

Closed Circuit Television (CCTV) Policy



Who this policy is for

This policy is for all residents of Wyedean Housing Association.

Introduction

The Data Protection Act (1998) defines the monitoring, recording, holding and processing of images of distinguishable individuals as personal data.

This policy explains how we comply with the requirements of the Data Protection Act (1998), the General Data Protection Regulation (GDPR), the Surveillance Camera Code of Practice published by the Home Office in 2013, and the 12 guiding principles within that document (see appendix one).

Please read it in conjunction with our Privacy Policy, which outlines the data protection principles this policy is based on.

Why we use CCTV

We use CCTV to:

- deter and detect crime, including theft and criminal damage
- discourage anti-social behaviour
- increase the safety and well-being of our staff, residents and members of the public
- help us manage our buildings and group facilities
- improve community safety and encourage residents to use the areas covered

We do not use CCTV for reasons other than those listed above.

Our CCTV systems are made up of fixed and temporary cameras located around our housing sites and public areas. We design them to ensure they're as effective as possible. However, we can't guarantee they'll detect every incident in the areas they cover.

Responsibilities

The only members of our staff authorised to see the images and data we record on CCTV are the:

- Chief Executive, who has overall responsibility for our CCTV network
- Housing Services Manager, who is responsible for the day-to-day management of the network
- Property Services Officer and Housing Services Officer, who are responsible for the day-to-day use and monitoring of the network and the images we record, amend, erase or disclose

Training

The staff who are responsible for our CCTV network are trained in its use and follow our written procedures to ensure images are recorded, viewed and released appropriately.



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Controlled equipment

To safeguard the rights of individuals and ensure images remain intact in case they are required as evidence, we:

- ensure that only authorised staff can access and view recorded images, and only for the purpose(s) for which the system was installed
- record all processing of data in the CCTV log

We hold the hardware for each CCTV system in a secure location on one of our premises. The hardware consists of a monitor for viewing images and a hard disk recorder for storing and downloading the images where appropriate. Some authorised staff may also view images using their laptop or PC if they are in a secure and confidential location. Images can only be viewed on a mobile device if a senior manager has given their approval.

Location and sites

We must follow these guidelines when installing CCTV systems:

- unless in exceptional circumstances, cameras must be sited so they can be seen and so they only monitor the spaces intended to be covered
- signs must be displayed so that people can clearly see they are entering a zone that is covered by surveillance equipment
- signs must say why the cameras are there and give the contact details for the operator of the CCTV scheme.

How long we keep recorded data

Our CCTV systems operate 24 hours a day, every day of the year, although we don't monitor the cameras or images daily. All recordings are kept for a maximum of 31 days before they are automatically overwritten by new images.

How we use direct surveillance and covert CCTV to combat anti-social behaviour

In our Anti-Social Behaviour (ASB) Policy, we say that we'll use the full range of tools available to us to tackle ASB, including using technology where it is necessary to gather evidence. This means that in serious ASB cases, we will consider using covert surveillance techniques to obtain evidence.

Gathering information by covert surveillance is regulated by the Regulations of Investigatory Powers Act 2000 (as amended) (RIPA). RIPA is in place to ensure that covert surveillance is only used when necessary, reasonable and proportionate.

While RIPA applies to named public authorities, it does not apply to registered social landlords. However,



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we have decided to follow RIPA as closely as possible when using covert surveillance techniques.

When appropriate, we will use covert surveillance techniques to gather evidence to combat ASB.

We will only use 'directed surveillance'. Directed surveillance is:

- covert but not intrusive (that is, it does not intrude into anything taking place in any residential premises or any private vehicle)
- conducted for a specific investigation
- likely to obtain personal information
- not an immediate response to events or circumstances

We will only use covert surveillance where it is necessary, reasonable, and proportionate and:

- to prevent or detect crime or prevent disorder
- in the interests of public safety
- where other forms of information gathering have proved impossible or impractical
- where the need for the evidence the surveillance will obtain outweighs the level of intrusion

When using covert surveillance, we will follow the protocol below.

Protocol

General principles

When we decide to use covert surveillance, we'll fully document how and why we made the decision and who authorised its use. Only the Chief Executive and Housing Services Manager can do this.

We will only use covert surveillance where we can do so safely, effectively and where it will not intrude on others.

Application

The officer dealing with the case must have written permission to use CCTV. The authorising officer will only grant permission if the provisions in this policy are met.

Each decision to use CCTV will be regularly reviewed to ensure that the requirements of this policy continue to be met. The outcome of the review will be recorded.

Implementation

Once the request to use CCTV has been approved, it will be sent to the Property Services Officer, who will arrange for the equipment to be installed.

The CCTV can only be used for the time stated in the written permission. If this time needs to be extended, an authorising officer must approve the extension in writing and ensure the conditions of this policy continue to be met.

When the permission to use CCTV expires, unless an extension has been approved, the Property Services



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Officer must arrange to remove the surveillance equipment.

Record keeping

Copies of all applications and authorisations will be held in the investigation file and kept for at least 3 years.

Handling images and data and their use as evidence

Images and data obtained through covert surveillance which contain material evidence will be securely downloaded by the CCTV equipment installer.

Images and data obtained through covert surveillance which do not contain material evidence will be kept until the case to which it relates is closed. It will then be deleted.

Viewing images

The police may view images recorded on our CCTV systems to help them detect and prevent crime. Our authorised staff may also view images for supervision, training and authorised demonstrations.

We'll keep a record of all requests to view images.

Requests by the police can only be actioned under Section 29 of the Data Protection Act 1998.

We will only release images to the police on the clear understanding that they remain the property of Wydean Housing Association and that the information they contain is to be treated in line with this policy. We also retain the right to refuse permission for the police to pass on the images in part or whole to any other person.

The police may require us to keep images in case they need to use them as evidence. When this happens, we'll store the images securely until the police need them.

The Housing Services Manager will respond to requests to view images from outside bodies such as solicitors. We will normally only release images where we have satisfactory documentary evidence to show they are required for legal proceedings, a subject access request or in response to a court order.

Monitoring and review

The Chief Executive will monitor how this protocol is applied and carry out an annual review of the authorisations granted.

The Housing Services Officer will review this protocol every 3 years.

Breaches of this policy (including breaches of security)

If a member of our staff fails to comply with this policy, the Housing Services Manager will investigate the breach and decide on appropriate action. Where a breach is serious, an independent investigation will take place immediately and recommend how to remedy the breach.



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Monitoring this policy

The Housing Services Manager will monitor this policy and carry out random operating checks.

If you'd like to access your personal data

Anyone who would like to access the personal data we hold about them, including CCTV images, must complete a request form.

We will ensure that:

- all our staff are aware that people have the right to access images of themselves and the conditions under which access may be granted to them and third parties
- our Data Protection Manager deals with all requests to access personal data in consultation with the CCTV Scheme Manager, Local Manager and other senior members of staff as appropriate
- images are only disclosed to third parties with the permission of a senior manager of the business function where the CCTV is installed or the Data Protection Manager
- when we receive a request to view personal data, the local manager will make sure that any images captured which may be disclosed are not automatically or manually deleted.

If you'd like to access your personal data or would like a copy of this policy, please email office@wyedean.org or call us on 01594 838000.

Complaints

You can complain about our use of CCTV or how we apply this policy through our Complaints, Comments and Compliments Policy.

You can find the policy and make a complaint:

1. on our website www.wyedean.org/complaints/
2. on the self-service portal or MyWyedean app
3. by emailing us at office@wyedean.org
4. by calling us on 01594 838000
5. in person with a member of staff
6. by writing to us at:

11 St John's Street
Coleford
Gloucestershire
GL16 8AP

You may also be able to complain to the Information Commissioner under some clauses in the Data Protection Act 1998.



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In some circumstances, it may be appropriate for us to allow the person making the complaint to view images and data recorded by our CCTV, for example, to confirm whether premises can be seen on a particular camera or to satisfy them that a remedy to prevent oversight by the camera has worked. We will only do this with the consent of the Housing Services Manager and where it is permitted under the Data Protection Act.

Appendix one

Guiding principles

1. A surveillance camera system must only be used for a specified purpose, which is in pursuit of a legitimate aim and necessary to meet an identified need.
2. Anyone using a surveillance camera system must consider its effect on individuals and their privacy. Its use should be regularly reviewed to ensure it remains justified.
3. Use of a surveillance camera system must be as transparent as possible and include contact details so that people can ask for more information or make a complaint.
4. There must be clear responsibility and accountability for all surveillance camera system activities, including the images and information collected, held and used.
5. Before a surveillance camera system is used, clear policies and procedures must be in place and communicated to all who must comply with them.
6. Only the images and information necessary for the stated purpose of the surveillance camera system should be stored. Once their purpose has been discharged, these images and information should be deleted.
7. Access to stored images and information should be restricted, and there must be clearly defined rules on who can have access and for what purpose. Images and information should only be disclosed when necessary for such a purpose or to enforce the law.
8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain these standards.
9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against their unauthorised access and use.
10. Effective review and audit mechanisms should be in place to ensure legal requirements, policies and standards are complied with in practice, and regular audit reports should be published.



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11. When a surveillance camera system is used in pursuit of a legitimate aim, and there is a pressing need for its use, it must be used in a way that supports public safety and law enforcement and that aims to process images and information that can be used as evidence.

12. Information used to support a surveillance camera system, which compares against a reference database for matching purposes, should be accurate and kept up to date.

