

# **CCTV SYSTEMS**

Law & Privacy

# CCTV SYSTEMS – LAW & PRIVACY

CCTV is now a huge part of our daily lives. On average we're caught on hundreds of cameras on a daily basis whether we realise it or not. So whether you're setting up a CCTV Kit to protect your home or your business, you are sure to have many questions. With this in mind, I have tried to cover all of the most common ones in this handy law section.

## IS THERE ANY LAW AGAINST USING CCTV AROUND MY HOME?

If you are installing CCTV for domestic home protection, for example protecting the home from crime, then you're exempt from the Data Protection Act. However, your cameras should not view a neighbour's property but you can film a public area within reason for example, the road or footpath directly in front of your property.

## ARE THERE LAWS REGARDING THE STORAGE OF FOOTAGE FROM BUSINESS PREMISES?

All captured images must be kept secure, i.e. files should be password protected. And footage should not be kept longer than is necessary for the purposes the CCTV was installed for, unless requested by a law enforcement agency for instance a licenced premises will normally require 31 days but this does differ from one locality to another. The footage also has to be stored in a way that maintains its integrity and ensures it is fit for the intended purpose of the CCTV.

## ARE THERE PLACES IN MY BUSINESS I CANNOT USE CAMERAS?

In areas where people have a heightened expectation of privacy, such as changing rooms or toilet areas, cameras should only be used in the most exceptional circumstances where it is necessary to deal with very serious concerns. In these cases, you should make extra effort to ensure that those under surveillance are aware of it. Also, cameras should not observe any private property and you should not record conversations.

## DO I HAVE TO GIVE MY BUSINESS FOOTAGE TO LAW ENFORCEMENT AGENCIES?

It is important that your images can be used by appropriate law enforcement agencies if this is not possible then your initial reason for having the CCTV system may be undermined.

## DO I HAVE TO GIVE MY BUSINESS FOOTAGE TO MEMBERS OF THE PUBLIC, IF THEY REQUEST IT?

Any requests for images should be approached with care, as a wide disclosure of these may be unfair to individuals concerned. In some limited circumstances it may be appropriate to release images to a third party, where their needs outweigh those of the individuals recorded. For example, if a member of the public requests CCTV footage of a car park, which shows their car being damaged.

## ARE THERE ANY LEGAL CONCERNS ABOUT THE USE OF LIVE MONITORS?

Viewing of live images on monitors should usually be restricted to the operator unless the monitor displays a scene which is also in plain sight from the monitor location. So, for example, it is acceptable for bank customers to see a monitor, if the monitor only displays images they can see from where they are standing.

For any further information, please refer to the Data Protection Act 1998 and the ICO code of practice

<https://ico.org.uk/for-organisations/guide-to-data-protection/cctv/>

[http://www.cctv-information.co.uk/i/The\\_Data\\_Protection\\_Act\\_and\\_CCTV](http://www.cctv-information.co.uk/i/The_Data_Protection_Act_and_CCTV)

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