

## **CCTV Policy**

Authorised Reviewer:  
Head of Service Management



### **1. Policy Statement**

Andium Homes Limited (the Company) uses Close Circuit Television (“CCTV”) on certain land and within certain buildings owned or managed by the Company. A comprehensive list of all installations is appended to this Policy and a copy of the schedule is published on our website and available on request from the Company.

### **2. Purpose**

This policy sets out the position of the Company in relation to its use of CCTV, its management, operation and use.

The policy applies to all members of the Company, colleagues, residents, visitors to our properties and all other persons whose images may be captured by the CCTV systems.

- This policy takes account of all applicable legislation and guidance, including:
- Data Protection (Jersey) Law 2018
- CCTV Code of Practice produced by the Office of the Information Commissioner (OIC)
- Human Rights (Jersey) Law 2000

The Policy does not apply to privately owned CCTV systems installed by tenants on any property owned or managed by Andium Homes, nor on any property owned by a homeowner on any estate, site or land owned or managed by Andium Homes. Where a tenant or homeowner wishes to install a private CCTV system for any purpose whatsoever, they must ensure that they observe the obligations of their Tenancy Agreement in terms of how the CCTV is installed and ensure that the legal requirements of the Data Protection (Jersey) Law 2018 are fully satisfied. Guidance on domestic CCTV installations is published by the OIC.

[https://jerseyoic.org/media/bg5aadjt/08\\_tk\\_cctv-domestic.pdf](https://jerseyoic.org/media/bg5aadjt/08_tk_cctv-domestic.pdf)

Andium Homes accepts no responsibility for private CCTV installations.

### **3. Use of CCTV**

Andium Homes Limited uses CCTV for the prevention of crime, to safeguard clients and colleagues and to assist with Tenancy Management activities.

#### **4. Description of system**

##### **33-35 Don Street**

The Company uses fixed cameras, those in the reception area of the building record both video and audio.

Cameras are situated in two public facing meeting rooms, at the rear entrance of the building and stairwells, these systems record video only.

##### **Other Installations**

The Company sites uses fixed and movable cameras on sites. Cameras are not equipped to record audio.

#### **5. Positioning of Cameras**

All CCTV cameras will be positioned in such a way as to meet the purpose for which the CCTV is operated.

Cameras will be positioned in prominent positions where they are clearly visible to all persons. There will be no deliberately covert cameras.

Cameras will not be positioned, so far as possible, in such a way as to record areas that are not intended to be the subject of surveillance. Andium Homes Limited will make all reasonable efforts to ensure that areas outside of the Company's ownership or management are not recorded.

Signs will be erected to inform individuals that they are in an area within which CCTV is in operation.

Cameras will not be sited in areas where individual have a heightened expectation of privacy.

#### **6. Privacy Impact Assessment**

Prior to the installation of any CCTV camera, or system, a privacy impact assessment will be carried out by the Company to ensure that the proposed installation is compliant with legislation and OIC guidance.

New installations will be authorised by the Head of Service Management.

Andium Homes Limited will adopt a privacy by design approach when installing new cameras and systems, taking into account the purpose of each camera so as to avoid recording and storing excessive amounts of personal data.

## **7. Management and Access**

The CCTV systems will be managed by the Head of Service Management

On a day to day basis the CCTV system will be operated by the Tenancy Management Team with delegated authority as appropriate.

The viewing of live CCTV images will be restricted to authorised members of staff with explicit powers to view images, for the reasons set out above.

Recorded images which are stored by the CCTV system will be restricted to access by the Head of Service Management, Tenancy Management Team and other colleagues with written authority to view images, for the reasons set out above.

No other individuals will have the right to view or access any CCTV images unless in accordance with the terms of this policy as to disclosure of images.

Each CCTV system will be checked at least monthly by an authorised and appropriately qualified CCTV Engineer to ensure that it is operating effectively.

A record of each inspection will be retained with the CCTV system and will detail the following: -

- Date & Time of Inspection
- That the system was operational and in 'Record' mode
- All Cameras are online and properly adjusted
- The date and time on the recorder is accurate

## **8. Storage and Retention of Images**

Any images recorded by the CCTV system will be retained only for as long as necessary for the purpose for which they were originally recorded.

Recorded images are stored only for a period of a maximum of thirty days unless there is a specific purpose for which they are retained for a longer period.

Andium Homes Limited will ensure that appropriate security measures are in place to prevent the unlawful or inadvertent disclosure of any recorded images. The measures in place include:

- CCTV recording devices will be located in restricted access areas;

- The CCTV recording devices will be password protected for both viewing and downloading images;
- A log of any access to CCTV images, including time and dates of access, and a record of the individual accessing the images, will be maintained.

## **9. Disclosure of Images to Data Subjects**

Any individual recorded in any CCTV image is a Data Subject for the purposes of the Data Protection Law and has a right to request access to those images.

Any individual who requests access to images of themselves will be considered to have made a Data Subject Access Request (DSAR) pursuant to the Data Protection Legislation. Such a request should be considered in the context of the Company's DSAR procedures and relevant legislation.

When such a request is made the Andium Homes Data Protection Officer or their appropriately nominated representative will review the CCTV images recorded during the relevant time periods, in order to deal with the DSAR.

If the footage recorded by the CCTV system contains images which are limited to the Data Subject making the DSAR only, then the Data Subject may be permitted to view the images.

The Data Protection Officer or their representative must take appropriate measures to ensure that the images are restricted in this way.

If the CCTV footage contain images of individuals other than the Data Subject, then Andium Homes Limited will consider whether:

- The request requires the disclosure of the images of individuals other than the requester, for example whether the images can be distorted so as not to identify other individuals;
- The other individuals in the footage have consented to the disclosure of the images, or their consent could be obtained; or
- If not, then whether it is otherwise reasonable in the circumstances to disclose those images to the individual making the request.

A record must be kept, and held securely, of all disclosures which sets out:

- When the request was made;
- The process followed by Data Protection Officer, in determining whether the images contained third parties;
- The considerations as to whether to allow access to those images;
- The individuals that were permitted to view the images and when; and
- Whether a copy of the images was provided, and if so to whom, when and in what format.

## **10. Disclosure of Images to Third Parties**

Andium Homes Limited will only disclose recorded CCTV images to third parties where it is permitted to do so in accordance with the Data Protection Law.

CCTV images will only be disclosed to law enforcement agencies in line with the purposes for which the CCTV system was put in place.

If a request is received from a law enforcement agency for disclosure of CCTV images the Data Protection Officer must follow the same process as above in relation to DSAR's.

Details should be obtained from the law enforcement agency as to the reasons why they require the CCTV images, and any persons of interest. This will then enable proper consideration to be given to what should be disclosed, and the potential disclosure of any third-party images.

All requests from law enforcement agencies will be made via the Andium Homes nominated Single Point of Contact (SPOC) and appropriately documented in accordance with Article 64 of the Data Protection Law.

All disclosures must be recorded.

If an order is granted by a Court for disclosure of CCTV images, then this should be complied with. All such requests will be forwarded to the Data Protection Officer. Careful consideration must be given to exactly what the Court order requires Andium Homes to disclose.

If there are any concerns about a disclosure, appropriate legal advice may be required.

## **11. Review of Policy and CCTV System**

Each CCTV system and the privacy impact assessment relating to it will be reviewed annually.

## **12. Misuse of CCTV systems**

The misuse of CCTV system could constitute a criminal offence. Any member of staff who breaches this policy may be subject to disciplinary action.

## **13. Complaints relating to this policy**

Any complaints relating to this policy or in respect of any CCTV system operated by the Company should be made in accordance with Andium Homes Limited Complaints Policy.

Policy drafted	Date: 27/11/2019	Carl Mavity, Head of Service Management, Andium Homes
Policy Reviews	30/06/2020	Carl Mavity, Head of Service Management, Andium Homes