

Local Housing Companies' CCTV and Video Doorbell policy

Reference: Scope:	Version 1 Loddon Homes Berry Brook Homes Author: Tracy Garner Approved by: Head of Operations Date of approval: 9 May 2023 Date of next review: May 2026
Legislation/Regulatory/ Governance/Guidance: Related policies:	Data Protection Act 2018 General Data Protection Regulations (GDPR) Anti-Social Behaviour, Crime & Policing Act 2014 Amended Surveillance Camera Code of Practice (March 2022) Information Commissioner's Office Human Rights Act 1998 Crime & Disorder Act 1998 Protection of Freedoms Act 2012 Protection from Harassment Act 1997 Data Protection policy Unacceptable behaviour policy Equality and Diversity policy

1. Policy statement

This policy applies to Loddon Homes and Berry Brook Homes, which collectively will be referred to as the Local Housing Companies (the LHCs). The LHCs have delegated responsibility to Wokingham Borough Council (WBC) for ensuring this policy is implemented and delivered.

This policy makes our position on CCTV and video doorbells clear, and outlines the requirement to install such equipment within the guidelines issued by the Information Commissioner's Office (ICO), and sets out the legal requirements that residents must follow and our expectations as the landlord.

2. Scope

The LHCs recognise that some residents will wish to install CCTV or video doorbells in order to deter crime or anti-social behaviour (ASB). We also recognise that neighbours may find the installation of a CCTV or video doorbell camera on their neighbours' home a breach of their privacy.

This policy applies to all LHC residents, both tenants and leaseholders.

3. Use of CCTV and video doorbells

As the use of this type of equipment is becoming more widespread and socially acceptable, it is no longer practical for the LHCs to ask residents to seek our permission to install such equipment at their home. However, where a resident might compromise the fabric of the building by permanently securing a camera to a door or brickwork with screws, nails or hooks rather than fixing it with adhesive material, permission will be required.

The use of recording equipment such as CCTV or video doorbells to capture video or sound recordings outside the user's property boundary is not a breach of data protection law, but users should consider how intrusive the capture of images and audio recordings outside their property boundary might be. Where possible, cameras should be pointed elsewhere. In these circumstances, data protection law requires users to follow certain rules:

1. Tell people they are using recording equipment.
2. In most circumstances, provide some of the recording if asked by a person whose images have been captured.
3. Regularly or automatically delete footage.
4. In most circumstances, delete recordings of people if they ask.
5. Stop recording a person if they object, but only if it is possible to do so. For example, if the camera can be pointed in a different direction but still be used for the same purposes such as keeping their property safe.

Whilst the use of CCTV and video doorbells can be a useful tool to prevent crime and anti-social behaviour, there are other options. If a resident is a victim of ASB they will be signposted to the following:

- Housing Officer
- Neighbourhood Watch
- Community Safety Partnership
- Exploring sensor or additional lighting options

4. Legal Requirements

The Information Commissioner's Office (ICO) is the UK's independent body that upholds information rights. The ICO's guidance says that individuals using a domestic CCTV system must make sure they do so in a way that respects other people's privacy.

When setting up a domestic system, it should only capture images within the boundary of the private domestic property including the private garden. In these circumstances, the data protection laws will not apply.

If the system captures images of people outside the boundary of the resident's private domestic property, for example, in neighbours' homes or gardens, shared spaces, or on a public footpath or a street, then the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA18) will apply.

It will be the responsibility of the resident to ensure that they comply with these laws when using CCTV to avoid legal action being taken against them.

5. Disputes

The LHCs will not intervene or become involved in any dispute over personal CCTV or video doorbell cameras. In most cases, we suggest talking to the person doing the recording. There is guidance on the ICO's website to help resolve disputes here: [Domestic CCTV systems | ICO](#)

People can complain to the ICO when a user of domestic CCTV doesn't follow the rules, and the ICO will write to them. However, there is a limited amount of action the ICO can take to make the person comply. It is highly unlikely the ICO will consider it fair or balanced to take enforcement action against a domestic CCTV or video doorbell user.

If the user is filming children inappropriately, this is a police matter.

6. Data protection laws

6.1 The General Data Protection Regulation (GDPR)

The General Data Protection Regulation (GDPR) is a legal framework that sets guidelines for the collection and processing of personal information from individuals.

The GDPR sets out seven key principles:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability Data Protection Act 2018

6.2 The Data Protection Act 2018

The main UK law that governs the use and installation of CCTV is the Data Protection Act 2018.

The Act gives everyone the right to see information captured about them, such as images of them or their car number plate. It also sets strict rules that CCTV operators must follow when they gather, store, and release CCTV images of individuals. There is detailed guidance available on the ICO's website <https://ico.org.uk>

7. Requesting permission

Residents will only need to seek written permission before installing CCTV, a video doorbell or other video image capturing devices if a device or camera is to be fitted to the fabric of the building with screws, nails or hooks or where fixed wire installation is required. This is to ensure that the installation does not compromise the fabric of the building and create a fire safety risk. In these cases, permission will only be granted in agreement with WBC's Compliance and Asset Management teams.

8. Damage to the fabric of the building

Wireless CCTV and video doorbell systems are recommended over fixed wire installations systems. Where an inspection reveals that the fabric of the property has been damaged or compromised by the installation of CCTV, the resident will be recharged for the cost of the inspection and any remedial works needed.

9. Equality & Diversity

The LHCs recognise the needs of a diverse population and always acts within the scope of their own Equality and Diversity policy, the Human Rights Act 1998, and Equalities Act 2010. The LHCs work closely with partners to ensure a clear understanding of their resident community with clear, regularly updated service user profiles. The LHCs will record, analyse and monitor information on ethnicity, vulnerability and disability.

10. Review

This policy will be reviewed on a three-yearly basis, or more frequently in response to changes in legislation, regulatory guidance, good practice or changes in other relevant LHC policies.

DOCUMENT CONTROL

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May 2023	9 May 2023	May 2026	