



# Anti-social behaviour CCTV policy





## 1. Purpose and scope

This policy sets out the circumstances in which we will use closed circuit television (CCTV) on land owned by us to detect, investigate and prevent anti-social behaviour which includes criminal behaviour.

## 2. Underpinning principles

We must comply with the Regulator of Social Housing Neighbourhood and Community Standard 2012.

Our use of CCTV also requires us to adhere to or take account of certain laws, regulations, codes, standards and good practice, in particular:

-  In the picture - A data protection code of practice for surveillance cameras and personal information – Information Commissioner's Office – 2015
-  Surveillance Camera Code of Practice – Home Office – 2021
-  Surveillance Camera Code of Practice – Owner/Installer Points for Consideration – Surveillance Camera Commissioner – 2015
-  The Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010

We are fully compliant with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

However, we are not a relevant authority in relation to the Freedom of Information Act 2000 (FOIA) or the Private Security Industry Act 2001. This means that we do not have to obtain any necessary licences for the operation of CCTV cameras from the Security Industry Authority (SIA) or any other regulatory body.

We are also not a relevant authority with regards to the Protection of Freedoms Act 2012 (PoFA), but as a data controller we are encouraged to follow the Surveillance Camera Code of Practice issued under the Protection of Freedoms Act 2012 (PoFA).



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Expert advice on this policy has recommended that it is reviewed annually.

We generally allow customers to install their own domestic CCTV cameras provided they comply with the instructions and advice that we issue in relation to such installations.

## 3. Policy details

We recognise the use of CCTV as an appropriate and accountable means, as part of a range of mechanisms, to improve safety and security in our neighbourhoods. We also appreciate that both overt and covert surveillance may be useful in dealing with anti-social behaviour, as long as its use is relevant and proportionate.

However, in most cases only overt surveillance will be used in order to comply with the principles contained in the Regulation of Investigatory Powers Act 2000. Whilst this is not legislation which applies to us, we are of the view that following its principles is a matter of best practice and we therefore take account of it through this policy.

CCTV will only be used where:

- there is evidence of a problem
- it is necessary to secure evidence
- its use is proportionate to the seriousness of the problem.

Neighbourhoods and supported housing will use CCTV to:

- ❖ detect, investigate and prevent anti-social behaviour
- ❖ obtain evidence to support tenancy enforcement action
- ❖ assist the police, local authority and other organisations in combatting anti-social behaviour.

We may also use the products of CCTV for connected purposes such as the management of our business, and share footage with the police or



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other agencies in support of the above objectives.

The decision to deploy CCTV cameras will be made by neighbourhood managers or sheltered housing coordinators, subject to authorisation by a senior neighbourhood manager or the senior neighbourhood manager (sheltered housing).

Prior to the installation of CCTV residents likely to be affected will be consulted in writing. We will tell people about our use of CCTV through signage and information in our privacy policy. Individuals whose image is captured on CCTV operated by us have the right to ask us for a copy of that footage, which we will handle in accordance with our subject access request process.

We will keep our use of CCTV under review by way of regularly auditing its deployment.

### **Covert surveillance**

The Regulation of Investigatory Powers Act 2000 governs the use of covert surveillance to ensure that it is used only when necessary, reasonable and proportionate. Whilst it does not apply to housing associations, we will take account of the principles set out in the Act when using covert surveillance.

We will only use 'directed surveillance' in exceptional circumstances. 'Directed surveillance' is surveillance which meets the following conditions.

1. It is covert but not intrusive, i.e. it does not intrude into anything taking place in any private residential premises or any private vehicle.
2. It is conducted for the purpose of a specific investigation.
3. It is likely to result in the obtaining of private information about a person.
4. It is conducted other than by way of an immediate response to events or circumstances.



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The following criteria will need to be satisfied.

- i) It is for one of the following purposes.
  - Preventing or detecting anti-social behaviour.
  - In the interests of public safety.
  - For the protection of public health.
- ii) It is necessary because other forms of information gathering have proved impossible or are impractical.
- iii) It is proportionate in that the level of intrusion is outweighed by the need for evidence to be obtained through surveillance.

## Compliance

The group operations director is responsible for ensuring compliance with this policy, and any breaches are potentially a disciplinary issue.

## Complaints

Data subjects who wish to complain about the use of CCTV cameras in the investigation of anti-social behaviour should follow our compliments and complaints procedure.

## 4. Signposting

- Human Rights Act 1998
- Anti-social behaviour policy
- Anti-social behaviour procedure
- Anti-social behaviour CCTV procedure
- Compliments and complaints policy
- Compliments and complaints procedure
- Data protection policy
- Data sharing guidance document

**Policy review date** – 4 October 2024



## Anti-social behaviour CCTV policy

### Decision-making record

Date	Meeting/Minute Reference	Version /Amendment
11 July 2016	Executive	1
10 May 2017	Verena Buchannan	2
5 September 2018	Executive	3
27 August 2019	Executive	4
30 June 2020	Executive Updated	5
12 May 2021	Executive Updated and document title changed	6
15 March 2022	Executive Updated and some changes made to the wording including some following legal advice.	7
13 December 2022	Executive Updated, a small number of minor amendments made and a few changes made to the wording.	8
4 October 2023	Verena Buchanan A couple of minor changes made.	9
6 November 2023	Verena Buchanan On land owned by us wording added to the Purpose and Scope section.	10