

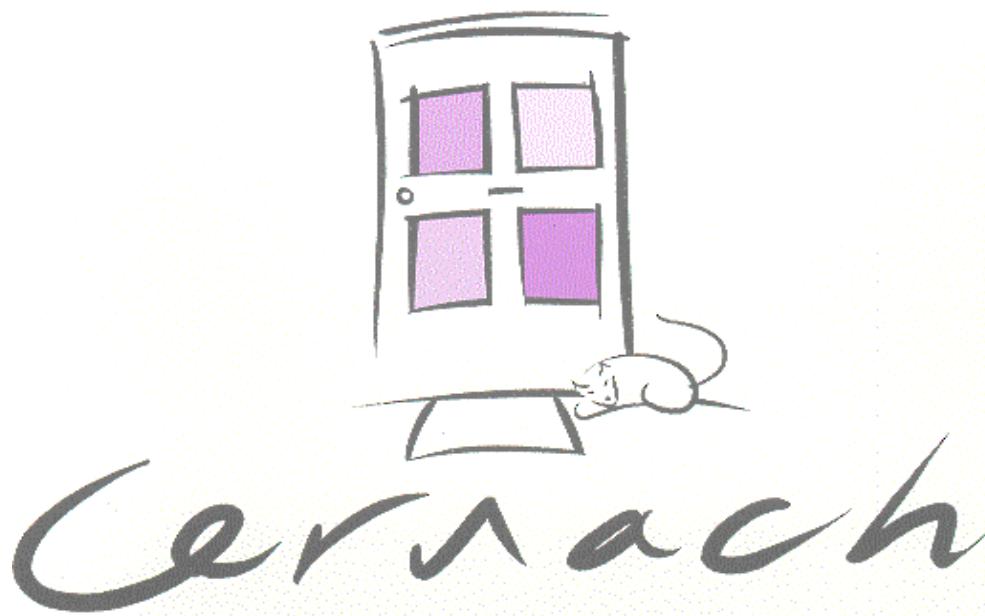


Image retention policy

Date Approved:
Due for Review:

September 2026
September 2029

1. Introduction

- 1.1 Cernach Housing Association owns and operates CCTV and other forms of surveillance systems at various premises, including offices, properties and car parks. We do this for the purpose of enhancing security where we consider there to be a potential threat to the health, safety and wellbeing of individuals and to assist in the prevention and detection of risk of crime.
- 1.2 This policy only covers CCTV and other surveillance systems that Cernach Housing Association owns and operates. Cernach Housing Association does not operate, regulate or authorise tenant-owned domestic CCTV systems. Where concerns about domestic CCTV relate to nuisance, harassment, antisocial behaviour, privacy or a potential tenancy breach, these will be considered under the relevant housing management procedures as appropriate. General advice on domestic CCTV is available from the Information Commissioner's Office.

2. Policy Aims

- 2.1 This policy aims to govern Cernach Housing Association's approach to installing and operating CCTV and other forms of surveillance systems and handling the information obtained. It is underpinned by the following key principles:
 - That we know what the system is used for and review of its use.
 - That we have completed a Data Protection Impact Assessment (DPIA), systems will only be installed with due consideration to the privacy and data protection impacts of doing so.
 - That we will ensure clear signage is in place, with a published point of contact to deal with queries and complaints.
 - There is clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used, and staff are aware of their responsibilities for CCTV.
 - Clear rules, policies and procedures are in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
 - That we have a policy for keeping the CCTV images we hold, and we ensure they are deleted once they are no longer needed.
 - That we have a clear process for who can access the images, and a policy on disclosure.
 - That the system we use follows recognised operational and technical standards. Systems will be appropriately specified and professionally installed, having due regard to appropriate technical and legal advice and

other relevant guidance.

- Systems will only be installed where there is a clear identified and documented need.
- Systems will only be installed with due consideration to all alternative options.
- Appropriate technical and organisational measures will be employed to ensure the security of our systems and personal data, including relevant controls to govern access to and use of images.
- Appropriate measures will be taken to provide clear and accessible privacy information to individuals whose personal data is processed by systems.
- That we are clear on when CCTV images will be produced for criminal justice purposes.
- This policy is supplemented by procedures, which provide detailed operational guidance on the installation, operation, use and maintenance of our systems.

3. Legislative and Regulatory Framework

- 3.1 Cernach Housing Association acknowledges the obligations it incurs when installing and operating CCTV and other surveillance systems, and the rights and freedoms of individuals whose images or other personal data may be captured. We are committed to ensuring that our use of such systems is lawful, fair, transparent, necessary and proportionate, and that it complies with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, the Data (Use and Access) Act 2025 and any associated amendments to UK data protection law.
- 3.2 In developing this policy, Cernach Housing Association has had regard to current guidance from the Information Commissioner's Office (ICO) on CCTV and video surveillance, including its guidance for organisations using video surveillance systems and its CCTV self-assessment resources. The Association will also have regard, where relevant, to the Surveillance Camera Code of Practice issued under the Protection of Freedoms Act 2012, as updated in 2022, and associated guidance from the Biometrics and Surveillance Camera Commissioner.
- 3.3 The Association recognises that the Data (Use and Access) Act 2025 does not replace the UK GDPR or the Data Protection Act 2018, but amends aspects of the UK data protection framework. Relevant developments include changes affecting subject access, automated decision-making, recognised legitimate interests, data protection complaints and other areas of organisational compliance. The Association will review this policy, associated procedures,

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privacy notices and DPIA processes as ICO guidance is updated to reflect these changes.

- 3.4 When operating CCTV and other surveillance systems, the Association will continue to apply the core data protection principles of accountability, transparency, purpose limitation, data minimisation, security, storage limitation and respect for individual rights. This includes ensuring that any system is supported by an appropriate DPIA, clear signage and privacy information, restricted and auditable access arrangements, defined retention periods and controlled disclosure processes.
- 3.5 Where requests are made for recorded information held by the Association, the Association will also consider any applicable duties under the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004, alongside data protection requirements and the rights of individuals whose personal data may be contained in the footage.

4. Risk Management

4.1 Decisions on Installing CCTV and Surveillance Systems

- 4.1.1 Cernach Housing Association recognises that using CCTV and other surveillance systems can be intrusive. As such it will not install systems as a routine response to incidents of a criminal or anti-social nature. Notwithstanding this, we acknowledge the potential value of these systems as both a deterrent and a means of detection and will consider all potential installations on a case-by-case basis. In doing so the aim will be to demonstrate that installation is a justified, proportionate and effective solution to an identified problem or risk.
- 4.1.2 The impact on people's right to privacy and the availability of alternative and less intrusive options will be a key consideration. To this end, all potential installations will be subject to a Data Protection Impact Assessment (DPIA). All DPIAs will be conducted, recorded and signed off in accordance with our DPIA procedures. These have been developed in accordance with Information Commissioner's Office (ICO) guidance and prescribe the approach to be followed in identifying and assessing data protection risks, and in consulting with those whose privacy is likely to be affected, where appropriate. Cernach Housing Association's Data Protection Officer will advise on and review DPIAs as required.
- 4.1.3 Cernach Housing Association will maintain all DPIAs as a record of decision making, installation authorisation and review. In the interests of transparency,

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individual DPIAs shall be made publicly available on request, subject to appropriate redaction or withholding where disclosure would prejudice security, law enforcement, personal data protection or other legitimate interests.

- 4.1.4 Decisions to install, retain, amend or decommission systems will be linked to proportionate risk management, tenant and service-user impact, health and safety, privacy and governance assurance. The Association will ensure that relevant decisions are recorded and can be reported through appropriate management or Committee assurance arrangements.

5. Equality and Human Rights

- 5.1 The Association's Equality and Human Rights policy, which was approved by the Committee in April 2025, outlines our commitment to promote a zero tolerance to unfair treatment or discrimination to any person or group of persons, particularly on the basis of any of the protected characteristics¹. This includes ensuring that everyone has equal access to information and services, and, to this end, the Association will make available a copy of this document in a range of alternative formats including large print, translated into another language or by data transferred to voice.
- 5.2 We are also aware of the potential for policies to inadvertently discriminate against an individual or group of individuals. To help tackle this and ensure that it does not occur, best practice suggests that organisations carry out Equality Impact Assessments to help identify any part of a policy that may be discriminatory so that this can be addressed (please see section 6 of the Equality and Human Rights policy for more information).
- 5.3 In line with section 6 of the Equality and Human Rights policy, the Association carried out an Equality Impact Assessment on this policy. No negative equality impacts have been identified, provided the controls in this policy are followed. The full assessment is appended at the end of this policy.

6. System Specification and Installation

- 6.1 Cernach Housing Association will procure and site systems in accordance with an agreed standard specification, which reflects recommended practices and incorporates privacy by design features. Relevant criteria will include, but not be limited to:
- Ensuring personal data can be easily located and extracted

¹ The Equality Act 2010 identifies the "protected characteristics" as age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, gender reassignment and sexual orientation.

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- Ensuring images are of an appropriate quality, relevant to their purpose
- Ensuring that the date and time images are captured is easily identifiable
- Ensuring that unnecessary images are not viewed or recorded
- Ensuring that relevant retention periods can be complied with
- Installing image only systems, which have no sound recording capability, as standard
- Ensuring that audio recording, facial recognition, biometric identification, analytics, ANPR, AI-enabled monitoring or other enhanced surveillance functions are not used unless separately justified by a DPIA, approved by the Management Team, supported by clear privacy information and subject to appropriate legal, technical and governance controls
- Siting cameras to ensure only areas of interest are subject to surveillance and to minimise viewing areas not relevant to the purposes the system was installed for, with due regard given to planning permission requirements as necessary
- Siting cameras to ensure they can produce quality images taking into account the environment where located
- Siting cameras and equipment in secure locations, protected from unauthorised access and possible vandalism; and
- No cameras forming part of the system will be installed in a covert manner; and cameras which may be covered to protect them from weather or damage, would not be regarded as covert provided that appropriate signs are in place.

6.2 Cernach Housing Association will engage the services of specialist contractors, in accordance with relevant procurement procedures, to advise on technical specifications and system configuration and design; and to carry out installation and maintenance. Such contractors will be required to demonstrate the appropriate credentials, expertise, and understanding of Cernach Housing Association and data protection requirements.

6.3 Cernach Housing Association will maintain a register of all system installations, detailing location and installation date, relevant technical specifications and system design features.

7. Access and Use of Images

7.1 Access to all equipment and images will be strictly controlled. Appropriate security measures will be in place to ensure entry to physical locations is limited to authorised personnel. As a general rule, such authorised personnel will be individuals appointed by Cernach Housing Association specialist contractors, acting under explicit instruction. Cernach Housing Association will have in place

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a written data processing agreement with these contractors which is UK GDPR compliant and clearly defines obligations, responsibilities and liabilities.

- 7.2 The specialist contractors will be responsible for setting and maintaining relevant technical security controls for each system, including passwords or access codes and for maintaining physical and digital access logs.
- 7.3 Cernach Housing Association considers the following to be permitted reasons for monitoring:
- Prevention and detection of unacceptable behaviour, including aggressive or abusive actions, towards staff in Cernach Housing Association's premises
 - Prevention and detection of unauthorised access to, or other criminal activity within, Cernach Housing Association's premises; and/or general compliance with relevant legal obligations, regulatory requirements and Cernach Housing Association's policies and procedures.
- 7.4 Cernach Housing Association shall not undertake routine monitoring of images captured in Cernach Housing Association's locations.
- 7.5 Access to images will be on an as required basis and in accordance with the purpose for which the system was installed. This will only be carried out where an incident has been reported that requires investigation or where there is clear suspicion that an incident has taken place. Where it is required to access or download recorded images in order to investigate an alleged incident a data request, authorised by the Management team and will be recorded in the CCTV Access Register or otherwise documented.
- 7.6 Access to images may also be required in order to respond to a Subject Access Request (SAR). All requests for system footage by individuals will be treated as SARs and handled in line with Cernach Housing Association's SAR Procedures. Searches for footage will be reasonable and proportionate, taking account of the information provided by the requester, the likely location and date/time of the footage, and the need to protect the rights and freedoms of other individuals. Where clarification is reasonably required to identify the footage requested, the request period may be paused in accordance with data protection law. In responding, Cernach Housing Association acknowledges the requirement to balance the rights of data subjects against those of other individuals who appear in the requested images. On receipt of a SAR, arrangements will be made to retain, and prevent automatic deletion of, relevant images of the individual submitting the SAR where these can reasonably be identified.

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- 7.7 The general principle will be that requests for images will be authorised by the Management Team at Cernach Housing Association.
- 7.8 Disclosure of information from systems will be controlled, documented and consistent with the purpose(s) for which the system was installed, unless another lawful basis or legal obligation applies. Disclosure is likely to be limited to police, legal advisers, courts, insurers or other bodies where disclosure is necessary, proportionate and lawful. The CCTV Access Register or other documentation will contain relevant details of image disclosure, including the named recipient, lawful basis, reason for disclosure, authorisation and method of secure transfer.
- 7.9 Cernach Housing Association will not routinely keep copies of images obtained through CCTV or other surveillance systems. Any images that are returned following disclosure will be disposed of securely in accordance with Cernach Housing Association's Data Retention and Destruction Policy and Procedures.
- 7.10 Cernach Housing Association considers any attempted or actual misuse of CCTV or other surveillance systems or images by staff members to be a disciplinary matter, which will be handled in accordance with the relevant policy and procedures.
- 7.11 Cernach Housing Association will consider requests from Police Scotland, other law enforcement agencies and other legal authorities only where suitable reasons have been provided and the disclosure is necessary, proportionate and lawful under applicable data protection legislation and any other relevant legal framework. Such disclosure of information must follow our disclosure procedure and be recorded in the CCTV Access Register or otherwise documented.

8. Reviewing Installations

- 8.1 As a minimum, each system will be reviewed 6 months after initial installation and every 12 months thereafter to ensure its continued use serves a legitimate purpose and is required; and that the installation specification and design is appropriate to this purpose. This will involve a review and, as necessary, an update of the DPIA to reflect changes or actions required.
- 8.2 Where it is determined that a system is no longer needed, arrangements for decommissioning will be made promptly. This will involve removal of all cameras and associated equipment and signage in accordance with Cernach Housing Association's CCTV and surveillance system procedures.

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- 8.3 Notwithstanding these regular reviews, Cernach Housing Association will separately instruct its contractors to undertake periodic maintenance and security checks. Any works to repair or replace system components, or to amend system configuration or design will be carried out only under explicit instruction.

9. Privacy Information

- 9.1 Cernach Housing Association shall be as transparent as possible in its usage of CCTV and surveillance systems and Cernach Housing Association's Privacy Notices will reference the collection of personal data via systems.
- 9.2 Clear and prominent signage will be in place where systems are in operation. Signage requirements will be included as part of the standard system specification, and the appointed specialist contractors will be required to confirm these have been met as part of the installation process.
- 9.3 Complaints about how personal data is handled, the implementation of, or compliance with this Policy or the associated procedures will be handled in accordance with Cernach Housing Association's Complaints Handling Procedure.
- 9.4 Cernach Housing Association acknowledges that individuals also have the right to complain to the Information Commissioner's Office (ICO) directly if they feel Cernach Housing Association is not operating CCTV and surveillance systems in accordance with the UK GDPR, the Data Protection Act 2018, the Data (Use and Access) Act 2025 or associated data protection requirements.

10. Review

- 10.1 This policy will be reviewed every three years or sooner if required by changes in legislation or regulatory guidance.

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Cernach Housing Association Equality Impact Assessment Tool



Name of the policy / proposal to be assessed	Image retention policy	Is this a new policy / proposal or a revision?	Revision
Person(s) responsible for the assessment	Emma McShane, Head of Corporate Services		
1. Briefly describe the aims, objectives and purpose of the policy / proposal	This policy aims to govern Cernach Housing Association's approach to installing and operating CCTV and other forms of surveillance systems and handling the information obtained.		
2. Who is intended to benefit from the policy / proposal? <i>(e.g. applicants, tenants, staff, contractors)</i>	There is no specific benefit to any individual or group, rather it benefits the Association as a whole as it clearly sets out our approach to CCTV.		
3. What outcomes are wanted from this policy / proposal ? <i>(e.g. the benefits to customers)</i>	Cernach Housing recognises its obligations to individual rights and freedoms when operating CCTV on its premises. This policy ensures transparency in how we manage, maintain and operate CCTV that we own.		

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4. Which **protected characteristics** could be **affected** by the proposal? *(tick all that apply)*

- ☐ Age
 ☐ Disability
 ☐ Marriage & Civil Partnership
 ☐ Pregnancy/Maternity
 ☐ Race
☐ Religion or Belief
 ☐ Gender
 ☐ Gender Reassignment
 ☐ Sexual Orientation

5. If the policy / proposal is not relevant to any of the **protected characteristics** listed in part 4, state why and end the process here.

After consideration, there is no known elements of this policy which could impact any protected characteristics.

6. Describe the **likely positive or negative impact(s)** the policy / proposal could have on the groups identified in part 4

Positive impact(s)

Negative impact(s)

7. What **actions** are **required** to address the impacts arising from this assessment? *(This might include collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts).*

Signed: E McShane Job title: Head of Corporate Services

Date the Equality Impact Assessment was completed: 24/08/2026