

TO:	Housing Services Sub-Committee
PREPARED BY:	Chris Chalk (Director H&CI)
SUBJECT:	CCTV Policy
DATE MEETING:	25 June 2024
APPROVED BY:	Paul Martin (CEO)

CCTV POLICY

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INTRODUCTION

Closed Circuit Television Systems (CCTVs) are installed in the Milnbank Housing Association area of operation. In its role as a community-based organisation, the Association believes CCTV provides added value for both the protection of its housing stock and common areas as well as giving public re-assurance for residents and acting as a deterrent to crime and anti-social behaviour.

The aim of this Policy is to set out the way Milnbank Housing Association operates its CCTV system and how this operation complies with all legislative requirements in relation to Data Protection.

1. **PURPOSE OF POLICY**

The purpose of this policy is to set out the use of Closed-Circuit Television and its associated technology in the monitoring of the areas under the remit of Milnbank Housing Association.

CCTV surveillance in the area is intended for the purposes of:

- Reducing the incidence of crime and anti-social behaviour, including theft and vandalism.
- Protecting the property of Milnbank Housing Association and local residents.
- Supporting the police in a bid to deter and detect crime; and
- Assisting Police Scotland in identifying, apprehending and prosecuting offenders.

2. **SCOPE**

This policy relates directly to the location and use of CCTV and the monitoring, recording and subsequent use of such recorded material. The Association will ensure that CCTV systems, where installed, are operated only in a way that is compatible with the provisions of this policy and the Law generally.

3. **GENERAL PRINCIPLES**

Milnbank Housing Association has a statutory responsibility for the protection of its property, equipment and other plant as well as providing a sense of security to its employees and residents. Milnbank Housing Association owes a duty of care under the provisions of Health & Safety and associated legislation and utilises CCTV systems and their associated monitoring and recording equipment as an added mode of security and surveillance for the purpose of enhancing the quality of life within the community.

The use of the CCTV system will be conducted in a professional, ethical, and legal manner and any diversion of the use of CCTV security technologies for other purposes is prohibited by this policy. For example, CCTV will not be routinely used for monitoring employee performance, but may be viewed where the Association's legal obligations as an employer are involved such as health & safety breaches, lone working arrangements, road traffic accidents/insurance claims etc.

Information gathered through the CCTV system may only be released when authorised by the Senior Housing Officer. Any requests for CCTV images will be formally recorded and legal advice may be sought if any such request is made. If a law enforcement authority, such as Police Scotland, is seeking CCTV footage for a specific investigation, this information will be provided.

CCTV monitoring of public areas for security purposes will be conducted in a manner consistent with other relevant policies adopted by the Association such as Equal Opportunities, Child Protection, Racial Harassment and Prevention from Harassment Policies.

This policy prohibits monitoring based on the characteristics and classifications contained in equality and other related legislation e.g. race, gender, sexual orientation, national origin, disability etc.

This Policy will ensure the use of CCTV does not violate any individual's reasonable expectation to privacy.

Information obtained in violation of this policy may not be used in a disciplinary proceeding against an employee of the Association.

All CCTV systems and associated equipment will be required to be compliant with this policy following its adoption by Milnbank Housing Association. Recognisable images captured by CCTV systems are "personal data" and are, therefore, subject to the provisions of the General Data Protection Regulations and the Data Protection Act 2018.

The Association will not disclose CCTV images of identifiable people to the media or to put them on the internet. An image released to the media to help identify a person will only be disclosed by Police Scotland.

4. **JUSTIFICATION FOR USE OF CCTV**

Section 2 (1) (a) of the Data Protection Act 2018 requires that personal data should be processed lawfully and fairly, on the basis of the data subject's consent or another specified basis and for the purpose it is collected.

5. **LOCATION OF CAMERAS**

The location of cameras is a key consideration. Use of CCTV to monitor areas where individuals would have a reasonable expectation of privacy will not occur. Milnbank Housing Association has endeavoured to select locations for the installation of CCTV cameras which are least intrusive to protect the privacy of individuals. Cameras placed so as to record external areas are positioned in such a way as to prevent or minimise recording of passers-by or of another person's private property.

CCTV Video Monitoring and Recording of Public areas may include the following:

- Association reception area and other office locations for security purposes
- Various property locations throughout the Association's area of operation (See list at Appendix 2)

6. **COVERT SURVEILLANCE**

Milnbank Housing Association will only engage in covert surveillance in conjunction with Police Scotland or Glasgow City Council (GCC) Neighbourhood and Sustainability with regards to cases of serious antisocial behaviour. Any covert surveillance will be discussed with the Leadership Team prior to implementation and will be controlled by Police Scotland or GCC Neighbourhood & Sustainability.

7. **NOTIFICATION – SIGNAGE**

A copy of this policy will be provided, on request, to anyone wishing a copy of it. This policy describes the purpose and location of CCTV monitoring, a contact number for those wishing to discuss CCTV monitoring and guidelines for its use. Adequate signage will be placed at each location in which a CCTV camera(s) is sited to indicate that CCTV is in operation. Signage shall include the name and contact details of the Association.

Appropriate locations for signage will include:

- Reception areas within MHA offices
- At or close to each camera

8. **STORAGE AND RETENTION**

The Association will retain data for no longer than is necessary for the relevant activity, or as required by law. There may be a need to justify keeping this information for a longer period of time when images are required to identify someone as part of a Police investigation and subsequent prosecution.

Accordingly, the images captured by the CCTV system will be retained for a maximum of 28 days, dependent on the camera, except where the image identifies an issue and is retained specifically in the context of an investigation/prosecution of that issue.

The images/recordings are stored on the cameras and access is obtained by logging into the system. When recordings are being viewed, access will be limited to the authorised staff only. In certain circumstances the recordings may be viewed by other individuals eg. Police Scotland, GCC Neighbourhood & Sustainability etc providing the agreed formal request process has been followed.

If the images require to be downloaded, normally for Police purposes, this will be downloaded from the system to the PC hard drive and then copied onto a DVD (or another preferred electronic format) and passed to the relevant person. This must also be subject to the agreed formal request process being followed.

9. **ACCESS**

Access to the CCTV system is restricted to authorised staff only. Unauthorised access will not be permitted at any time.

In relevant circumstances CCTV may also be accessed:

- By Police Scotland where Milnbank Housing Association are required by law to make a report regarding a suspected crime.
- Following a request by Police Scotland when a crime or suspected crime has taken place and/or it is suspected that illegal/anti-social behaviour is taking place.
- By the Health & Safety Executive with regards to any accidents.
- To assist Milnbank Housing Association with regards to establishing facts in cases of unacceptable or anti-social behaviour.
- To data subjects following a subject access request.
- To individuals (or their legal representatives) subject to a court order.
- To Milnbank Housing Association's insurance company where the insurance company requires same in order to process a claim for damages.

Access Requests

On written request, any person whose image has been recorded has a right to be given a copy of the information recorded which relates to them, provided always that such image/recording exists. Where the image/recording identifies another individual, those images may only be

released where they can be redacted or anonymised so that other people are not identified or identifiable. To exercise their right of access, a data subject must make an application in writing to the Association.

Access requests can be made to the Data Protection Officer.

In any access request the person should provide all the necessary information to assist the Association in locating the CCTV recorded data, such as the date, time and location of the recording. If the image is of such poor quality as not to clearly identify an individual, that image may not be considered to be personal data and may not be handed over by the Association.

10. **RESPONSIBILITIES**

The Association will:

- Ensure that the use of CCTV systems is implemented in accordance with this policy and all Legislative requirements.
- Oversee and co-ordinate the use of CCTV monitoring in terms of this Policy.
- Ensure that CCTV monitoring systems are evaluated for compliance with the policy.
- Review camera locations and be responsible for the release of any information or recorded CCTV materials stored in compliance with this policy.
- Ensure that all areas being monitored are not in breach of privacy of individuals and be mindful that no such infringement is likely to take place.
- Ensure that adequate signage is in place at appropriate and prominent locations.
- Ensure that external cameras are non-intrusive in terms of their positions and views of residential properties.
- Ensure that images are stored for a maximum period of 28 days and that the information is recorded over unless required as part of a criminal investigation or court proceedings.
- Ensure that camera control is solely to monitor suspicious or anti-social behaviour, criminal damage etc and not to monitor individual characteristics.
- Ensure that camera control is not infringing an individual's reasonable expectation of privacy in public areas.

11. **POLICY REVIEW**

This policy will be reviewed on a triennial basis or as otherwise deemed necessary with regards to changes to legislation, Data Protection, Freedom of Information etc.

12. **DATA PROTECTION**

MHA controls the personal information that we collect, this means that we are legally responsible for how we collect, hold and use personal information. It also means that we are required to comply with the General Data Protection Regulations (GDPR) when collecting, holding and using personal information.

The Association's appointed Data Protection Officer is Pauline Munro who will ensure that we comply with data protection law. If you have any questions about this policy or how we hold your personal information, please contact the Data Protection Officer by email on p.munro@milnbank.org.uk, by telephone on 0141 551 8131 or in writing to: Milnbank Housing Association, 53 Ballindalloch Drive, Glasgow, G31 3DQ.

APPENDIX 1 – DEFINITIONS

Definitions of words/phrases used in relation to the protection of personal data and referred to in the text of the policy.

CCTV – closed circuit television is the use of video cameras to transmit a signal to a specific place, the images may then be recorded onto other digital recording mechanisms.

The Data Protection Act- the Data Protection Act 2018 confers rights on individuals as well as responsibilities on those persons handling, processing, managing, and controlling personal data. All Milnbank Housing Association staff must comply with the provisions of the Data Protection Act when collecting and storing personal information. This applies to personal information relating both to employees of the Association and individuals who interact with the Association.

Data – information in a form that can be processed. It includes automated or electronic data (any information on a computer or information recorded with the intention of putting it on computer) and manual data (information that is recorded as part of a relevant filing system or with the intention that it should form part of a relevant filing system).

Personal Data – Data relating to a living individual who is or can be identified either from the data or from the data in conjunction with other information that is in, or is likely to come into, the possession of the data controller.

Subject Access Request – this is where a person makes a request to the organisation for the disclosure of their personal data under the Data Protection Act 2018.

Data Processing – performing any operation or set of operations on data, including:

- Obtaining, recording, or keeping the data.
- Collecting, organising, storing, altering, or adapting the data.
- Retrieving, consulting, or using the data.
- Disclosing the data by transmitting, disseminating, or otherwise making it available.
- Aligning, combining, blocking, erasing, or destroying the data.

Data Subject – means any identifiable individual to whom any Data relates.

Data Controller – a person who (either alone or with others) controls the contents and use of personal and sensitive personal data.

Data Processor – a person who processes personal and sensitive personal information on behalf of a data controller.

APPENDIX 2 – LIST OF CAMERA LOCATIONS

<u>Site</u>	<u>No. of Cameras</u>
240 Aitken Street	1
56 Aitken Street	1
147 Appin Road	1
52 Appin Road	1
82 Appin Road	1
92 Appin Road	1
25 Armadale Court	1
2 Armadale Place	1
4 Armadale Place	1
Ballindalloch Drive (HO)	3
10 Ballindalloch Drive	1
104 Cardross Street	3
64 Cardross Street	1
131 Corsock Street	2
9 Crinan Street	1
10 Culloden Street	3
3 Culloden Street	2
Alexandra Park Sports Hub	13
110 Duke Street	1
44 Dunragit Street	1
51 Harcourt Drive	1
51 Irongray Street	1
150 Roebank Street	1
19 Roebank Street	2
Sannox Gardens (Maint)	5
4 Walter Street	2
63 Walter Street	2
87 Walter Street	1
Bluevale Hall	3