



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

Ian Bray
Director of Housing

Date: 19 September 2024

Planned Review Date: September 2029

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 Directors 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:

- Directors 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

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 Director 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 Director 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 and includes wall mounted video door-bells
- **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

This policy document is written to reflect the guidance published by the Information Commissioner's Office (ICO) on the use of Domestic CCTV systems.

The use of recording equipment, such as CCTV or Smart door bells, to capture video or sound recordings outside a tenant's property boundary is not a breach of data protection law. However, individuals installing CCTV cameras should always attempt to point their cameras away from a neighbour's home or garden, communal area or public street. It is recognised this may not always be possible.

What are the rules about domestic CCTV systems?

Anyone installing CCTV, such as a smart doorbell, should;

- Tell people they are using recording equipment
- In most circumstances, provide some of the recording if asked by a person whose images have been captured
- Regularly or automatically delete footage
- In most circumstances, delete recordings of people if they ask; and
- Stop recording a person if they object to being recorded, but only if it is possible to do so. For example, if they can point the camera in a different direction but still use it for the same purposes eg keeping their property safe.

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 (unless they are capturing footage outwith the curtilage of the property).

Criteria for Installation:

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, using the template alterations form.

The CCTV camera must not be installed until permission has been given by Hjaltland Housing Association. A permission letter will be accompanied by an information sheet on the responsible use of a Domestic CCTV system.

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.

Complaint handling about someone using domestic CCTV

If a tenant raises a complaint or concern regarding the use of domestic CCTV, the following ICO advice will be shared with the complainant;

1. Contact the person and ask why they are using CCTV – it is usually installed as a safety measure to protect personal property. They can make the user and their family feel safer. If you understand why they are recording, it may put your mind at ease.
2. Express your concerns – the CCTV user may not understand why you are worried about being recorded. If you explain your reasons, they may change the position of the cameras
3. Ask to see what they are recording – the footage captured by the camera may not be as intrusive as you think. Seeing an example of what the camera records may make you feel less concerned.
4. Consider using a mediation service, if required, to speak with your neighbour.
5. If you feel the person is filming your child inappropriately or to cause them harm, you should contact the police

If informal measures have been unsuccessful and a resident wishes to escalate things to a more formal stage, a complaint can be lodged with the ICO.

[The Information Commissioner's Office contact details are as follows; www.ico.org.uk](http://www.ico.org.uk) or 0303 123 1113

Right of Removal

The Association reserves the right to withdraw permission where the position of the CCTV is moved without consent or where there is a clear breach of tenancy, such as a criminal conviction relating to harassment or Antisocial behaviour linked to the use of the CCTV.

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.

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 2029