

Advisory Document for the use of CCTV in Domestic Property.

This document helps you to understand what you need to do if you are considering installing (or have already installed) a CCTV system on your property. A CCTV system includes the camera, storage, recording and all associated equipment.

1. Surveillance Camera Commissioner

The Protection of Freedoms Act 2012 introduced the regulation of public space surveillance cameras in England and Wales. As a result the [surveillance camera code of practice \(2013\)](#) was issued by the Secretary of State under section 30 of the act to ensure that the use of cameras in public places is regulated and only used in pursuit of a specified purpose. The code, which came into force on 12 August 2013, seeks to balance the need for cameras in public places with individuals' right to privacy.

The code applies to the use of surveillance camera systems that operate in public places in England and Wales, regardless of whether or not there is any live viewing or recording of images or information or associated data. The role of the Surveillance Camera Commissioner (SCC) is to encourage compliance, review operations and provide advice about the code.

You can contact the SCC at scc@sccommissioner.gsi.gov.uk

2. Information Commissioner's Office

The Information Commissioner's Office (ICO) regulates and enforces the Data Protection Act (DPA) which covers images being recorded by CCTV cameras. Please note that in light of the Rynes judgment by the Court of Justice of the European Union, if your CCTV covers any areas beyond the boundaries of your property it will no longer be regarded as domestic processing and be exempt from the DPA. If you have any questions or complaints about the use of domestic CCTV, please contact the ICO at casework@ico.org.uk or call 0303 123 1113.

3. General guidance

An individual has the right to protect their property and this can be done by using a CCTV system where it is necessary, such as a security measure. However, the Surveillance Camera Commissioner recommends that users of CCTV systems should operate them in a responsible way to respect the privacy of others.

A CCTV system to protect a domestic dwelling from acts of crime and anti-social behaviour is now commonplace. Although this seems a reasonable use, there have been a number of complaints to the police, ICO and the SCC from neighbours and other members of the public using pavements in the vicinity who believe that cameras are being used to spy on them and their families.

Below is a short set of considerations to guide you through steps for ensuring that your CCTV security system reduces the risk of intruding on the privacy of others, including neighbours.

3.1 Reasons for getting a CCTV system

Think about the following questions before getting a CCTV system:

- why do I need CCTV?
- could I use another means to protect my home, such as improved lighting?
- what do I want my CCTV camera to view and record? (this could be the front door, a parking space, the back yard, a shed etc).

3.2 How your CCTV system affects others

It is important to consider the privacy of others while setting up your system. Ask yourself:

- where will I position the CCTV to ensure minimal intrusion in to my neighbour's and other people's privacy?
- will the range of the cameras overlook my neighbour's property, pavements and other areas? (if so, consider ways to reduce intrusion such as using privacy filters)
- how will my neighbours feel about my CCTV?

You also need to be aware that if your camera(s) captures images outside the confines of your household, those images are subject to the DPA. Please see the [Information Commissioner's Office website](#) for more information about domestic cameras covering areas other than your own property.

3.3 Letting people know about your CCTV system

Ensure that you are transparent to those around you when installing your CCTV system. You can do this by:

- informing your neighbour(s) about your system
- putting up a notice informing people that recording is taking place

3.4 If you already have a CCTV system

If you already have a CCTV system installed, you should check that:

- your system is still needed
- your cameras do not intrude on your neighbour's property as this could mean that you will not be complying with the DPA
- you regularly delete the recordings and that they are not kept for longer than is necessary for the protection of your property

Please note that if your camera is pointing directly at a neighbour's property, you should take steps to reposition it to avoid complaints or in some cases accusations of violation of privacy or harassment.

3.5 Taking responsibility for your CCTV system

If you are thinking of installing a CCTV system on your property, you should be aware of your responsibilities:

- it is your responsibility to make sure that the CCTV system is installed correctly
- you are also responsible for all the information that is recorded by your system

- you must make sure that the information is not used for any other purpose than protecting your property
- it is vital that you understand how your system works, so please make sure you read the manual and if necessary ask your installer to show you how to operate it.

3.6 Storing the recorded information

Ensure you follow the steps below when storing the information you record on your CCTV system:

- you should make sure that the date and time on your system are accurate
- it is important to check that you have enough recording space
- you should not store any information or images for longer than is necessary to protect your property which means you should delete the information once it is no longer required
- you should make sure that the information recorded is used only for the purpose for which your system was installed (for example it will not be appropriate to share any recordings on social media sites)
- you must keep the recordings secure and keep access to them to a minimum (remember that you are responsible for what happens with the information).

3.7 After installation

Once you've installed your CCTV system, you should consider the following:

- it is important that you check your system regularly to make sure that it is working properly (this may include cleaning any debris affecting the camera and wiping it down after bad weather)
- you should also check the position of your camera from time to time to make sure it still captures the right images and does not overlook someone else's property or public space, such as walk ways

3.8 Using information as evidence

In certain circumstances, the information you record may be used as evidence. You should bear in mind that:

- if your system captures information of an incident, it could be use by the police to aid an investigation
- it is important that the information you record can be used as evidence, if required
- if you are not sure, check with your installer or your local police authority.

1. **Further reading**

- [Surveillance camera code of practice](#)
- [Information Commissioner's Office website](#)