

CCTV Policy (Housing, Maggie Ward)

Synopsis of report:

In order to comply with legislation covering the use of Closed-Circuit Television (CCTV) a policy covering use of this equipment by Council tenants is required.

Recommendation:

Members acknowledge the results of the consultation with stakeholders and approve the Closed-Circuit Television (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 CCTV is a television system in which video signals are transmitted from one or more cameras to a set of monitors, used especially for security purposes.
- 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. The Council has a responsibility to ensure that its tenants are not inadvertently in breach of this legislation where they install equipment. This draft policy was considered at the Housing Member Working Party on 5th April 2022 and approved for an 8 week consultation by this committee in September 2022.
- 2.2 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.

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.
- 2.3 Any device that is recording 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.
- 2.4 In accordance with this policy all tenants will be required to obtain permission from RBC before obtaining and installing private CCTV and/or other recording devices including video doorbells.
- 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. If a tenant's installation is in breach of legislation the Council will require its removal.
- 2.6 If permission has been granted for installation of CCTV this is limited to no more than three CCTV cameras, two in the front (one CCTV and one video doorbell) and one at the back of a property.
- 2.7 Permission would not be given if the CCTV or video doorbell covers a communal area or public highway, instead the Council would insist on the use of audio doorbell only.
- 2.8 Permission will be granted on the following conditions:
- All work is carried out at the tenant's own cost. The Council is not liable for loss, damage, injury, or any third-party claim connected with the works.
 - Maintenance of the CCTV or video doorbell will be the tenant's responsibility for the duration of your tenancy. When a tenancy ends the tenant will be required to remove the CCTV or video doorbell and make good any damage, at their own cost
 - The tenant must sign a consent form agreeing not to use the video function to cover the public highway.
- 2.9 If private CCTV or other recording devices are installed without permission, we reserve the right to take action to seek its removal if this is not done following a request. The costs of legal enforcement and subsequent charges for removal and repairs will be rechargeable. In all situations the Council will work with residents to understand the requirements of the legislation rather than taking enforcement action.

3. Policy framework implications

- 3.1 This policy will be enforced using the provisions of the Tenancy Agreement as determined within the Tenancy Policy

4. Resource implications

- 4.1 Management of this policy will be within existing staffing resources. If removal or making good is required, this will be recharged to the tenant.

5. Legal implications

- 5.1 Failure to comply with this policy will 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 found there is no evidence that tenants with any of the nine protected characteristics will be negatively impacted by this policy.
- 6.2 It is therefore considered that the Council will comply with its Public Sector Equality duty when endorsing this Policy and a full impact assessment is not required at this stage.

7. Environmental/Sustainability/Biodiversity implications

- 7.1 None identified

8. Consultation

- 8.1 A poster directing tenants to information on the policy was placed in all Housing Revenue Account owned blocks with a communal area for 8 weeks. A copy is attached at Appendix B.
- 8.2 Only one response was received which raised concerns about victims of crime such as stalking that needed the protection of cctv or a video doorbell. The policy makes provision for looking at cctv on an individual basis, we would work with the police to ensure that if additional protection was required we would facilitate this if possible without breaching legislation.

9. Conclusions

- 9.1 Members are asked to approve Closed Circuit Television (CCTV) Policy for Council Housing Estates.

(To Resolve)

Background papers

None