



Tenant Property CCTV Policy

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INVESTOR IN PEOPLE

Providing homes, supporting communities



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1.0 Hjaltland Values

Our Vision

Providing homes, supporting communities

Our Values

Teamwork

Working together as one team, to the benefit of our customers. To demonstrate and extend trust in each other.

Open, Honest & Inclusive

We offer a people focused service that is centred in fairness and integrity. We believe in being open, honest and respectful in everything we do.

Ownership

We expect our staff to take responsibility for their actions and give them the freedom to do their job in a positive working environment.

Quality

We value quality in everything we do from the standard of our product to the level of service we provide. We take pride in making a difference in communities and providing continuous improvement.

Innovation

We seek to ensure we have sustainable housing, fit for future generations, maintained and developed to the highest possible standard.

2.0 Introduction

This policy has been established to ensure consistency of all Hjaltland Housing Association activities

The purpose of this policy is to outline the Hjaltland Housing Association standards with regards to tenants wishing to install an external CCTV system. This policy does not in any way apply to the use of CCTV by Hjaltland Housing Association.

Each employee is an important contributor to the Hjaltland Housing Association vision and each employee is needed at work to assist in the accomplishment of Hjaltland Housing Association's values.

To ensure effective and efficient operations of the Hjaltland Housing Association and provide the best possible work environment to employees, Hjaltland Housing Association expects employees to adhere to the standards as outlined in this policy.

3.0 Policy Statement

Hjaltland Housing Association and our employees recognise the legal obligations placed on them by the Data Protection Act and of any other statutory provisions and regulations applying to its activities, and aims to:

- 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

Employees [and any sub-contractors] have a duty to co-operate in the operation of this policy by fulfilling the responsibilities placed upon them.

Signed

Elizabeth Sinclair
Health & Safety Manager

Date: 15 September 2022

Planned Review Date: September 2025

4.0 Regulatory Framework / Legal

The Regulatory Framework is based on the Housing (Scotland) Act.

Hjaltland Housing Association has a range of duties, obligations and responsibilities placed on them by legislation and through statutory guidance. These include achieving the standards and outcomes in the Scottish Social Housing Charter, duties to help people who are homeless, duties around the safety of tenants' homes, and promoting equality and human rights.

Hjaltland Housing Association also have requirements placed on them by other regulatory bodies, including the Office of the Scottish Charities Regulator, the Equality and Human Rights Commission, the Care Inspectorate, Audit Scotland and the Scottish Public Services Ombudsman.

Hjaltland Housing Association will ensure that we meet all of our legal duties and responsibilities and that we adhere to relevant guidance and the requirements of other regulators.

- Relevant Regulatory Standard: 3 and 5
- Housing (Scotland) Act
- General Data Protection Regulation
- Data Protection Act
- Equality Act
- Human Rights Act
- The terms of the Scottish Secure Tenancy Agreement or any other lease agreement in place.

5.0 Responsibilities

5.1 Committee

It is recognised that the Management Committee, while not actively involved in the day to day running of the organisation, is collectively responsible for providing leadership and direction.

Committee Members are responsible for ensuring that Hjaltland Housing Association fulfils its statutory obligations and allocates adequate resources to do so.

5.2 Executive Team

The Chief Executive is responsible for ensuring that the Committee's policy objectives are achieved and that policy and performance are kept under active review to address any changes required. The following individual post has been allocated overall responsibility within the terms of our policy:

- Bryan Leask, Chief Executive Officer

5.3 Senior Leadership Team

Due to the 'managerial' function performed by Heads of Departments it is accepted that they will be best placed to identify and control any concerns within their departments. Day to day responsibility for ensuring the policy is put into practice and consultation with employees is delegated to:

- Heads of Departments

They will ensure:

- The objectives and guidance outlined within our management system is fully understood and observed by persons under their control;
- Responsibilities are clearly defined and allocated / delegated to the appropriate levels within their areas of responsibility;
- The policy statement will be brought to the attention of all employees under their control;
- Any changes to the policy or our arrangements are brought to the attention of all persons under their control;

5.4 Responsible Persons

It is important that policy standards are maintained and improved therefore where necessary specific roles within Hjaltland Housing Association, have been allocated additional responsibilities. Where this responsibility is specific to a subject area, the details of the responsible person are communicated to employees in writing or verbally as required.

These Responsible Persons will also be required to monitor their areas of control as well as the performance and activities of all persons under their control to ensure that acceptable standards are maintained.

Relevant responsible persons are:

- Senior & Technical Officers
 - .1 Accept or refuse external CCTV applications
 - .2 Inspection external CCTV installations
 - .3 Discuss with neighbours where necessary

5.5 All Staff

- Employees will comply with the policies, procedures and arrangements set out in the Management System together with any information, instruction and training provided. In addition, any risk control measures and equipment provided to ensure safe-working practices will be properly used.
- Employees will report to their Head of Department or other member of management any identified breaches of procedures, any accidents or incidents in any aspect, which appears to them to give rise to a significant risk to employees or other persons. Such reports will be made without undue delay.
- Employees will inform their Head of Department or other member of management, without undue delay, where they believe that further training or other risk control measures would be beneficial.
- Employees will co-operate in all programmes, training, assessments and other initiatives that are intended to reduce risk and will actively implement any control measures identified as being required.
- Employees will not participate in horseplay, practical jokes or other acts, which may result in harm being caused to themselves or to other individuals.
- Demonstrate their commitment by their behaviour and co-operate in the investigation of accidents and incidents;

5.6 Third Parties

Tenants must follow the terms of this Policy and Operating Your Domestic CCTV Fact Sheet provided on application.

6.0 Definitions

- **CCTV** – means closed-circuit television and is commonly known as video surveillance. “Closed-circuit” means broadcasts are usually transmitted to a limited (closed) number of monitors. It includes:
 - Dome Camera
 - Bullet Camera
 - C-mount Camera
 - Day/Night Camera
 - PTZ Camera
 - Ring Video Doorbell Pro
 - Eufy Video Doorbell Dual
 - Arlo Essential Wire-free Video Doorbell
 - RemoBell S
 - Nest Hello / Nest Doorbell Wired
 - Ring Video Doorbell Elite
 - Logitech Circle View Doorbell
 - Blink Video Doorbell

Any many other types which are available.

- **Curtilage** – means an exterior boundary, within which a homeowner can have a reasonable expectation of privacy and where "intimate home activities" take place.
- **Domestic Dwelling** – means a dwelling that has no more than one family unit resident in it, and which is used as a place of permanent or semi-permanent habitation.

7.0 Policy Arrangement or Procedure

Tenants who intend to affix an external viewing CCTV camera to the property must apply to Hjaltland Housing Association for permission in writing before installation.

We will only approve CCTV where the CCTV camera can only capture images of the tenant's property (areas within their curtilage). It cannot observe or monitor other properties including:

- Communal or public space such as: access routes, drying areas, gardens, unallocated parking, etc.
- Neighbouring property, such as: front door, driveway, access, garden, vehicles, etc.
- The coming and goings of neighbours or their visitors.

This will ensure that the Data Protection Laws do not apply to the you.

Should you capture images of people outside of your property then the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA18) will apply to you, and you will need to ensure your use of CCTV complies with these laws. If you do not comply with your data protection obligations you may be subject to appropriate regulatory action, as well as potential legal action by affected individuals.

Prior to the approval of the installation, we will ask for the reason you want to install external CCTV. What is the problem you are trying to tackle? Can other measures be taken to solve or improve the problem.

At present CCTV systems installed on domestic dwellings:

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

Criteria for Installation:

Complete the external CCTV installation application and read information sheet.

The CCTV camera must not be installed until permission has been given by Hjaltland Housing Association.

Should CCTV be a mains wired system then an Minor Electrical Installation Works Certificate will be required and a copy issued to Hjaltland Housing Association.

Inspection

A member of staff will visit the tenant on receipt of the application to install external 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 Hjaltland Housing Association 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.

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

Right of Removal

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

Other

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.

8.0 Related Policies, Document & Forms

Policies

- HP3 Anti-social behaviour & neighbour complaints Policy
- HP26 Tenancy Management Policy

Documents

- TD143 Installation of External CCTV inc Doorbell Cameras

Forms

- F163 Operating Your Domestic CCTV Fact Sheet

9.0 Equality, Diversity and Human Right Impact Assessment

The Association is committed to promoting positive measures that eliminate all forms of unlawful or unfair discrimination on the grounds of age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation. Our aim as landlord, service provider and employer is to recognise the needs of all individuals, and ensure these commitments are evident throughout every aspect of our business and our activities.

The Association assesses and reviews all new and revised policies and procedures, and an Impact Assessment is available.

or

The Association assesses and reviews all new and revised policies and procedures, we do not see this policy as having any direct impact upon the protected characteristics contained within the Equality Act.

10.0 GDPR

The Association will treat your personal data in line with our obligations under the current data protection regulations and our own Data Protection Policy. Information regarding how your data will be used and the basis for processing your data is provided in Hjaltland Housing Associations Privacy notices.

11.0 Monitoring and Review

Employees [and any sub-contractors] have a duty to co-operate in the operation of this policy by fulfilling the responsibilities placed upon them.

As stated, the operations of the company and this policy will be reviewed at regular intervals or in light of changing company circumstances, procedures and statutes. These changes will be brought to the attention of employees and others whose health and safety may be affected by such changes.

Planned Review Date: September 2025

Appendix 1

Policy proposal to be assessed:

New Policy:

Person responsible for the assessment:

Briefly describe the aims/objectives and purpose of the policy/proposal	
Who is intended to benefit from the policy/proposal? (e.g. applicants, tenants, staff, contractors)	
What outcomes are wanted from this policy/proposal? (e.g. the benefits to customers)	

Describe the likely positive or negative impact(s) the policy/proposal could have on the groups	Positive impact(s)	Negative impact(s)
Age		
Disability		
Gender re-assignment		
Marriage and civil partnership		
Pregnancy and maternity		
Race		

Religion or belief		
Sex		
Sexual orientation		

Actions Required to Address Impact

What **actions** are **required** to address the impacts arising from this assessment? (*This might include: collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts*).

Disability – all policies can be supplied in a preferred format (for example, in large print). Ensure that where necessary a member of staff assists with explaining the form and assisting with completion.

Race – where language is a barrier, translation services can be provided, and The Association has 'google translate' as a function on the webpage.