

## CCTV Policy

### **Our Commitment**

Argyll Community Housing Association is committed to provide equal opportunities across all services and to avoid discrimination. This policy is intended to assist ACHA to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

**This policy can be made available in other formats, for example in large print, audio-format or Braille: the document may also be available in other languages, in full or summary form, as appropriate.**

## CCTV Policy

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## CCTV Policy

### Section 1 – Context

Argyll Community Housing Association Ltd (ACHA) is the registered social landlord for over 5000 properties within the Argyll & Bute area.

This policy outlines the criteria and rules for tenants of Argyll Community Housing Association to install external viewing CCTV on or around domestic premises. This policy does not apply to the use of CCTV by ACHA itself.

ACHA recognises that some of our tenants will feel more secure if they install external CCTV in order to deter crime or if they have been experiencing problems of anti-social behaviour. We also recognise that neighbours may find the erection of a CCTV camera on their neighbours' home a breach of their privacy.

Our policy in relation to requests from our tenants to install CCTV cameras is to consider these requests on a case by case basis and to take into account the views and feelings of all the neighbours, or others, who may be affected before making a decision on whether permission should be granted.

### Section 2 – The Law, Good Practice and links to other ACHA Policies and Strategies

In order to effectively deliver the aims and obligations of this policy, ACHA will meet the requirements of:-

- Housing (Scotland) Act 1987 1988, 2001
- Data Protection Act 1998
- Equality Act 2010
- Human Rights Act 1998
- Performance Standards for Registered Social Landlords in Scotland as detailed within the Scottish Housing Charter
- The terms of the Scottish Secure Tenancy Agreement or any other lease agreement in place.

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### ACHA Policy and strategy links

- Estate Management Policy
- Tenant Involvement Strategy
- Equal Opportunities Policy
- Risk Management Strategy
- Customer Care Charter
- Complaints Policy
- Anti-Social Behaviour Policy

### Section 3 – Our Policy Aims and Objectives

This policy applies to ACHA tenants who may wish to install an external CCTV system. The policy does not in any way apply to the use of CCTV by Argyll Community Housing Association.

The aims and objectives of the policy are:-

- Help to create safe, secure, sustainable estates and communities.
- Improve tenancy sustainment.
- Recognise that some tenants will feel more secure if they install external CCTV
- Recognise that some Tenants may find the installation of a CCTV camera to be an invasion of their privacy, harassment or even voyeurism.
- To find a balance between the two situations above in order to allow a tenant to feel more safe and secure by installing a CCTV camera if they wish but also protecting the privacy of their neighbours.
- Provide guidance to staff and tenants on the criteria and rules for allowing the installation of CCTV by our tenants on our properties.

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#### Section 4 – Implementing our policy objectives

##### Permission and Criteria

Tenants who intend to affix an external viewing CCTV camera to the property must apply to ACHA for permission in writing, before installation. The CCTV camera must capture images of the tenant's property only, for example anything in the curtilage of their property or their car parked on the street. It must not be viewing or monitoring any other properties.

The CCTV camera must not be installed until permission has been given.

##### Criteria for Installation

At present (March 2015), CCTV systems installed on domestic dwellings:

- (1) Do not need to be registered with the Police or Information Commissioner
- (2) Do not require any signs to be erected.

However, these requirements are currently under review by the Information Commissioner.

Applicants must meet any requirements for registration and / or signage in relation to the installation of CCTV

Permission will only be granted where the CCTV camera will only capture images within the curtilage of the applicants property, A member of staff will visit the applicant on receipt of request to install CCTV to check the final positioning and reasons for the installation.

There may be some cases where it is not possible to site the camera without the CCTV camera capturing images of parts of a neighbouring property. In such cases ACHA staff will consult with affected neighbours. If neighbour/s object to the siting of the erection of the CCTV cameras, it is likely permission will be refused.

ACHA reserves the right to check the angle of the CCTV camera once it has been erected. ACHA will not view general footage, or get involved in decisions about the processing of data, captured by CCTV installed by a tenant. However, ACHA may use 2 staff members (one on a phone to the other) viewing footage when the only 'data subject' in view of the camera is an ACHA staff member.

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Should CCTV be moved, or become the implicated reason in a neighbour dispute, a complaint, or an allegation of harassment, then ACHA reserves the right to withdraw permission and to require that the cameras are removed.

The use of cameras for limited household purposes is exempt from the Data Protection Act. This applies where an individual uses CCTV to protect their home from burglary. Images captured for recreational purposes such as with a mobile phone, digital camera or camcorder are also exempt.

#### Section 5 – Performance management

ACHA operates within a performance management framework which reports to and aims to meet the requirements of our tenants, factored owners, Board of Management, the Scottish Housing Regulator and the Scottish Social Housing Charter.

As required by Section 31 of the Housing (Scotland) Act 2010, the Scottish Social Housing Charter sets out the standards and outcomes that all social landlords should aim to achieve when performing their housing activities:

- **Charter Ref.1 – Equalities**

Social landlords perform all aspects of their housing services so that:

- Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.

- **Charter Ref.3 – Participation**

Social landlords manage their businesses so that:

- Tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.

- **Charter Ref.11 – Tenancy sustainment**

Social landlords ensure that that:

Tenants get the information they need on how to access support options to help them to remain in their home and can get suitable support including services provided directly by the landlord and by other organisations.

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Internally, performance will be monitored by ACHA's Senior Management Team, the Board of Management and local Area Committees. Externally, the Scottish Housing Regulator will monitor performance in terms of outcomes and standards achieved in line with the requirements of the Scottish Social Housing Charter. We will, annually, submit key performance information on our achievements to the Scottish Housing Regulator.

In order to ensure that this policy remains fit for purpose and continues to meet Charter requirements, a Tenant's Scrutiny Panel will monitor and review the performance standards.

Performance data will be collected to include the number of applications made to us each year for CCTV cameras, the number of applications refused and the number of applications accepted and the average length of time taken for us to process an application.

#### **Section 6 – Development and training**

ACHA is committed to training and developing staff, Board of Management and Area Committee Members in order that they have a good knowledge of procedures and systems in place.

#### **Section 7 – Dealing with complaints**

We value complaints and endeavour to use information from them to help us improve our services. Complaints relating to CCTV cameras are dealt with in line with our complaint handling procedure. Complaints can be made if we fail to apply this policy properly or don't meet our organisational standards.

#### **Section 8 – Review procedures**

This policy will be reviewed every three years or earlier if required due to substantive changes in legislation or regulatory requirements.

As part of the review process formal consultation will take place with relevant stakeholders, who include:

- Tenants
- The Tenant Consultation Register
- The Tenants Panel
- Staff

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The outcome of the review process will be made available via our tenants' newsletter and on our website.

#### Section 9 – Confidentiality and data protection

All information provided to ACHA by tenants, applicants and neighbours in connection with any application for permission to install CCTV (as governed by this policy) will only be used by ACHA for the purpose provided (that is, for the processing of applications for CCTV installation and keeping any approvals under review).

We will ensure that we meet the requirements of the Data Protection Act 2002.

<b>Policy Owner</b>	Housing & Neighbourhood Services
<b>Author</b>	Sarah Campbell
<b>Contributors</b>	
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