

Queen's Park Trust

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Home CCTV systems

This guide will help you if you want to understand what data protection law says when someone is using home CCTV at their property. This includes the use of fixed cameras and smart doorbells.

In the UK, using a video doorbell is perfectly legal for personal security, but if your device captures footage or audio beyond your property boundary (such as the street, public pavements, or a neighbour's home), you are legally classified as a data controller under the **UK GDPR and Data Protection Act 2018**.

To stay on the right side of the law and avoid potential fines or legal disputes, you must follow these key guidelines set out by the **Information Commissioner's Office (ICO)**:

1. Adjust Your Camera View

- **Limit the scope:** Ensure your camera is angled strictly to capture your own doorstep or driveway.
- **Use privacy zones:** Most modern video doorbells allow you to digitally mask out public footpaths or neighbours' windows.
- **Avoid unnecessary audio:** Audio recording can heighten privacy risks; consider disabling it if it isn't strictly needed for security.

2. Inform the Public and Neighbours

- **Put up signs:** You are legally required to notify people that they are being recorded. Place a clear, visible sticker or sign near your entryway to warn delivery personnel and passers-by.
- **Talk to your neighbours:** Have an open conversation with adjacent neighbours about your doorbell's placement to ease concerns.

3. Handle Data Responsibly

- **Delete footage regularly:** Footage shouldn't be kept indefinitely. Set your app to automatically delete recordings (often set to 30 days) unless you need them for a specific security incident.
- **Respond to requests:** Under data protection laws, anyone captured on your camera has the right to request a copy of the footage of themselves or ask for it to be deleted.

4. Special Scenarios

- **Rented properties:** If you rent your home, check your tenancy agreement. Landlords may have specific rules regarding where you can mount electronic devices or drill into doorframes.
- **Shared buildings:** If you live in a flat or share communal hallways, strict building management rules or block management guidelines often apply.

If you are concerned about CCTV recording you or your property

CCTV can help protect a person's property. However, there are some rules that owners should follow.

Where possible owners should position their cameras to only capture their own property. However, if this isn't possible and the CCTV captures someone else's property, a public area or communal space, then data protection law applies. This is because CCTV can capture images and voices of other people, and this counts as their personal information.

In brief, this guidance covers:

- What should I do if I have concerns about the camera or I'm unhappy with being recorded?
- What should I do if I have a neighbour dispute?
- What if I feel harassed?
- What can I do if I think that someone is recording my children?
- What if a person is using CCTV in a communal area?
- Is my consent needed to be recorded on CCTV?

- Can I object to a CCTV owner recording even if they have a legitimate reason?
- What rights do I have?
- What are the rules?
- What will the ICO do if I make a complaint?
- What can't the ICO do?

What should I do if I am concerned about a CCTV camera or I'm unhappy about being recorded?

In most cases, we suggest you start by talking or writing to the CCTV owner:

- **Explain your concerns** – the CCTV owner may not understand why you're worried about being recorded. If you explain your reasons, they may reposition the cameras.
- **Ask why they're using CCTV** – people usually install CCTV to monitor and protect personal property. It can make the person and their family feel safe. If you understand why they're recording, it may put your mind at ease.
- **Ask if they are using filters or privacy blockers** – the CCTV owner might be using filters or privacy blockers to reduce the intrusion to your privacy. This could mean that public spaces and other people's property might be blurred out of the image.
- **Ask to see what they're recording** – the footage captured by the camera may not be as intrusive as you think. Seeing an example of what the camera records may make you feel less concerned.
- **Explain what you hope to achieve** – if you want to achieve something specific, then politely explain your expectations to the CCTV owner. They might agree or work with you to find a middle ground.

You can use the template letter below to help you explain your concerns to the CCTV owner.

[Your contact details]

[The date]

[Name and address of the CCTV owner]

Dear [Sir or Madam / name of the person you have been in contact with]

I'm concerned that your CCTV camera may be recording me [and my family/friends] in a way that means data protection rules apply.

Data protection law and CCTV

If CCTV records beyond your property boundary, data protection law applies and there are rules you must follow. You must:

- consider what area needs to be covered and what images or audio, or both, will be captured – you shouldn't capture more than you need to;
- install signage that indicates CCTV is in operation;
- ensure the footage recorded is stored securely and is only accessible by people who need to access it;
- delete the footage regularly or automatically, or both; and
- be able to respond appropriately to a request for the footage from people who appear in it.

The ICO's guidance says you should try to point your CCTV cameras away from someone else's property, a public area or communal space, where possible. You should also consider how intrusive the recording is, and where possible, apply filters or privacy blockers to blur or block out part of the footage.

Data protection complaint and request

[Give details of your complaint, explaining clearly and simply what has happened and, where appropriate, the effect it's had on you.]

I would like to know if you're filming beyond your boundary and to consider my data protection rights. I'd like to understand the following [choose the questions which apply to your situation]:

- Why you're using CCTV?
- Are you recording [my property / a public area / a communal space]?
- Are you using any filters or privacy blockers?
- Can you reposition the camera to ensure you aren't recording [my property / a public area / a communal space]?

[I'd also like to request a copy of footage where I can be seen or heard.]

It may be helpful for you to know that data protection law usually requires a CCTV owner to respond to a request for personal information within one calendar month. If you can't

respond to me within this timescale, please tell me when you'll be able to provide a response.

If I'm unhappy with your response, I may report my complaint to the Information Commissioner's Office (ICO).

You can find more information about the CCTV rules on the ICO's website.

If you need advice on dealing with a request for personal information, or using home CCTV, the ICO can assist you. You can visit their website www.ico.org.uk or contact them on 0303 123 1113.

Yours faithfully/sincerely
[Signature]

What should I do if I have a neighbour dispute?

If you have an ongoing dispute with your neighbour, we suggest you follow the steps outlined in [government guidance](#):

- Try solving the problem informally by talking to them.
- If your neighbour is a tenant, you could contact their landlord.
- Consider using a mediation service, if raising the issue informally does not work.
- Contact the police, if your neighbour is breaking the law by being violent or harassing you. However, it's unlikely that the police would consider using CCTV to record you as harassment, without other misconduct by the person.
- As a last resort, you can take legal action through the courts.

For further information, read about '[What to expect from the ICO when making a data protection complaint](#)'.

What if I feel harassed?

If the use of CCTV is part of a wider problem between you and your neighbour and you feel harassed, then consider reporting the problems to:

- the **police**. However, it's unlikely that the police would consider the use of CCTV as harassment, without other misconduct by the person;
- your **local housing officer**, if the CCTV is installed on local authority or social housing; or
- the **landlord**, if your neighbour lives in rented accommodation.

What can I do if I think someone is recording my children?

In most cases we suggest that you start by talking to the person doing the recording. The majority of people install CCTV to protect their own property, and sometimes cannot avoid capturing past the boundary.

If you feel the person is recording your child inappropriately, then you should contact the police.

What if someone is using CCTV in a communal area?

People may install CCTV on their property which could cover communal areas. If this captures images from a communal area then data protection rules apply. For further information, please see the section on [What are the rules for a CCTV owner?](#)

Example

Your neighbour has become increasingly concerned about the security of their home due to reports of burglaries in the area. As a deterrent, they decide to install CCTV on their door. Their CCTV covers a communal area and not just their property.

Your neighbour explains to you why they believe they have a legitimate reason to install the CCTV, and there's no way of only recording their own door without also recording a section of the communal hallway. They also explain that they believe that the intrusion to your privacy will be low as the CCTV does not continuously record.

In this instance it's likely that your neighbour has a legitimate reason for using CCTV, however they do still need to follow the [data protection rules](#).

Is my consent needed if I'm recorded on CCTV?

No, consent will rarely be required for home CCTV.

In many cases, the CCTV owner will have one or more 'legitimate reasons' to collect personal information through CCTV. Often, this will be to protect themselves, their family and property.

This means that they don't need the consent of anyone that is recorded by the camera.

However, the CCTV owner must be able to demonstrate that their interests outweigh any invasion of privacy for others.

Example

Your neighbour installs CCTV at the front of their property to deter criminals from breaking into their home. The neighbour doesn't intend to access any recordings unless a crime has occurred.

Despite carefully considering where to place the CCTV, the camera records a small part of a public street and, on occasion, it records people walking by.

In this case, it's likely that your neighbour's interests outweigh any invasion of your privacy.

Can I object to a CCTV owner recording, even if they have a legitimate reason?

Yes, but that doesn't necessarily mean that the CCTV owner must stop recording or reposition their camera.

You have the right to [object to the use of your personal information](#). To exercise this right, you must contact the CCTV owner to object to their use of your personal information.

The CCTV owner must think about whether they should be collecting or using personal information. If after receiving your objection they decide to continue using footage or sound, they should give a very strong reason to justify why. An example could be for crime prevention.

If they can't justify collecting the personal information, then they must stop recording or reposition the camera. However, the ICO are unlikely to find it fair or balanced to force a CCTV owner to move their camera.

Example

You notice that your neighbour recently installed a CCTV camera at the back of their house. The position of the camera means that they're also recording part of your property and you therefore decide to write to your neighbour to object to being recorded.

After receiving your objection, your neighbour considers the reasons why they installed the CCTV and the intrusion to your privacy. Whilst they can justify recording their own property to prevent crime, they decide that recording your property is excessive.

As a result, your neighbour repositions their CCTV camera to ensure they are no longer recording your property.

What rights do I have?

You have a number of data protection rights:

- **You can request a copy of the CCTV footage that you're in from the CCTV owner.** This is known as a [subject access request](#) (SAR). Seeing this footage may make you feel less concerned as it may not record where you think it does.
- **You can request the CCTV owner deletes the footage you're in.** This is known as the [right to erasure](#). We recommend that you explain why you would like them to delete the footage.
- **You can object to the CCTV owner using CCTV to record you.** This is known as the [right to object](#). Contact the CCTV owner and explain that you object to being recorded. The CCTV owner must have a strong reason to continue recording you.

In most instances, the CCTV owner should provide a response to your request within one calendar month.

What are the rules?

Data protection law says that people who capture images or audio recordings from outside their property boundary must:

- have a clear reason for using the CCTV;
- make sure the CCTV doesn't capture more than they need to;
- let people know they are using CCTV (eg by displaying a sign);
- in most cases, provide some of the recordings if asked by a person whose image or audio, or both, the CCTV has captured;
- delete the footage regularly or automatically, or both; and
- stop recording a person if they object to being recorded and there's no legitimate reason to continue recording them.

What will the ICO do if I make a complaint?

Section 165 of the Data Protection Act 2018 requires us to take steps to consider and respond to complaints from people who believe there has been an infringement of their data protection rights. This includes investigating to the extent that we feel is appropriate and informing you of the outcome of your complaint.

What can't the ICO do?

In most instances, we can't or won't:

- remove a person's CCTV camera;
- force a person to reposition or remove their CCTV;
- retrieve CCTV footage from a CCTV owner on your behalf;
- force a CCTV owner to delete recordings of you; or
- take court action on your behalf, or assist you with taking court action against a home CCTV owner.

For further information, read about [what to expect from the ICO when making a data protection complaint](#).