

Wycliffe House, Water Lane, Wilmslow, SK9 5AF

T. 0303 123 1113 E. icocasework@ico.org.uk

www.ico.org.uk

If you are operating CCTV which captures footage outside the boundaries of your property you should refer to the information provided and take any steps required to ensure your compliance with the DPA.

The easiest way of doing this is to consider repositioning any cameras to operate inside your boundary so that they are exempt from the DPA altogether.

We now consider this matter to be closed and do not require any correspondence or confirmation from you in response to this letter.

Yours sincerely ,

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Can I operate CCTV on my private property?

Yes you can.

However if you are capturing images outside of your property boundary or if you are operating a business from your property this may make you a data controller for the purposes of the Data Protection Act 2018 (DPA), and to ensure compliance with the DPA you would need to:

- Consider what area needs to be covered and what images will be captured,
- Safeguard any recorded images to enable usage by the police to investigate crimes affecting you,
- Install signage that indicates CCTV is operational in the area,
- Ensure the footage recorded is stored securely and only individuals access the data who need to

Be able to respond appropriately to a request for the footage from individuals who appear in it (this is known as a subject access request and further information on this can be found on our website), and

If audio facilities are active on CCTV systems, the ICO recommends the surveillance systems should not normally be used to record conversations between members of the public as this is highly intrusive and unlikely to be justified.

Unless you can clearly justify the use of audio with robust supporting evidence this type of recording should not be used.

We would also remind you that if there is a requirement for you to comply with the DPA, this would include the need to respond to any subject access request you may receive.

Under Article 15 of the UK General Data Protection Regulations (UK GDPR) an individual is entitled to request a copy of the personal data that a data controller is holding about them. This is known as a subject access request. A data controller should respond promptly and in any event within a month of receiving it. You should supply the requester with a copy of the personal data requested if you are holding it, unless an exemption applies.

Our guidance about Article 15 of the UK GDPR can be found at <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/individual-rights/right-of-access/>

Domestic CCTV fact sheet

Where an individual is using CCTV cameras, fixed to their property, that capture images **beyond the boundaries** of their property, they are required to comply with data protection legislation.

When we receive a complaint from an individual we will contact the neighbour, informing them of their obligations should the camera capture images outside of their property boundary. We will go no further than this.

We cannot, under any circumstances, ask an individual to remove or reposition cameras.

If an individual feels harassed/intimidated they should speak to the police.

FAQ's:

Are smart doorbells covered? – Yes, if it captures images outside of the property boundary. Note: a communal space such as a corridor/shared garden would be considered outside of the property boundary.

Do camera operators need to register? – No, unless it's a business.

Will the ICO ask to see what the cameras are capturing? – No.

Can I provide images of my neighbours cameras? - You can, but they are not required and will not alter the handling of the complaint.

What about shared access areas? – You would be required to comply if you're capturing images where there is shared access. This includes where someone has a 'right of way' (such as a driveway).

[Domestic CCTV systems - guidance for people using CCTV](#)

[Domestic CCTV systems – guidance for people being filmed](#)

Should you require further information ask [REDACTED] or [REDACTED].