

## Action Property Management CCTV code of practice

### 1. Introduction

This Code of Practice seeks to ensure that the CCTV systems operated by Action Property Management comply with the law and that the scope, purpose and use of the systems are clearly defined.

### 2. Definitions

For the purpose of the Code of Practice the following definitions will apply:

- "CCTV" is Closed Circuit Television System.
- "Data Controller" is Action Property Management
- "Systems Operator" is a designated member of Action Property Management staff.
- "Systems Users" are staff authorised to use the CCTV.

### 3. Scope

This Code of Practice is binding on all those present on property managed by Action Property Management.

### 4. Ownership and operation

The CCTV system is operated by Action Property Management. CCTV systems, all recorded material and copyright are owned by the respective Residential Management Companies (RMC).

The designated Systems Operator of both systems, on behalf of the RMC is the Managing Director of Action Property Management.

## **5. Principles**

The following principles will govern the operation of the CCTV system.

- The CCTV system will be operated fairly and lawfully and only for the purposes authorised by Action Property Management
- The CCTV system will be operated with due regard for privacy of the individual and in accordance with Article 8 of the European Convention on Human Rights i.e. an individual's right to privacy.
- The CCTV system is fundamentally an overt system, used within the confines of the recognised grounds of the development. The CCTV system's existence and presence will be declared as in section 8 of this document.
- Any changes to the purposes for which the CCTV system is operated will require the prior approval of the Director of Action Property Management and will be published in advance.
- The use of the CCTV system for any covert purpose must be for exceptional and justifiable purposes only, as qualified above, and agreed by the Managing Director of Action Property Management. In these circumstances details of the change will not be published in advance or disclosed thereafter.

## **6. Purpose of the CCTV system**

The system is intended to provide an increased level of security for the residential buildings where systems are located.

The CCTV system will be used to respond to the following legitimate aims / key objectives, which will be subject to annual assessment.

- To detect, prevent or reduce the incidence of crime including theft and burglary.
- To prevent and respond effectively to all forms of harassment and public disorder.
- To reduce the fear of crime.
- To create a safer community.
- To gather evidence by a fair and accountable method.
- To provide emergency services assistance.
- To assist with health and safety.
- To monitor and enforce the use of car parks.

As community confidence in the system is essential, all cameras will be operational. An appropriate maintenance programme will be established.

## **7. System details**

Details of the individual CCTV systems (including camera locations) at each site are available on request.

## **8. Installation and signage**

Cameras are installed in such a manner as not to overlook private domestic areas. Cameras with views which include public areas such as public highways are digitally removed as required. Cameras are not be hidden from view and signs are prominently displayed in the locality of the cameras. The signs will indicate:

- The presence of monitoring and recording.
- The ownership of the system.
- Contact telephone number.

## **9. Data Protection Act 2018**

Where images of individuals are deliberately recorded, this is likely to comprise those individuals' personal data. The collection, use and storage of personal data are governed by the Data Protection Act 2018. Action Property Management is registered with the Commissioner as a Data Controller operating CCTV.

Given that any particular sequence of CCTV recording may include personal data, all such recordings will be treated in accordance with the Data Protection Principles, apart from the sixth principle, (which gives rights to the data subject). The principles are set out in full in Appendix 1.

Data subjects' rights, including a right of access to their personal data, (in accordance with the Data Protection Act 2018), will be respected where recordings are confirmed to comprise personal data. Where an individual requests access to recordings believed to be their personal data, the matter shall be referred to the Managing Director of Action Property Management.

## **10. Access to live footage and recordings**

### 10.1 Access to Live Footage

Images captured by the system will be monitored in secure and non-public areas. For operational purposes, and in accordance with the stated purposes of the system, only designated staff shall have access to live CCTV footage.

### 10.2 Access to Recordings

For operational purposes and in accordance with the stated purposes of the system, only designated staff have access to the recordings.

Requests for access to CCTV recorded materials for any other purpose, the matter shall be referred to the Managing Director of Action Property Management.

### 10.3 Disclosure of Recorded Material

As the main purpose of the CCTV system is to prevent crime and assist in the apprehension and prosecution of offenders, designated staff may release CCTV recorded materials to the police where Action Property Management has initiated contact with the police and there is a reasonable belief that the CCTV recorded materials will be of assistance.

Where the police or other official body with prosecuting powers approach Action Property Management and request access to CCTV recorded materials they shall be asked to provide a Section 29 Notice (in the case of the police) or similar document confirming that the information is necessary for either the prevention of crime or the apprehension or prosecution of offenders, or matters of national security.

Where any other person requests access to CCTV recorded materials, this request shall be forwarded to the Managing Director of Action Property Management for consideration in line with the Data Protection Act 2018.

In all cases where recorded materials are disclosed outside Action Property Management the appropriate member of designated staff shall ensure that the disclosure is logged and duly signed for.

## **11. Retention of recorded materials and disposal**

CCTV recordings and other materials produced from them shall be retained for a maximum of 21 days unless an incident is recorded which requires further investigation by designated staff, the police or another external body with prosecuting powers.

In the later case, recordings shall be kept for a period of three years from the date of recording.

All media, on which recordings were made, that are no longer required will be destroyed and the appropriate details entered in the Destruction Records.

## **12. Breaches of the code and complaints**

A copy of this Code of Practice will be made available to anyone requesting it. Any complaint concerning misuse of the system will be treated seriously and investigated by the Managing Director of Action Property Management.

The Managing Director of Action Property Management will ensure that every complaint is dealt with under the Action Property Management Complaints Procedure which is available on request.

Breaches of this Code of Practice shall be dealt with in accordance with the appropriate disciplinary policy.

Where appropriate, consideration will be given as to whether the police will be asked to investigate any matter relating to the CCTV system which may be deemed to be of a criminal nature.

## Appendix 1 - Data Protection Principles

Processing shall be taken to mean all operations including obtaining, recording, storing, analysing or converting into other formats.

1. Personal data shall be processed fairly and lawfully (and in accordance with the grounds set out the Data Protection Act 2018 as appropriate).
2. Personal data shall be obtained only for one or more specified and lawful purposes and shall not be processed in a manner incompatible with those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose for which the data is held.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data shall not be held any longer than is necessary in relation to the stated purposes.
6. Personal data will be processed in accordance with the rights of data subjects under the Data Protection Act 2018.
7. The Data Controller shall take appropriate security measures to prevent unauthorised or accidental access to, alteration, disclosure or loss and destruction of personal data.
8. Personal data will not be transferred outside the European Economic Area without ensuring there is an adequate level of protection in relation to the processing of personal data.

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