



Tenancy Services

## CCTV Policy

<b>Regulation &amp; Legislation</b>	<ul style="list-style-type: none"><li><input type="checkbox"/> Information Commissioners CCTV Code of Practice</li><li><input type="checkbox"/> British Standard ("BS") 7958:2005 Closed Circuit CCTV management and operation</li><li><input type="checkbox"/> BS 8418:2003 Installation and remote monitoring of detector activated CCTV systems.</li><li><input type="checkbox"/> BS7858:2006 Security Screening</li><li><input type="checkbox"/> BS EN 50132-7:2001 - CCTV surveillance systems for use in security applications</li><li><input type="checkbox"/> Home Office National CCTV Strategy</li><li><input type="checkbox"/> Surveillance camera code of practise</li><li><input type="checkbox"/> Data controller under the UK GDPR/Data Protection Act 2018 (DPA18Standard)</li><li><input type="checkbox"/> Regulator of Social Housing (RSH) Neighbourhood and Community Standard</li></ul>
<b>Supporting documents</b>	CCTV Procedure; Anti-social Behaviour Policy; Anti-social Behaviour and Hate Incidents Procedure; Tenancy Fraud Policy; Tenure Policy; Breach of Tenancy Policy
<b>Scope</b>	This document outlines our policy on how Orbit as a business approach and manages CCTV and considers our statutory and regulatory responsibilities.
Reference to "Orbit" means Orbit Group which consists of Orbit Group Limited, Orbit Housing Association Limited, Orbit Homes (2020) Limited, Orbit Treasury Limited, and Orbit Capital Limited.	

### 1. Introduction

- 1.1 Orbit is committed to making a positive difference to its customers and society by making sure they feel safe and secure in their homes.
- 1.2 This policy outlines our approach to the use of Closed-Circuit Television (CCTV) and covers installations at Orbit owned or managed properties and developments, along with installations such as video doorbells by customers. It demonstrates our strong commitment to protecting customers, colleagues, agents and contractors from hazards and risks.
- 1.3 Our intention is always to balance the rights of individuals to privacy, along with our responsibilities as a Registered Provider to help:
  - Reassure and protect our colleagues, customers, agents, and contractors.
  - Protect our assets.
  - Prevent and tackle crime and anti-social behaviour.
  - Identify and prosecute offenders.

We will ensure that the use of such equipment is proportionate to the impact crime and anti-social behaviour has on individuals and communities.

#### 1.4 Lawful purpose:

Our lawful purpose for use of personal data including images and sound are:

- It is necessary for legitimate interests.
- It is necessary to establish identity and defend against claims.
- In the interests of public safety e.g., the prevention and detection of crime and the apprehension and prosecution of offenders
- Where appropriate, to protect the vital interests of an individual and necessary to protect someone's life where consent cannot be given.

When asked to share data from both internal and external sources and before doing so, we will identify and record the legal basis.

## 2. Policy Statement

2.1 We will use CCTV to manage, monitor and meet our responsibilities detailed in 1.2.

2.2 We will ensure we comply with Data Protection requirements by:

- Having a limited number of colleagues authorised and trained in the use of the system.
- Conducting a privacy impact assessment for each installation
- Conducting a quarterly visual check of the system
- Conducting a three yearly enhanced check of the system
- Ensuring the system is of a standard to be able to identify people.
- Ensuring images and sounds are accurately timed and date stamped.
- Displaying highly visible signage advising that image and audio recording capability is in operation, along with who to contact with any enquires.

2.3 We acknowledge that individuals have a legal right to view their images and listen to associated sound recordings if we have recorded them overtly and they can request this by submitting a **Subject Access Request**.

2.4 We will retain recordings for a period of 28 days after which they will be automatically erased. The exception to this being, if data relates to an ongoing criminal or other investigation or legal case. In such circumstances, data will be retained until a final conclusion has been reached. The data will be erased 90 days after the date of the final conclusion.

- 2.5 Our record keeping will include:
- Where CCTV is located and who is authorised to access the system
  - When and who reviewed and or downloaded images
  - When and who disclosed data to a third party and on what legal basis it was shared
  - When data was moved to another location and the reason for doing so
  - Subject Access Requests
- 2.6 If a colleague identifies communal CCTV that Orbit weren't previously aware of they should inform the Property Safety team of the location for a CCTV Survey to be carried out.
- 2.7 Our Information Governance Team will ensure that key roles within the business are trained in UK GDPR and where appropriate, how to share data under the Data Protection Act 2018.
- 2.8 Covert CCTV and Directed Surveillance:**
- 2.9 Overt CCTV, meaning clearly visible, is our default option. Covert, meaning hidden equipment, will only be used in exceptional circumstances and when needed as part of an investigation by a Tenancy Services Officer, or by external enforcement agencies including the Police, Local Authority or Ofcom.
- 2.10 The use of covert equipment and / or colleagues undertaking surveillance is known as 'directed surveillance' and is when a specific person or location for a specific reason is observed. Directed surveillance may be considered when absolutely necessary and in order to fulfil our obligations detailed in 1.2.
- 2.11 We will however only allow directed surveillance to take place using our system, or any part of our buildings or locations, or by colleagues, when the Regulation of Investigatory Powers Act 2000 (RIPA) process has been followed and there is a clear legal basis for doing so.
- 2.12 All requests, be they internal or external, to undertake directed surveillance must first be signed off by our Information Governance Team, with final approval given by the Head of Tenancy Management before it can be carried out.
- 2.13 Customer CCTV:**
- 2.14 Customers must notify Orbit when installing CCTV (including video doorbells which capture and store images) on any Orbit owned or managed property, and Orbit employees will advise they should only consider this once they have ruled out other possible solutions e.g. security lighting.
- 2.15 Customers will be provided with a guidance sheet explaining their responsibilities for the management of their personal CCTV
- We will strongly advise customers that the system only captures images at the customers home and not neighbouring properties or communal areas.
  - We are able to agree where the camera(s) are to be located.
  - The customer agrees to make good any damage caused to the property as a

result of installation.

- The system complies with UK legislation.

- 2.16 In situations where we identify that CCTV is being used without Orbit being notified, we will provide the guidance sheet to the customer to ensure they are aware of their responsibilities under UK legislation and check the installation as per 2.14.
- 2.17 In situations where other customers believe the CCTV is intrusive on their privacy, we will support them in reviewing any concerns and, where necessary, engaging with the CCTV owner to discuss any appropriate concerns being raised. We will also provide guidance to the customer about making a complaint to the Information Commissioner's Office should they wish to do so.

### 3. Signage

- 3.1 We will ensure that signage is in place and clearly visible where overt CCTV is in operation. The purpose of this is to ensure that people using that space are clear that images and possibly sound are being recorded and that this is for the purposes of crime prevention and public safety. Signage will also make clear that Orbit operates the system and how we can be contacted.

### 4. Data retention

- 4.1 We will retain recordings for a period of 28 days after which they will be automatically erased. The exception to this being, if data relates to an ongoing criminal or other investigation or legal case. In such circumstances, data will be retained until final conclusion and will be erased 90 days from the date of that final conclusion.
- 4.2 Documents and information relating to permissions will be retained for the duration of the tenancy in accordance with Orbit's data retention schedule and legal obligations.

### 5. Roles and Responsibilities

Role	Responsibility
All employees	Compliance with this policy and associated procedures
Property Safety	Conduct annual surveys on CCTV as required and ensure contractor checks are completed annually
Tenancy Management Triage Officer	Receive and review data requests and if appropriate, disclosure.  Compliance audits

<b>Tenancy Services Officer and Scheme Manager (IL)</b>	When tasked, complete on-site reviews of data (where remote access is not possible) and send to the Tenancy Management Triage Team Complete a Data Protection Impact Assessment for new CCTV or update existing DPIAs where changes are to be made
<b>Information Governance</b>	Assessment of Data Protection Impact Assessments (DPIA's)  Consider requests for 'Directed Surveillance'
<b>Property Services</b>	Day to Day Maintenance, Quarterly visual checks on systems
<b>Tenancy Management</b>	Contract Management  Upgrade and Change Requests
<b>Head of Tenancy Management</b>	Approval of 'Directed Surveillance' requests

## 6. Performance controls and business risk

- 6.1 Compliance with this policy will be monitored by annual internal compliance audits and review and reported to the Head of Information Governance and Head of Income and Tenancy Management
- 6.2 Audits by the Audit and Risk team with results reported to the Audit and Risk Committee.
- 6.3 Orbit will carry out a fundamental review of this policy every three years subject to legal, regulatory changes or in accordance with the agreed Policy Review programme.

## 7. Essential information

- 7.1 All Orbit policies and procedures are developed in line with our approach to the following, data protection statement, equality diversity and inclusion approach, Complaints and Customer Care Policy and our regulatory and legal obligations to ensure we deliver services in a lawful manner and treat people equally and fairly. Orbits privacy policy can be accessed on our website. [www.orbit.org.uk/privacy-policy/](http://www.orbit.org.uk/privacy-policy/).

<b>EA</b>	An Equality Analysis was approved on 27 Oct 202 and is available to view.
<b>DPIA</b>	A DPIA was approved on 18 Sept 2020 and is available to view.
<b>Consultation</b>	<b>Internal:</b> Information Governance, Property Management, Property Services (Property Improvement and Responsive Repairs), Strategic Asset Management, Tenancy Services and Property Safety
	<b>External:</b> Engaged Customers were consulted on 6 Nov 2024
<b>Applies to</b>	All employees

## Document control

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Date

Approved by	Customer Services SMT	Mar 2021
Last review	Interim Director of Customer Operations	Dec 2024
Next Review (or sooner if changed)		Dec 2027

## Revision History

Version Number	Date	Comments / Reason for revision
v1.0	March 2021	New policy
v1.1	Aug 2022	Amended to reflect changes to Roles & Responsibilities
v1.2	July 2024	Updated to reflect new approach to customer CCTV/ ring doorbells
V2.0	Dec 2024	Full three-year review: Updated to reflect ICO guidance on domestic CCTV and legal precedents since 2022 and to refine customer CCTV procedures in line with ICO guidance. Data retention added. Minor changes to some wording and tone of voice after customer consultation feedback.