

CCTV IN THE HOME CHECKLIST



This checklist is intended to give general guidance and to help you think about whether you need CCTV and, if you do install it, whether it is being used in line with data-protection and other legal requirements. It should be adapted to suit your own situation and should not be treated as formal legal advice.

As the homeowner, you are responsible for making sure that any CCTV system you install or use is genuinely necessary, used in a proportionate way, and fully compliant with all relevant legal obligations.

Before installing a CCTV system (including doorbell cameras) or continuing with an existing system, the following checklist will help you work out whether you are required to comply with the DPJL 2018. Where the law applies, it sets out the obligations and conditions you must follow to process personal data (information) and the collection, use, disclosure, and retention of personal data (including images, film footage and voice recordings) are all subject to requirements of the DPJL 2018).

Whether you need to comply with the DPJL 2018 will depend on where your camera is positioned. If it only captures images/audio within the boundaries of your home then it will not apply to you. If, however, it captures images outside your boundaries (including communal or public areas, your neighbours' homes or gardens) then you will be a data controller and will need to comply with the law.

REASONS FOR HAVING CCTV

Why do you want to install CCTV e.g. security of property or personal safety?

What are you trying to observe taking place, and why?

Are there any other ways of protecting your home (e.g. better lighting, talking to your neighbours if there are problems)

Does the CCTV need to be active 24/7 or can it be motion activated/time sensitive?

Does it need to record audio?

HAVE YOU THOUGHT ABOUT THE IMPACT OF YOUR CCTV ON OTHER PEOPLE?

CCTV is the most privacy intrusive form of data processing undertaken presenting the greatest risk to data subjects. It should be used only to address real and serious threats to individual health and safety or the protection of property and only as a last resort, when other less intrusive approaches have failed.

Have you spoken to your neighbours/those likely to be affected by your CCTV use?

Have you explained to them why you want to install it, which areas it will cover, and what you will be doing with any footage?

WHERE WILL THE CCTV GO?

Where do you want to put the CCTV? Do you need it to cover multiple parts of your property or only certain parts of it e.g. your front door?

Are you sure that your CCTV is only covering your own property boundary and it's not covering your neighbours' property or communal or public areas?



USING CCTV RESPONSIBLY

Do you know how to limit/change any settings in respect of the camera's field of vision?

Are you only keeping footage for as long as you need it?

Can you delete any unnecessary footage you might have captured (e.g. footage of people innocently walking past your property) at the earliest opportunity once you know you do not need it?

What physical security measures are in place to prevent hacking or loss of footage?

Can you limit (restrict) access to the CCTV footage to only those who need access to it (i.e. does everyone in your family need access to the footage or will one person suffice)?

If you need to share the footage with someone else (e.g. States of Jersey Police or your insurance company) have you kept a copy of any request for your records, together with a copy of the information you shared with them? Are you able to edit the footage captured so you only share what has been requested (if only five (5) minutes is relevant, you shouldn't share more than that).

PEOPLE'S RIGHTS

If you are capturing footage of individuals outside your home (and property boundaries) you need to be able to comply with certain rights that individuals have under the DPJL 2018. This includes the right to be informed, the right of access, the right of rectification and the right of erasure.

Do you have a notice in place alerting people that there is CCTV in operation and who to contact if they have any concerns?

