirements

SHS complies with the Regulator of Social Housing (RSH) standards and to work in a way that is "...transparent and accountable...", together with the following:

- Data Protection Act 2018
- General Data Protection Regulation (GDPR)
- Equality Act 2010
- SHS safeguarding policies
- SHS anti-social behaviour policy
- SHS complaints policy

Aims and objectives

SHS aims to ensure that our position regarding CCTV and video doorbells is clear.

SHS recognises that CCTV and video doorbells are increasingly popular and readily available. They add an extra level of security to a home and SHS wish our residents to feel safe in their homes.

SHS will fully consider all requests to install CCTV / smart doorbells from residents. Consent will not unreasonably be withheld and SHS will provide guidance about a resident's responsibility when considering the installation of CCTV etc.

SHS has a duty to investigate reports of anti-social behaviour, including the inappropriate use of CCTV / video ring doorbells, albeit residents are encouraged to approach the police first about any concerns they have. General unease about a resident using CCTV / smart video doorbells with SHS consent is not considered anti-social behaviour or a breach of tenancy.

Sutton Housing Society's use of CCTV

Sutton Housing Society has CCTV installed at several of its older people's sites, mostly following incidents of anti-social behaviour and / or for reassurance purposes. In discussion with residents, it is felt that CCTV adds a level of security and acts as a deterrent. Our CCTV work follows the Information Commissioner's Office (ICO) guidance.

In addition, we may install CCTV into buildings when major refurbishment / development work is carried out; this is in consultation with existing residents. This assists with the health, safety and security of residents, employees and visitors to the scheme.

We also install CCTV on an ad hoc basis to assist with the detection of a crime, or tenancy breach; this is often for a shorter period. This can also be in partnership with the local authority or Police.

When considering CCTV, our aim is to balance the privacy rights of residents and individuals, with our responsibilities to deter / detect anti-social behaviour, reduce the fear of crime and to protect the personal safety of our residents.

SHS works with the local authority and will provide CCTV footage to the relevant authorities, enabling them to take legal action where appropriate.

Residents use of CCTV

Some individual residents may wish to install CCTV – the most common being the video doorbell, which allows you to see who is on your doorstep when you are away from your home. Most are wireless, using home Wi-Fi to capture and store information and images. The Housing Manager will deal with these enquiries, liaising with colleagues as required.

Residents must seek consent to install any form of CCTV that records any external areas.

SHS will generally allow residents living in general needs houses to install CCTV, particularly the video doorbells, subject to the obligations outlined in appendix 1.

For residents living in blocks of flats, this will be considered on an individual basis, and if approved, subject to compliance with the obligations outlined in appendix 1.

Where consent is given, residents must not compromise the integrity of the home / building by permanently securing a camera to a door or brickwork with screws, nails or hooks as opposed to fixing it with adhesive material.

All CCTV / video doorbells must be removed when the resident vacates the property.

When a request is made, SHS will provide advice about their personal obligations in line with the ICO. We also encourage the resident to notify their neighbours, as they may have privacy concerns.

Where the resident's footage records a shared space or someone else's front door, or garden, the resident is responsible for the data, its management and storage.

If someone is concerned about the use of the CCTV / video doorbell, or the use of the data captured, they should report this to the Police, for them to investigate the situation. If they

are not satisfied with the Police response, the concern can be escalated to the ICO for them to advise on.

Where any form of CCTV is installed without consent from SHS, we will investigate who and what is installed, possibly seeking legal advice regarding its removal. As an interim measure, we may install signage in the relevant area, advising that CCTV is in operation, together with contacting any affected residents, advising of the investigation. We will ensure residents are kept advised of the situation until the CCTV is removed and / or resolution is achieved.

Guidance relating to the use of CCTV and video doorbells can be found at the following websites:

- www.ico.org.uk;
- www.ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/

Complaints

If SHS receives a complaint relating to the use of CCTV or video doorbells causing harassment or anti-social behaviour, the housing team will investigate, offer advice, guidance and consider any tenancy enforcement action as part of the response. For us to take any action there must be evidence of harassment or anti-social behaviour being perpetrated.

Complaints about the CCTV / video doorbell should be reported to the police for them to investigate. If the resident is not satisfied with the police response, the concern can be escalated to the ICO.

Complaints relating to how we have dealt with dissatisfaction regarding CCTV / video doorbells are dealt with in line with our complaints policy. Complaints can be made if we fail to apply this CCTV policy appropriately, or do not meet our organisational standards.

Monitoring and review

We conduct a review of our CCTV deployment each quarter, to ensure it remains necessary and proportionate to our aims.

This policy will be reviewed every five years to ensure it remains up to date and relevant.

Rules to follow if operating a domestic CCTV system or smart camera doorbell

Residents must be aware that if they operate a domestic CCTV system or doorbell camera, under data protection law they are the controller of the data they collect. This means they own the video footage and are legally responsible for what happens to it.

To comply with data protection regulations, they must:

- Not share any domestic camera footage on social media
- Only share camera footage with an authorised organisation such as SHS or law enforcement agencies, unless it is in response to a formal request from an individual for their personal data only
- Put up signage that you are operating a domestic camera system, with SHS consent
- Regularly or automatically delete footage
- Stop recording an individual if they object to being recorded, where it is possible to do so. For example, point the camera in a different direction, but still use it for the same purpose, such as safeguarding their property

Failure to meet these requirements may be a breach of the tenancy agreement.

Installation and removal of CCTV / smart camera doorbell

Residents must:

- Ensure the camera is installed next to the door of your property, and not on the door frame itself; it must be within the legal boundary of the property
- Take responsibility to ensure installation of the camera does not cause structural damage to the property or compromise the fire-safety integrity of the building, e.g. do not secure a camera to a door or brickwork with screws, nails or hooks; a suitable adhesive material should be used
- Ensure clear signage is in place advising that recording is taking place
- Ensure that the camera only captures images and information of individuals visiting their property within the area of the front door from their doors and windows, gardens, communal areas, shared hallways, or public areas
- Set a privacy blur filter on the recording device as per the set-up instructions (if available) to limit the accidental capture of individuals where possible
- Ensure the footage captured is held securely and nobody can watch it without good reason
- Remove any CCTV equipment or doorbell camera when they vacate the property, ensuring the device is deactivated and they no longer have access to the video footage
- Comply with a request for video footage from the device, from a member of the public, a neighbour, or agency. SHS is unable to make the access request on behalf of that person or agency or force the camera owner to provide any video footage

SHS may ask for the CCTV system to be removed. If this request is made and not complied with, SHS reserve the right to take legal action to remove the CCTV / doorbell camera with all costs and any repair costs being charged to the resident.