

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 2018 (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/subject-access-requests/>