

Affinity CCTV Policy

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Introduction

1.1 Affinity and clients represented by Affinity have in place a CCTV surveillance system “the CCTV system” in a number of blocks of flats managed by Affinity. This policy details the purpose, use and management of the CCTV system by Affinity and details the procedures to be followed in order to ensure that Affinity complies with relevant legislation and the current Information Commissioner’s Office Code of Practice. It is also to ensure that any requests for CCTV footage are requested and actioned correctly and as per this policy.

1.2 Affinity will have due regard to the Data Protection Act 1998, the General Data Protection Regulation (GDPR) and any subsequent data protection legislation, and to the Freedom of Information Act 2000, the Protection of Freedoms Act 2012 and the Human Rights Act 1998. Although not a relevant authority, Affinity will also have due regard to the Surveillance Camera Code of Practice, issued under the Protection of Freedoms Act 2012 and in particular the 12 guiding principles contained therein.

1.3 This policy is based upon guidance issued by the Information Commissioner’s Office, ‘In the picture: A data protection code of practice for surveillance cameras and personal information’¹ (“the Information Commissioner’s Guidance”).

1.4 This policy and the procedures therein detailed, applies to all of Affinity’s and any clients represented by Affinity’s CCTV systems including Automatic Number Plate Recognition (“ANPR”) Licence Plate Recognition Cameras (“LPR”), body worn cameras, webcams, mobile telephone and any other system capturing images of identifiable individuals for the purpose of viewing and or recording the activities of such individuals. CCTV images are monitored and recorded in strict accordance with this policy.

System Overview

2.1 The CCTV systems are owned by the leaseholders of the relevant blocks and managed by the Affinity. Under the Data Protection Act 1998 Affinity is the 'data controller' for the images produced by the CCTV systems. Affinity is registered with the Information Commissioner's Office and the registration number is ZA015117. The CCTV system operates to meet the requirements of the Data Protection Act and the Information Commissioner's Guidance.

2.2 Affinity and its employees/contractors are responsible for the overall management and operation of the CCTV system, including activities relating to installations, recording, reviewing, monitoring and ensuring compliance with this policy.

2.3 Where a block has CCTV, signs are placed at all pedestrian and vehicular entrances in order to inform residents, visitors and members of the public that CCTV is in operation. The signage indicates that the system is managed by the Affinity and our contact details can be found in the block lobby area.

2.4 Affinity is responsible for ensuring that adequate signage is erected in compliance with the ICO CCTV Code of Practice.

2.5 Cameras are sited to cover as much communal space internally and externally as possible. Not all area will be covered however.

2.6 Cameras are not sited to focus on private residential areas and therefore will not be located in communal hallways leading to private front doors to apartments.

2.7 The CCTV system is operational and is capable of being viewed for 24 hours a day, every day of the year. It is not monitored all of the time and is saved for 30 days.

Purposes of the CCTV System

3.1 The principal purposes of the CCTV systems are as follows: - for the prevention, reduction, detection and investigation of crime and other incidents; - to ensure the safety of residents, contractors and visitors; - to assist in the investigation of suspected breaches of block/scheme rules by residents or visitors; and - where requested, provide evidence in police investigations.

3.2 Affinity seeks to operate the CCTV systems in a manner that is consistent with respect for residents privacy.

Monitoring & Recording

4.1 Cameras are monitored remotely, in a secure area. There is no access to this area for any person other than an employee or agent of Affinity or the police. Images or recordings may be passed to relevant housing officers or departments.

4.2 Images are recorded on servers located securely and are not accessible to anyone other than the above.

4.3 The cameras installed provide images that are of suitable quality for the specified purposes for which they are installed and all cameras are checked regularly to ensure that the images remain fit for purpose and that the date and time stamp recorded on the images is accurate.

4.4 All images recorded by the CCTV Systems remain the property and copyright of Affinity and clients of Affinity.

4.5 The use of covert cameras will be restricted to rare occasions, when a series of criminal acts have taken place within a particular area that is not otherwise fitted with CCTV. A request for the use of covert cameras will be given by Thames Valley Police to Affinity and clearly state the purpose and reasons for use. Affinity will give permission where possible for this action to take place.

4.6 Covert recording will only take place if informing the individual(s) concerned would seriously prejudice the reason for making the recording and where there is reasonable grounds to suspect that illegal or unauthorised activity is taking place. All such monitoring will be fully documented and will only take place for a limited and reasonable period.

Compliance with Data Protection Legislation

5.1 In its administration of its CCTV systems, Affinity complies with the Data Protection Act 1998. Due regard is given to the data protection principles embodied in the Data Protection Act. These principles require that personal data shall be:

- a) processed fairly and lawfully;
- b) held only for specified purposes and not used or disclosed in any way incompatible with those purposes;
- c) adequate, relevant and not excessive;
- d) accurate and kept up to date;
- e) be kept longer than necessary for the particular purpose;
- f) processed in accordance with the rights of individuals;
- g) kept secure; and
- h) not be transferred outside the European Economic Area unless the recipient country ensures an adequate level of protection.

5.2 From 25 May 2018, Affinity will also comply with the General Data Protection Regulation. Due regard will be given to the data protection principles contained within Article 5 of the GDPR which provide that personal data shall be:

- a) processed lawfully, fairly and in a transparent manner;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date;

- e) kept in a form which permits identification of the data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures.

Application for Disclosure of Images

Applications by individual data subjects

- 6.1 Requests by individual data subjects for images relating to themselves “Subject Access Request” should be submitted in writing to Affinity together with proof of identification. An administration charge of £10.00 must be paid.
- 6.2 In order to locate the images on the CCTV system, sufficient detail must be provided by the data subject in order to allow the relevant images to be located and the data subject to be identified. This includes specific dates and times. Without specific dates and times, your request may be unable to fulfil.
- 6.3 Where Affinity is unable to comply with a Subject Access Request without disclosing the personal data of another individual who is identified or identifiable from that information, it is not obliged to comply with the request unless satisfied that the other individual in view has provided their express consent to the disclosure. Affinity will not seek the consent.

Access to and disclosure of images to third parties eg. Police or Housing Officer

- 6.4 A request for images made by a third party should be made in writing to Affinity.
- 6.5 At times it may be appropriate to disclose images to a third party, such as when a disclosure is required by law, in relation to the prevention or detection of crime/breach of licence, tenancy, lease/ or in other circumstances where an exemption applies under relevant legislation.
- 6.6 Where evidence of a crime is being sought, requests will only be accepted by the police. A valid crime reference or URN number would normally be required to instigate such police involvement.
- 6.7 A record of any disclosure made under this policy will be held on the CCTV management system, itemising the date, time, camera, requestor, authoriser and reason for the disclosure.

Retention of Images

- 7.1 Unless required for evidential purposes, the investigation of an offence or as required by law, CCTV images will be retained for no longer than 30 days from the date of recording. Images will be automatically overwritten after this point.
- 7.2 Where an image is required to be held in excess of the retention period referred to in 7.1, Affinity will be responsible for authorising and managing the request.
- 7.3 Images held in excess of their retention period will be reviewed on a three monthly basis and any not required for evidential purposes will be deleted.

7.4 Access to retained CCTV images is restricted to Affinity and other persons as required and as authorised by Affinity as outlined in this policy.

Complaints Procedure

8.1 Complaints concerning Affinity's use of its CCTV system or the disclosure of CCTV images should be made in writing and emailed to info@affinity-lettings.co.uk

8.2 A copy of the up to date complaints procedure is available from Affinity or its website www.affinity-lettings.co.uk

Monitoring Compliance

9.1 All staff involved in the operation of any CCTV System managed by Affinity will be made aware of this policy and will only be authorised to use the CCTV System in a way that is consistent with the purposes and procedures contained therein.

9.2 All staff with responsibility for accessing, recording, disclosing or otherwise processing CCTV images are aware and compliant with The Data Protection Act 1998 and GDPR.

Policy Review

10.1 Affinity's usage of CCTV and the content of this policy shall be reviewed annually by Affinity with reference to the relevant legislation or guidance in effect at the time. Further reviews will take place as required.

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