



Tenancy Services

## CCTV Policy

<b>Regulation &amp; Legislation</b>	<ul style="list-style-type: none"><li><input type="checkbox"/> Information Commissioners CCTV Code of Practice</li><li><input type="checkbox"/> British Standard ("BS") 7958:2005 Closed Circuit CCTV management and operation</li><li><input type="checkbox"/> BS 8418:2003 Installation and remote monitoring of detector activated CCTV systems</li><li><input type="checkbox"/> BS7858:2006 Security Screening</li><li><input type="checkbox"/> BS EN 50132-7:2001 - CCTV surveillance systems for use in security applications</li><li><input type="checkbox"/> Home Office National CCTV Strategy</li><li><input type="checkbox"/> Surveillance camera code of practise</li><li><input type="checkbox"/> Data controller under the GDPR/Data Protection Act 2018 (DPA18Standard)</li></ul>
<b>Approved by</b>	Customer Services SMT (20 January 2021)
<b>Supporting documents</b>	CCTV Procedure
<b>Scope</b>	This document outlines our policy on how Orbit as a business approach and manages CCTV and takes into account our statutory and regulatory responsibilities.
Reference to "Orbit" means Orbit Group which consists of Orbit Group Limited, Orbit Housing Association Limited, Orbit Homes (2020) Limited, Orbit Treasury Limited and Orbit Capital Limited.	

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### 1.0 Introduction

- 1.1 This Policy outlines our approach to the use of Close Circuit Television (CCTV) and covers installations at Orbit owned or managed properties and developments, along with installations by customers. It demonstrates our strong commitment to protecting customers, colleagues, agents and contractors from hazards and risks.
- 1.2 This policy is part of a suite under the umbrella of Tenancy Services which includes Anti-Social Behaviour, Domestic Abuse, Hate Incidents, Multi-Agency Public Protection Arrangements, Safeguarding and Tenancy Fraud. This policy also links to our Tenancy Policy and to the Regulator of Social Housing Neighbourhood and Community Regulatory Standard.

Our intention is always to balance the rights of individuals to privacy, along with our responsibilities as a Registered Provider to help:

- Reassure and protect our colleagues, customers, agents and contractors
- Protect our assets
- Prevent and tackle crime and anti-social behaviour
- Identify and prosecute offenders

We will ensure that the use of such equipment is proportionate to the impact crime and anti-social behaviour on individuals and communities.

### 1.3 Lawful purpose:

Our lawful purpose for use of personal data including images and sound are:

- It is necessary for legitimate interests
- It is necessary to establish identity and defend against claims
- In the interests of public safety e.g., the prevention and detection of crime and the apprehension and prosecution of offenders
- Where appropriate, to protect the vital interests of an individual and necessary to protect someone's life where consent cannot be given

When asked to share data from both internal and external sources and before doing so, we will identify and record the legal basis.

## 2. Policy Statement

2.1 We will use CCTV to manage, monitor and meet our responsibilities detailed in 1.2.

2.2 We will ensure we comply with Data Protection requirements by:

- Having a limited number of colleagues authorised and trained in the use of the system
- Conducting a privacy impact assessment for each installation
- Conducting a six-monthly visual check of the system
- Conducting a three yearly enhanced check of the system
- Ensuring the system is of a standard to be able to identify people
- Ensuring images and sounds are accurately timed and date stamped
- Displaying highly visible signage advising that image and audio recording capability is in operation, along with who to contact with any enquires

2.3 We acknowledge that individuals have a legal right to view their images and listen to associated sound recordings if we have recorded them overtly and they can request this by submitting a **Subject Access Request**.

2.4 We will retain recordings for a period of 28 days after which they will be automatically erased. The exception to this being, if data relates to an ongoing criminal or other investigation or legal case. In such circumstances, data will be retained until final conclusion has been reached with such data will be erased 90 days from the date of that final conclusion.

2.5 Our record keeping will include:

- Where CCTV is located and who is authorised to access the system
- When and who reviewed and or downloaded images
- When and who disclosed data to a third party and on what legal basis it was shared
- When data was moved to another location and the reason for doing so
- Subject Access Requests

2.6 Our Information Governance Team will ensure that key roles within the business are trained in GDPR and where appropriate, how to share data under the Data Protection Act 2018.

### **2.7 Covert CCTV and Directed Surveillance:**

2.8 Overt CCTV, meaning clearly visible, is our default option. Covert, meaning hidden equipment, will only be used in exceptional circumstances and when needed as part of an investigation by a Tenancy Services Officer, or by external enforcement agencies including the Police, Local Authority or Ofcom.

2.9 The use of covert equipment and / or colleagues undertaking surveillance is known as 'directed surveillance' and is when a specific person or location for a specific reason is observed. Directed surveillance may be considered when absolutely necessary and in order to fulfil our obligations detailed in 1.2.

2.10 We will however only allow directed surveillance to take place using our system, or any part of our buildings or locations, or by colleagues, when the Regulation of Investigatory Powers Act 2000 (RIPA) process has been followed and there is a clear legal basis for doing so.

2.11 All requests, be they internal or external, to undertake directed surveillance must first be signed off by our Information Governance Team, with final approval given by the Head of Tenancy Management before it can be carried out.

### **2.12 Customer CCTV:**

2.13 Customers are not permitted to install CCTV (including video doorbells which capture and store images) on any Orbit owned or managed property, without first obtaining our permission and should only seek this when they have considered and ruled out other possible solutions e.g. security lighting.

2.14 We will generally give permission when:

- The system only captures images at the customers home and not neighbouring properties or public areas
- We are able to agree where the camera(s) are to be located
- The customer agrees to sign a CCTV agreement
- The customer agrees to make good any damage caused to our property as a result of installation
- The system complies with UK legislation

- 2.15 Customer installed CCTV will be noted on our management system and periodically checked to ensure continued compliance with the conditions in 2.14.
- 2.16 In situations where we identify that CCTV is being used without our permission, we may give this retrospectively if the conditions set out in 2.14 are met. In circumstances where this is not the case, we will request that the CCTV be removed and failure to do so may be viewed as a breach of tenancy or lease.
- 2.17 In situations where we do not give permission, we will explain our reasons and, if a customer believes that it has unfairly been refused, they are able to make a complaint through our **Complaints Policy**.

### 3. Signage

- 3.1 We will ensure that signage is in place and clearly visible where overt CCTV is in operation. The purpose of this is to ensure that people using that space are clear that images and possibly sound are being recorded and that this is for the purposes of crime prevention and public safety. Signage will also make clear that Orbit operate the system and how we can be contacted.

### 4. Roles and Responsibilities

Role	Responsibility
All employees	Compliance with this policy and associated procedures
Tenancy Management Triage Officer	Receive and review data requests and if appropriate, disclosure  Compliance audits
Tenancy Services Officer and Scheme Manager (IL)	When tasked, complete on-site reviews of data (where remote access is not possible) and send to the Tenancy Management Triage Team
Information Governance	Assessment of Data Protection Impact Assessments (DPIA's)  Consider requests for 'Directed Surveillance'
Property Services	Day to Day Maintenance
Tenancy Management	Contract Management  Upgrade and Change Requests
Head of Tenancy Management	Policy sponsor  Approval of 'Directed Surveillance' requests

## 5. Performance controls and business risk

- 5.1 Compliance with this policy will be monitored by monthly internal compliance audits and review.
- 5.2 Audits by the Audit and Risk team with results reported to the Audit and Risk Committee.
- 5.3 We will carry out a fundamental review of this policy every three years, or sooner, subject to legal, regulatory changes, or if internal changes require it.

## 6. Essential information

- 6.1 All Orbit policies and procedures are developed in line with our approach to the following, Data Protection statement, Equality Diversity and Inclusion approach, Complaints Policy and our regulatory and legal obligations to ensure we deliver services in a lawful manner and treat people equally and fairly. Details of these are found on the declaration document for Strategy Policy and Procedure summary and have been an integral part of the formulation of this document. Orbits privacy policy can be accessed on our website. [www.orbit.org.uk/privacy-policy/](http://www.orbit.org.uk/privacy-policy/).

<b>EIA</b>	An Equality Analysis was approved on 27 October 2020 and is available to view.
<b>DPIA</b>	A DPIA was approved on 18 September 2020 and is available to view.
<b>Consultation</b>	<b>Internal:</b> Information Governance, Property Management, Property Services (Capital Delivery and Responsive Repairs), Strategic Asset Management and Tenancy Services
	<b>External:</b> Involved Customers
<b>Applies to</b>	All employees

## Document control

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Approved	March 2021	v1.1	

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Doc Level 3

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Directorate Customer Services

Approved by	Customer Services SMT	Date	August 2022
Last review			
<b>Next Review (or sooner if changed)</b>			Quarter 1 2024

## Revision History

Version Number	Date	Comments / Reason for revision
v1.0	March 2021	New policy
v1.1	Aug 2022	Amended to reflect changes to Roles & Responsibilities