

## CCTV / Camera Doorbells Guidance to Tenants

### Are you considering, or already have CCTV or an audio/video recording device installed on your property?

If so Paragon Housing Association, as your landlord, MUST be informed of such and a request made by submitting an Alteration to Property Application. If you fail to notify us, you may be in breach of your tenancy agreement for instance:

- **Your right to make improvements** - You are not permitted, and have no right, to carry out improvements or alterations to your home unless you first get our permission in writing. Any improvements or alterations must be completed to our satisfaction. When the tenancy ends the improvements and alterations may become our property, or we may ask you to remove them and make good any damage, at your own expense. You may have the right to compensation for any improvements you have made to your home. You can find more details in your tenants' handbook.
- **Permission for improvements and alterations** - You must get our written permission first and you must get any relevant planning permission, building regulations approval or electrical and/or gas certification. This includes:
  - adding anything to, or altering, your home and fixtures or fittings or gas, electric, or water services such as installing an electric shower
  - putting up a radio or television aerial or satellite dish;
  - Installing CCTV cameras
  - decorating the outside of your home.
- **Cost of putting right** – You must pay the reasonable cost of putting the property back to its original condition if any alteration, improvement, or addition:
  - was made without our written permission
  - does not meet our reasonable requirements if we have given permission

The relevant extract from your tenancy agreement can be found at the end of this guidance note.

## **Considerations for the tenant on using CCTV and Ring Doorbells**

### ***How can I use CCTV responsibly at my property?***

You should ask yourself whether CCTV is actually the best way to improve your home security. Think about the following questions:

- Do I really need CCTV?
- Are there other things I could use to protect my home, such as better lighting?
- What is the most privacy-friendly way to set up the system?
- What areas do I want the cameras to capture?
- Can I position the cameras to avoid intruding on my neighbours' property or any shared or public spaces?
- Do I need to record the images, or is a live feed enough?
- Has my CCTV system got an audio-recording facility? Audio recording is very privacy intrusive.

Think about the problem you are trying to tackle; it will usually be to capture anti-social behaviour or criminality.

Paragon encourages reporting antisocial behaviour to us and you should detail your complaint direct us either by phoning 01324 664966 or by emailing us at [enquiries@paragonha.org.uk](mailto:enquiries@paragonha.org.uk)

### ***Knowing the law and your responsibilities***

If your CCTV captures images beyond your property boundary, such as your neighbours' property, communal areas or public streets and footpaths, then your use of the system is subject to the data protection laws.

This does not mean you are breaking the law, but it does mean that, as the CCTV user, you are a data controller. This means that you will need to comply with your legal obligations as a data controller under the data protection laws.

You can still capture images, but you need to show you are doing it in ways that comply with the data protection laws and uphold the rights of the people whose images you are capturing.

Ensure that you limit how long you keep the footage for, so it is kept for no longer than is required. You should securely delete footage on a regular basis. The Information Commissioner's Office (ICO) enforces data protection law and has published the following:

- Domestic CCTV systems | ICO

An [ICO helpline](#) - 0303 123 1113 - is available for queries on data protection, including the use of CCTV.

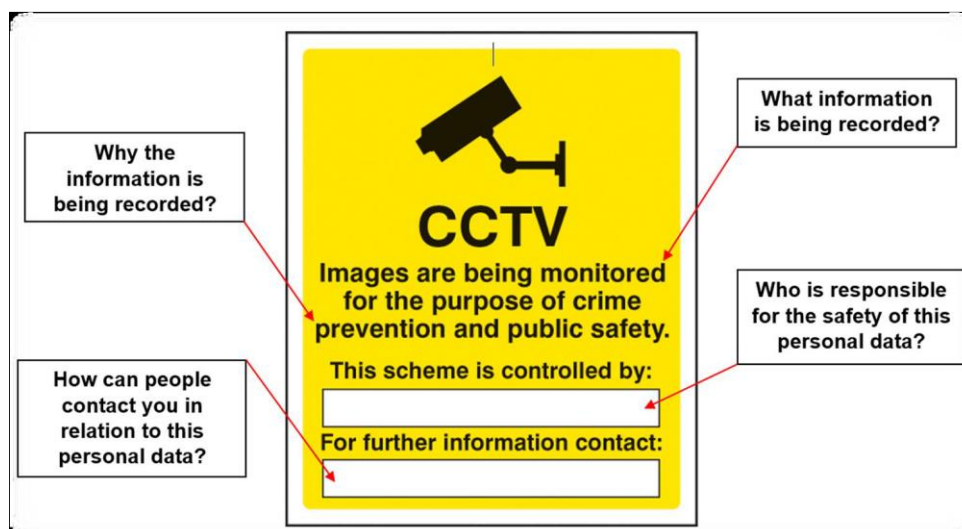
The domestic use of CCTV could be challenged if its use amounted to harassment under the Protection from Harassment Act 1997. The relevance of the legislation would depend on the specific circumstances.

### ***Signs and Security***

As an individual data controller, you will need to:

- Let people know that you are capturing audio/video by putting up signs saying that recording is taking place
- Make sure that you are not capturing more footage than is required to achieve your purpose for using the system.
- Ensure the security of the footage you capture - in other words, holding it securely and making sure nobody can watch it without good reason. You should therefore be able to demonstrate that the system you are using meets any applicable standards.

### **An example of CCTV signage compliant to GDPR**



Extract from Tenancy Agreement

**ALTERATIONS AND IMPROVEMENTS**

5.23 If you want to:

- alter, improve or enlarge the house, fittings or fixtures;
- add new fixtures or fittings (for example kitchen or bathroom installations, central heating or other fixed heaters, double glazing, or any kind of external aerial or satellite dish, laying laminated flooring);
- put up a garage, shed or other structure;
- decorate the outside of the house;

you must first get our written permission and all other necessary approvals (e.g. planning permission or building regulations approval). We will not refuse permission unreasonably. We may grant permission with conditions including conditions regarding the standard of the work. Such works will not be taken into account in determining rent levels. If you make a request to us for permission to carry out alterations or improvements, etc. to the house, we will reply to your written request within one month of receipt of the written application. In that reply we will tell you if we agreed to the proposed alterations, etc and if so, whether we attach any conditions. If we do not reply within one month, we are taken to have agreed to your request. If we refuse this kind of permission, we will let you know in writing our reasons for refusal within one month of receipt of your written application. If you are unhappy about our refusal or the conditions that we have attached, you have the right to make application to the sheriff.

5.24 If you have made alterations or improvements with our permission, you may be entitled to compensation at the end of your tenancy under regulations governing such arrangements. We also have the power, even if you do not qualify under these Regulations, to make a discretionary payment.

5.25 If you carry out any alterations or improvements without our permission we are entitled to restore the house to its previous condition during, or at the end of, your tenancy. If we do so, we are entitled to charge you for this work.

