

## **Guidance on the use of domestic CCTV and for people being filmed**

Extracts from sources indicated.

### **1. Guidance for people being filmed**

Source: <https://ico.org.uk/your-data-matters/domestic-cctv-systems-guidance-for-people-being-filmed/>

Capturing and recording such images is not itself a breach of the data protection laws. But CCTV users must ensure they comply with these laws and respect the data protection rights of people whose images they capture.

You have the following rights:

- To be told that a home CCTV system is being used. Signs are the most common way of doing this. They must be clearly visible and legible.
- To ask for a copy of the information that is held about you. This is known as making a [subject access request](#). You can ask verbally or in writing for copies of any footage where your image is identifiable.
- To ask the CCTV user to [erase](#) any personal data they hold about you.
- To ask that the CCTV user [does not capture](#) any footage of you in future. However, the nature of CCTV systems may make this very difficult and it might not be possible for the user to do this.

Use the [ICO online tool](#) to determine the best course of action in your situation.

### **2. Guidance on the use of domestic CCTV**

Source: <https://www.gov.uk/government/publications/domestic-cctv-using-cctv-systems-on-your-property/domestic-cctv-using-cctv-systems-on-your-property>

You may be considering using a CCTV system as a necessary means to protect your property from acts of crime and anti-social behaviour. A domestic CCTV system needs to be operated in a responsible way that respects the privacy of others.

The ICO receives many complaints from neighbours and other members of the public who are concerned that CCTV systems are being used to spy on them.

Below is a list of general considerations to help you reduce the risk of your CCTV system intruding on the privacy of others.

#### **How your CCTV system affects others**

It is important to consider the privacy of others. Ask yourself where will I position the CCTV to minimise intrusion into my neighbours' and other people's privacy?

#### **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

## **Taking responsibility for your CCTV system**

If you are thinking of installing a CCTV system on your property, and it records images beyond your private domestic property, you must be aware of your responsibilities:

- 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

## **Storing the recorded information**

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).

## **Maintenance**

Once you have installed your CCTV system, you should regularly check that:

- you are complying with the GDPR and the DPA if your CCTV system captures images outside the boundaries of your home
- you regularly delete the recordings and do not keep them for longer than is necessary for the protection of your property

## **Further information - Information Commissioner's Office**

If your CCTV system captures images of people outside the boundary of your private domestic property – for example, from neighbours' homes or gardens, shared spaces, or from public areas – then the GDPR and the DPA will apply to you. You will need to ensure your use of CCTV complies with these laws. If you do not comply with your data protection obligations you may be subject to appropriate regulatory action by the ICO, as well as potential legal action by affected individuals.

The ICO has published guidance on the use of domestic CCTV and a CCTV checklist, which will help you to better understand and meet your obligations under data protection law. It is important that you read this guidance as well as the checklist. The ICO has also published guidance for people being filmed by domestic CCTV.

Links:

<https://ico.org.uk/your-data-matters/domestic-cctv-systems-guidance-for-people-using-cctv/>

<https://ico.org.uk/for-organisations/data-protection-self-assessment/cctv-checklist/>

<https://ico.org.uk/your-data-matters/domestic-cctv-systems-guidance-for-people-being-filmed/>

June 2020