



PEAKS & PLAINS
Housing Trust

The Trust

CCTV Policy

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1. INTRODUCTION

- 1.1. This CCTV Policy (“Policy”) sets out the approach Cheshire Peaks & Plains Housing Trust (“Peaks & Plains”, “the Trust”, “we”, “us”, “our”) will adopt in relation guidance on how we deploy, check and operate CCTV across Peaks & Plains. It also outlines the process for obtaining copies of CCTV and disclosure of the same outside Peaks & Plains.
- 1.2. Peaks & Plains Housing Trust’s (the Trust) position is that use of CCTV and other surveillance systems by our tenants and Peaks & Plains Housing Trust has a legitimate role to play in helping to tackle anti-social Behaviour (ASB) and for the prevention and detection of crime. It also helps to maintain a safe and secure environment for all our tenants, occupiers, staff and contractors. However, we recognise that this may raise concerns about the effect on individuals and their privacy.
- 1.3. This policy is intended to address such concerns. Images recorded by surveillance systems are personal data which must be processed in accordance with data protection laws. We are committed to complying with our legal obligations and ensuring that the legal rights of tenants and occupiers, relating to their personal data, are recognised and respected.
- 1.4. This policy is intended to assist tenants, residents and staff in complying with their own legal obligations when working with personal data. In certain circumstances, misuse of information generated by CCTV or other surveillance systems could constitute a criminal offence.

2. SCOPE

- 2.1. This policy applies to all staff of the Trust who manage the implementation of CCTV systems, and oversee the operational maintenance and maintenance contracts for CCTV.
- 2.2. This policy also applies to anyone operating CCTV systems either on an active day-by-day basis or purely for the purposes of reviewing and retrieving recorded activity, on those CCTV systems.
- 2.3. This policy applies to external suppliers who supply, maintain, operate and remove CCTV systems on behalf of the Trust acting as a ‘Data Processor’.
- 2.4. This policy will cover all P&P sites, where CCTV is already implemented and sites where CCTV is proposed for implementation. It will not cover sites where CCTV is controlled (installed, managed and/or operated) by another company or organisation designated as ‘Data Controller’ for that system, unless they are contracted as a ‘Data Processor’ by the Trust.
- 2.5. There may be advances in technology or proposed use of equipment by the Trust which is not being used at the time of writing this Policy. Where use of this type of technology is being considered, staff will complete a Data Privacy Impact Assessment (DPIA) to consider proportionality and legal justification for such use.

- 2.6. This policy will cover: -
- the Trust's use of Overt CCTV;
 - requests by Peaks & Plains staff to view CCTV footage, and
 - requests by external organisations, agencies or individuals to view CCTV including out of hours requests to view CCTV by the Police.
- 2.7. This policy will not cover: -
- Directed Covert CCTV by Peaks & Plains or other third parties on the Trust's behalf;
 - Personal CCTV in the individual properties we let, held and managed for the purposes of our tenants own personal use, including "Ring doorbells". Any such footage disclosed to the Trust by the 'controller' (the controller being the owner/operator of the system), from that CCTV System, would fall under the Data Protection Policy.
 - The deployment of dummy CCTV cameras.
- 2.8. Any requests for the installation of CCTV by a tenant should be dealt with in the same way as any request for consent to an alteration/addition to a property who may also direct the tenant to the Information Commissioners Office (ICO) for further guidance on use of CCTV.

3. LEGAL & REGULATORY REQUIREMENTS

- 3.1. The Trust recognises that information that we and/or our tenants hold about individuals is subject to data protection legislation. The images of individuals recorded by CCTV cameras are personal data and therefore subject to legislation. We are committed to complying with all our legal obligations and seek to comply with best practice suggestions from the Information Commissioner's Office (ICO). These data protection laws include the GDPR principles enshrined in the Data Protection Act 2018.

4. DEFINITIONS

4.1. Overt CCTV

- 4.1.1. Overt surveillance is carried out with the full knowledge of staff, residents and the public, whose images are captured using the system. The cameras are on open display and there are signs around the vicinity advertising their use. This is a common method of deterring vandalism, crime, theft or anti-social behaviour. The images may be retrieved should an incident occur, as an aid to the identification of the perpetrator and subsequent action. On-going observation of the CCTV images may be required, to ensure ongoing safety of individuals where there is a legitimate purpose to do so.

4.2. Covert CCTV (or General Covert CCTV)

- 4.2.1. Covert surveillance is when the cameras are not advertised and are hidden from view. Images are captured without the knowledge of residents or the public and are usually monitored as an ongoing process. Peaks & Plains will not employ general covert CCTV.

4.3. **Data Controller**

4.3.1. A person who (either alone or jointly or in common with other persons) determines the purposes for which and the way in which any personal data are to be processed.

4.4. **Data Processor**

4.4.1. In relation to personal data, means any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

5. **OUR POLICY**

5.1. **Operational Requirements**

5.2. All current and any proposed CCTV systems will comply with the 12 principles of the Surveillance Camera Code of Practice [Surveillance Camera Code of Practice \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) through the following actions:

5.2.1. All CCTV systems will have a documented specific purpose, which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.

5.2.2. All CCTV systems will have an affiliated Data Privacy Impact Assessment, which must be put in place before a new system is implemented and will be reviewed annually.

5.2.3. All CCTV systems will have signage defining who is operating the CCTV system, including a contact point for access to further information.

5.2.4. All our CCTV systems will have a manager, at Peaks & Plains this will usually be the Customer Support & Enforcement Manager, with their role, tasks and responsibilities clearly defined. They will operate under the direction and control of the relevant Head of Neighbourhoods in line with this policy.

5.2.5. CCTV is included within Peaks & Plains data retention procedure and associated schedule. CCTV recordings, audio and images will only be kept outside of the maximum period stipulated* where it is required for legal, insurance or other specified purposes. It will be destroyed in line with those retention times if so kept. * This period is 30 days.

5.2.6. There will be defined procedures regarding Data Disclosure to external organisations/persons as set out in 'Subject Access Request' or 'Third Party Disclosure' and disclosure within Peaks & Plains:

- All instances of internal or external data disclosure must be raised with the Data Protection Team and a record of the disclosure recorded, in-line with the above procedures.
- Internal access to CCTV footage may be accessible other than as set out above only if agreed with Assistant Director of Information & Insight that staff members are authorised for the purpose of this Policy in conjunction with their duties.

- 5.2.7. CCTV images and/or data, including but not limited to recorded video, will not be held on the CCTV system for longer than it is required for the stated purpose, in line with the Trust's Data Retention schedule.
- 5.2.8. Extracted CCTV images and/or data on removable media, must be held according to the Trust's Data retention schedule and stored securely to prevent accidental loss or theft and also if required for future references if required for a legal case.
- 5.2.9. CCTV systems equipment (recorders, displays and cameras) are to be kept secure to prevent tampering, damage or destruction of data or illegitimate disclosure of data. This is to ensure the adequacy of the data:
- Cameras will be placed to ensure they are free of obstructions. Consideration will be given to seasonal elements such as tree growth etc. to ensure ongoing adequacy of the footage.
 - Where feasible cameras will not be easily accessible for tampering with and where necessary security measures, such as protective covering put in place.
 - CCTV display screens will not be openly visible to the public, residents of schemes or tenants.
 - Where CCTV display screens are actively monitored, access and visibility to the screen(s) will be limited and secured. Signage should inform Data Subjects where any CCTV is actively monitored and provide contact information for the Data Processor.
- 5.2.10. Only authorised Trust staff have access to CCTV systems and all staff should ensure the legitimacy of external support and maintenance staff who are granted access to the CCTV system(s).
- 5.2.11. Appropriate inductions and training will be provided to all authorised Trust staff who deal with the CCTV systems. This includes communication of relevant policies and procedures. There will be training delivered following approval of this policy to all relevant groups.
- 5.2.12. CCTV systems will be regularly serviced and maintained. The Trust's Assets team (hardware) and IT team (software) will advise if there are any maintenance issues with installed CCTV and repairs will be undertaken promptly to ensure CCTV is operational.
- 5.2.13. Regular reviews should be made to ensure the effectiveness, validity and quality of the systems, ensuring all cameras are operational and recordings and their related metadata are valid (e.g. date and time stamps, camera position or name, etc.);
- Annual reviews of CCTV will be the responsibility of the Customer Support & Enforcement Manager. See **Appendix A** for further guidance.
- 5.2.14. A record will be maintained of all actions carried out against the CCTV system, whether maintenance, support tasks or data retrieval.
- 5.2.15. Annual reviews will ensure the effectiveness and viability of the CCTV System in relation to its initial purpose, aim and need. Where these aims are no longer met, the CCTV system should be retired, or made fit for purpose.

- 5.2.16. Any unauthorised access or loss of data, either on the device or on removable media (CD, DVD, USB Pen etc.) must be reported immediately as a data breach.
- 5.2.17. Any complaint received in connection with a CCTV system will be dealt with pursuant to the Complaints Policy unless the issue is directly data protection related in which case it will be handled under the Data Protection Policy by the Assistant Director of Information & Insight.
- 5.2.18. The Trust will ensure that CCTV data is securely destroyed. We will ensure that suppliers/third parties that provide services have their IT security practices vetted. We will make sure that we enter into Data Sharing Agreements with third parties.
- 5.2.19. Responsibility for retention and deletion of CCTV documentation rests with the Assistant Director of Information and Insight in their role as the lead of the Trust's ICT Team.

5.3. **CCTV requests**

- 5.3.1. Peaks & Plains will receive requests from police partners in respect of CCTV footage in line with police investigations into criminal behaviour. We will ensure that the police submit a formal written request for permission to view CCTV images, and their reason to view the images is legitimate and in accordance with Data Sharing Agreements.
- 5.3.2. Once completed, the request is to be sent as soon as practicable, to the Assistant Director of Information & Insight so that they are aware of the viewed CCTV. This will also enable them to request a copy of the CCTV to keep should a police request for disclosure follow.

5.4. **Service Charges**

- 5.4.1. Where possible, the Trust will seek to recover the costs of CCTV from the tenants and residents who are beneficiaries of the CCTV service.

5.5. **Installation/removal of CCTV systems**

- 5.5.1. The Trust will only consider the installation of CCTV systems where;
- There is evidence to support its use to prevent or detect serious crime and/or ASB;
 - It is cost effective, value for money and practical to install – wherever possible funded through service charge;
 - We have consulted with tenants and residents in the locality;
 - Other means to reduce ASB are not appropriate.
- 5.5.2. The Trust retains absolute discretion over its right to remove existing systems or to refuse to install CCTV. We will consult with residents prior to making any decision to remove CCTV systems. The Head of Neighbourhoods is designated as the lead responsible officer for the installation and removal of CCTV systems.

6. **EQUALITY, DIVERSITY & INCLUSION**

- 6.1. This policy complies with the requirements of the Equality Act 2010 to ensure equality of treatment for all customers without discrimination or prejudice.

6.2. An Equality Impact Assessment has been conducted on this policy. Peaks & Plains will provide translations of all its documents, policies and procedures in various languages and other formats on request.

7. RESPONSIBILITIES

7.1. Director of Resources

7.1.1. The Director of Resources has overall responsibility to ensure compliance across the Trust with this policy and legislation relating to CCTV.

7.2. Assistant Director of Asset, Compliance and Development

7.2.1. The Assistant Director of Asset, Compliance and Development, is responsible for the physical CCTV asset including the installation, removal, maintenance and compliance of CCTV systems.

7.3. Assistant Director of Information and Insight

7.3.1. The Assistant Director of Information and Insight will hold responsibility for DPIA and requests for CCTV data.

7.4. Head of Neighbourhoods

7.4.1. The Head of Neighbourhoods will have operational responsibility to ensure the CCTV systems within management are used for their intended purpose and will make decisions regarding the installation and removal of CCTV systems.

7.4.2. The Head of Neighbourhoods is responsible for the implementation, maintenance and dissemination of this policy.

7.5. Executive Management Team

7.5.1. This Policy will be approved by the Executive Management Team (EMT) and will be available to staff. Where necessary it will be available to tenants via notices in schemes and the Peaks & Plains website. Changes to this policy will be reviewed by the Executive Management Team on behalf of the Board.

7.6. Managers and operational staff

7.6.1. Managers and operational staff are responsible for ensuring they and their colleagues comply with this policy in the day-to-day execution of their roles, ensuring the requirements of this policy are explained and complied with by suppliers and contractors. All staff should be aware of this policy, especially any to whom requests for disclosure of CCTV may be made.

7.7. Suppliers and contractors

7.7.1. Suppliers and contractors must also comply with current Data Protection legislation where they are implementing, operating or managing CCTV systems on behalf of the Trust. The terms of this policy, where appropriate, should be translated into the supplier contracts and requirements, ensuring they are aware of their obligations under the legislation and specifying them as a Data Processor. This must include the ability to evidence their compliance and allow for auditing of their legal compliance.

8. MONITORING

8.1. Risks associated with this policy will be maintained and monitored in accordance with our risk management strategy.

8.2. Updates on this policy implementation and the risk landscape will be monitored by SLT.

9. CONSULTATION

9.1. This document has been produced in consultation with the Trust's Challenge Group and Senior Management Team (SMT).

10. REVIEW

10.1. The CCTV Policy will be reviewed over a 3-year cycle unless a significant incident should occur or a change in environment (e.g. Government policy; change in threat landscape) directly impacts this policy.

11. ASSOCIATED DOCUMENTS

11.1. This policy should be understood in line with our:

- Anti-social Behaviour Policy
- Data Protection Policy.
- Data Sharing Policy
- Equality, Diversity and Inclusion Policy
- Complaints Policy

POLICY INFORMATION

Policy Name:	CCTV Policy
Status:	FINAL/APPROVED
Approved by:	Executive Management Team
Drafted By:	Head of Customer Services
Date approved:	1 ST December 2023
Next Review Date:	December 2026

APPENDIX A

Annual CCTV Review Form

	Answers:	Action needed?
Date of Review		
Name of reviewer responsible for the CCTV Unit		
Scheme / Building		
Location of camera		
<p>What Signage is visible to indicate purpose of camera?</p> <p><i>Please provide a photograph where possible. Ensure any live monitoring is reflected in the sign.</i></p>		
<p>What is Camera used for?</p> <p><i>Prevent/Detect crime, ASB etc?</i></p>		
<p>What area is the CCTV capturing?</p> <p><i>Car park; entrance to scheme etc</i> <i>Do they avoid capturing images of people not visiting the premises?</i></p>		
Is this appropriate for its position & intended use?		

<p><i>Is the CCTV positioned correctly for its intended purpose?</i></p>		
<p>After consideration of the above, is the CCTV still required in this location?</p>		
<p>Has the date and time stamp been checked for accuracy (including changes to/from British Summer time)</p>		
<p>Check the camera is not obscured by foliage</p>		
<p>Any CCTV monitor is located in a secure area with only those who have authorised access able to view it.</p> <p><i>Where the layout of a property/scheme does not allow for this please refer to the DP Lead</i></p>		
<p>Regular checks are undertaken to ensure the CCTV Policy of Peaks & Plains is being followed.</p>		