



Yenaa Housing

February 2022 CCTV Policy



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Policy Checklist	
Date of Implementation	Feb 22
Date of Last Review	Feb 26
Date of Next Review	Feb 28

1. Introduction

In order to achieve a safe and secure environment, Yenaa Housing Ltd uses closed circuit television (CCTV) images. Our CCTV facility records images only.

Our policy and procedure sets out the use and management of our CCTV equipment and images in compliance with the Data Protection Act 1998 and the Information Commissioner's Office CCTV Code of Practice.

In order to comply with the requirements of the 1998 Act, data must be:

- Fairly and lawfully processed
- Processed for limited purposes and not in any manner incompatible with those purposes
- Adequate, relevant and not excessive
- Accurate
- Not kept for longer than is necessary
- Processed in accordance with individuals' rights
- Secure

2. Purposes of CCTV

The purposes of installing and using CCTV systems include:

- Assisting with the protection and safety of residents, employees and visitors in the home
- Assisting in the prevention or detection of crime
- Assisting in the identification and prosecution of offenders
- Monitoring the security of business premises
- To promote the safeguarding of residents in the houses
- Supports our commitment to the BVSC accreditation scheme

3. Location of Cameras

Cameras are located on the external walls the premises and the communal areas inside the property. We do not use CCTV cameras to monitor the behaviour of residents or staff.

No cameras will focus into areas that breach the privacy of residents and employees, ie toilets, bathrooms, bedrooms, etc. All cameras will be clearly visible.

4. Access to and Disclosure of Images

Access to, and disclosure of, images recorded on CCTV is restricted. This ensures that the rights of individuals are retained. Images can only be disclosed in accordance with the purposes for which they were collected. We do not have monitors on site and the CCTV is not monitored. It is only accessed if a request is made for a particular incident.

ACCESS TO IMAGES

Access to recorded images is restricted to *the Data Controllers*, who will decide whether to allow requests for access by Data Subjects and/or third parties (see below).

Viewing of images must be documented as follows using the form at Appendix 1:

- The name of the person removing from secure storage, or otherwise accessing, the recordings
- The date and time of removal of the recordings
- The name(s) of the person(s) viewing the images (including the names and organisations of any third parties)
- The reason for the viewing
- The outcome, if any, of the viewing
- The date and time of replacement of the recordings

5. Promoting the safeguarding needs of residents

It is our strongly held belief that having CCTV cameras located on the home provides both a tangible and symbolic sense of security for the vulnerable residents we support. There is a clear emphasis that the CCTV is used as a level of security for the home and to act as a preventative tool.

Many residents who have experienced significant abuse, can have real fears that those who have abused them will find out where they are. We find having the CCTV system gives them a level of reassurance. Many of our residents have experienced violence and theft in other provisions and are reassured when they see a CCTV system in place.

6. Data Protection Act 1998

The Data Protection Act (DPA) applies to images captured by a camera, including CCTV. It is therefore important for those considering whether to place cameras in Properties to address the potentially complex data protection issues to ensure compliance with the DPA.

In order to satisfy the requirements of the DPA, a Property operator will need to be clear about the purpose(s) underlying the use of CCTV cameras in the Property. The data

protection principles require that filming by way of CCTV is lawful and necessary, proportionate and fair to meet an identified and pressing need. This again raises the issue of whether using CCTV can in fact be achieved in another way that might prove less intrusive in the surroundings of a Property, for example, would audio equipment achieve the same result? It is important to have regard to the potential breach of Article 8 of the European Convention on Human Rights (as enacted in the Human Rights Act 1998), that seeks to protect the “private life” and privacy of individuals; the use of CCTV is likely to pose a challenge to those rights and will therefore need to be based on a reasoned justification, such as the safety of residents (see below). Central to whether the use of CCTV is justified will be how it will support the needs and interests of the residents of the home.

The Landlord is advised to undertake an assessment to determine whether the use of CCTV is justified, taking into account the benefits of filming in the Property against the disadvantages. Is the use of cameras proportionate to the specific concerns that may have arisen in the home or could a less privacy intrusive solution achieve the same objectives?

The Information Commissioner’s Office has produced a Code of Practice[2] on conducting Privacy Impact Assessments with an explanation of how to undertake a proper assessment. The Assessment should be based on reliable evidence and show whether the CCTV system proposed can be justified as proportionate to the needs identified.

If cameras are to be used, having taken account of the Privacy Impact Assessment, the Landlord will have to make decisions about various matters relevant to the DPA, including who is to have responsibility for the control of the images and how they are to be used. If a policy is not already in place addressing the relevant issues and providing guidance to staff, consideration should be given to producing such a policy.

The Landlord will also need to consider where best to place monitors for viewing CCTV, so that only appropriate and authorised people are able to access the recordings. It will be important for security measures to be put in place to prevent unauthorised access, and where cameras are placed in the bedrooms of residents, this will require an additional level of security. Property operators should also have regard to the possibility that residents, or their representatives, might rely on their right of access under the DPA to seek access to recordings made by the CCTV.

APPENDIX 1

Yenaa Housing Ltd

CCTV POLICY

RECORD OF ACCESS TO CCTV DATA

Name of person accessing data	Date and time	Name of person viewing data	Reason for viewing (incl crime number if applicable)	Data Removed Y / N	Signature of person removing if applicable

APPENDIX 2

Yenaa Housing

Consent for use of CCTV

At our property we operate a 24hr CCTV system, which is in place to provide the residents with the security that their home is safe and that we take their safeguarding needs seriously. We do not have any cameras within the home.

We have a policy and procedure in place, which is compliant with all current legislation including Data Protection Act 1998 and Surveillance camera code of practice 2013

The images are recorded on a Digital Video Recorder (DVR) and they are only stored for a period of 7 days before the system starts fresh.

We would request that you give us consent to use CCTV whilst _____ is cared for at our home.

Signed _____ Date _____

