

Report title	CCTV
Report author	Maggie Ward, Interim Corporate Head of Housing
Department	Housing
Exempt?	No

Purpose of report:

To resolve

Synopsis of report:

A Closed Circuit Television (CCTV) Policy Council Housing Estates was approved by this Committee in June 2023, this has now been revised in line with guidance from the Information Commissioner Office.

Members are asked to approve consultation with stakeholders.

Recommendation(s):

That Members approve consultation with stakeholders on the revised CCTV Policy for Council Housing Estates

1. Context and background of report

- 1.1 This policy attached at Appendix A sets out the Council’s approach to the use of Closed-Circuit Television (CCTV) on its housing estates. This policy applies to all Runnymede Borough Council (RBC) tenants and leaseholders.
- 1.2 The current CCTV policy was approved by this Committee in June 2023. The proliferation of CCTV and Ring doorbells and consequently complaints from other residents has led to a review of the policy in line with guidance from the Information Commissioner’s Office.
- 1.3 Self-installed CCTV including video doorbells is significantly growing in popularity, and this policy outlines the Council’s approach to the use of CCTV, including requiring permission to install.
- 1.4 This policy does not extend to Safer Runnymede CCTV that covers any of our properties or communal areas.

2. Report

- 2.1 The use of CCTV is covered by legislation to ensure that whether in a private or public setting it is not infringing the rights of individuals. In practice this is extremely difficult to manage in a residential setting where the opportunity for monitoring is at the point of installation rather than when in use.

Domestic CCTV

- 2.2 The Council has a responsibility to ensure that its tenants are not inadvertently in breach of legislation when they install equipment. It is however impossible without access to the film to know or substantiate whether a tenant is breaching regulations.
- 2.3 Members approved a CCTV policy in June 2023 however, as this equipment is the subject of neighbour disputes, the policy has been clarified and updated in line with the advice available from the Information Commissioners Office (ICO) [Domestic CCTV systems | ICO](#). This advice states that the installation of CCTV which overlooks a public area is itself not a breach of data protection law and that it is unlikely that the police would consider using CCTV to record someone as harassment, without other misconduct. The advice states that it is highly unlikely the ICO will consider it fair or balanced to take enforcement action against a domestic CCTV user.
- 2.4 Devices that record events such as CCTV systems on individual properties or ring doorbells have the potential to record people and therefore no such items will be allowed on Council owned properties until it has been confirmed that they will not be in breach of any legislation or will impact on the privacy or the quiet enjoyment of their tenancy of other residents.
- 2.5 If a resident already has a private CCTV and/or other recording device, prior to the start date of this policy, permission to keep them will be considered on a case-by-case basis.
- 2.6 Permission will be granted for a maximum of 3 CCTV cameras to one property including a camera doorbell. Tenants are required to set the camera only to film within the boundary of their own property and if the camera becomes the subject of a neighbour dispute permission may be withdrawn.
- 2.7 A ring doorbell or camera may only be fixed to the property and cannot be sited on an external fixture such as wall, fence or gate which is at the boundary onto a public area.
- 2.8 A camera may not be sited at a height where it will overlook areas outside the boundary of the property.
- 2.9 Permission will only be given where the applicant agrees to abide by these rules.

Use of CCTV by the Council

- 2.10 Under the Protection of Freedoms Act 2012, the Council must have regard to the Surveillance Camera Code of Practice ("the Code"), which sets out principles for the use of CCTV by public authorities. All use of CCTV by Runnymede Council will comply with the Code.

These principles include:

- Use of surveillance camera being for a specified purpose
- User of a surveillance camera must take into account its effect on individuals and their privacy.
- Clear rules, policies and procedures must be in place before a surveillance camera system is used and be communicated to all who need to comply with them.

3. Policy framework implications

- 3.1 A policy is required in order to assess applications from tenants for the installation of CCTV and to deal with complaints about their usage from other residents or members of the public.

4. Resource implications

4.1 No resource implications have been identified with this proportionate approach.

5. Legal implications

5.1 The legalisation that applies to this policy includes:

- Human Rights Act 1998
- Regulation of Investigatory Powers Act 2000 (RIPA)
- Protection of Freedoms Act 2012
- Data Protection Act 2018
- General Data Protection Regulation 2018

5.2 Failure to comply with this policy could be dealt with as a breach of the Tenancy Agreement, providing RBC with a legal remedy to ensure tenants are not in contravention of legislation.

6. Equality implications

6.1 An Equality Impact Screening of the current policy determined that a full impact assessment was not required, there is no evidence that people with any of the nine protected characteristics will be negatively impacted by this policy. It is therefore considered that the Council will comply with its Public Sector Equality duty when endorsing this policy.

7. Environmental/Sustainability/Biodiversity implications

7.1 None identified

8. Risk Implications

8.1 Not applicable.

9. Other implications

9.1 Not applicable.

10. Consultation

10.1 Members are requested to approve an 8 week consultation with residents on the revised policy. Posters will be sited within blocks with communal areas and there will be a dedicated page on the Council's website.

11. Background papers

11.1 Housing Committee Wednesday 7 June 2023 Housing CCTV Policy Update ([Public Pack](#))Agenda Document for Housing Committee, 07/06/2023 19:30 (runnymede.gov.uk)

12. Appendices

Appendix A Draft Closed Circuit Television (CCTV) Policy Council Housing Estates
Appendix B Equality Impact Screening