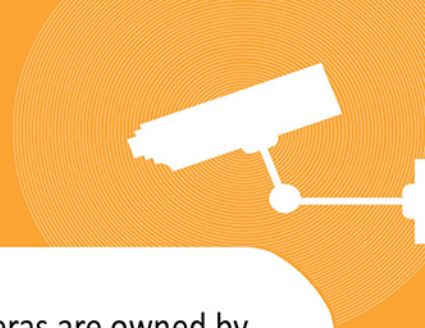


# PERSONAL USE OF CCTV

## Privacy Factsheet



**CCTV CAMERAS** are a common sight across the UK. Some CCTV cameras are owned by a public authority, such as a council or police force. Some are privately owned by a shop or pub. It is becoming increasingly common for members of the public to have CCTV cameras on the outside of their homes due to concerns about burglars and anti-social behaviour. Using CCTV to protect your home is entirely your choice. If you do decide to purchase CCTV there are certain privacy guidelines you should follow. Failure to do so could mean breaking the law and/or could lead to nasty arguments with neighbours.



### Use by the public

**CCTV** used on private property is exempt from the Data Protection Act under the “domestic purposes exemption”. However you are still responsible for making people aware that there is CCTV on or around your property.

**Your cameras** must look over your private property only. If the camera does look over the boundaries of your property onto public land, even partially, you will be required to comply with the Data Protection Act.



### Before you install CCTV

**It is important to** consider whether it is necessary and proportionate to install CCTV on your property. The Information Commissioner’s Office (ICO) recommends that you ask yourself:

- Do you really need CCTV to address your security concerns?
- If you do really need a camera, what will be the most privacy friendly position for it?
- Would an alternative work instead? Such as better lighting or movement sensors.
- Be alert and ensure that your camera will not intrude on your neighbour’s property.



### Can the footage be used as evidence?

**This is a matter** for your local police force. You might consider contacting them for any guidance they might have on personal use of CCTV.

**We would not** recommend that you solely rely on CCTV as evidence if you are the victim of crime.

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### Best practice use of domestic CCTV

If you do decide you need to use CCTV on your property it is best practice to:

- Carefully consider where the CCTV needs to be and what it needs to see.
- Put up signs explaining recording is taking place.
- Ensure you have safeguards in place, that your CCTV system is only operated by you and that it can't be misused. This includes making sure the footage is held securely.
- Consider talking to your neighbours about your CCTV system. Explain why you have installed it and discuss any concerns they may have. You could show them the footage that is being gathered to help with any concerns about their privacy they might have.
- Register as a "data controller" with the Information Commissioners Office.

Many CCTV systems now come with audio recording capability. You should make sure this is turned off. In the vast majority of domestic uses of CCTV using audio recording is not justified.

You might think that uploading the footage of individuals or streaming it is okay. But under the Data Protection Act it is unlikely to be seen as acceptable. For further guidance contact the ICO [www.ico.org.uk](http://www.ico.org.uk)

Under the Data Protection Act you are the "data controller" of the footage. If individuals are recorded they have the right to access a copy of the footage.



### Concerned about a neighbour using CCTV?

If you are concerned that CCTV is being used for harassment, anti-social behaviour or other matters usually dealt with under criminal law you should speak with your local police force.

If you are concerned that the use of CCTV cameras by your neighbours breaches the Data Protection Act you can make a complaint, seek advice or guidance from the ICO.



### Don't forget

- CCTV used on private property is exempt from the Data Protection Act unless you capture footage of individuals on public land.
- Before you install CCTV on your property, it is important to consider whether it is necessary and proportionate to do so.
- Turn off audio recording.
- If you install CCTV on your property you need to consider best practice measures.
- Uploading or streaming the footage is not acceptable under the Data Protection Act.
- If you are concerned about CCTV being used by a neighbour raise your concern with the police or the ICO.