



**Yorkshire
Housing**

Customer guidance for photo and video footage

Mobile phone use in antisocial behaviour investigations

We live in a world where technology is easily accessible and used by most people in their everyday life. Anyone can take photographs and recordings in public spaces or from their own property, but you must be mindful about why you're doing it and what you do with that footage once you have it.

When you report antisocial behaviour (ASB) to us, we'll ask you to gather evidence so that we can progress the case and take the right action against those causing problems.

We might ask you to fill in a diary or to record the noise, but sometimes if we think it's appropriate, we might ask you to film or take photos on your phone to either share directly with us or through an app we use called the ASB App.

What do I need to know to make sure I am doing the right thing?

Can I film children if they're causing an antisocial behaviour problem?

You can film children if they're causing damage to your property, or if they're causing nuisance to you or other people in a public place. It's illegal to take, make, distribute, show, display, publish or possess indecent photographs of anyone under the age of 18 as defined in law.

Can I film people who are out in public view?

Taking photographs or filming people in a public place wouldn't usually be considered an invasion of privacy, and people cannot normally stop others from taking footage of them or their property from a public place.

We'd never ask you to take photographs or videos of people if it intrudes into their home as this would be an invasion of privacy.

So for example, we'd never ask you to film through someone's window into their home or take footage aimed on to someone's front door.

Is filming someone a form of harassment?

A person cannot claim they're being harassed because they were photographed or filmed when they did not want to be. But if it causes alarm and distress, and if a pattern of behaviour is established it could then be viewed as harassment. For example, if you film someone on a number of occasions without any basis on which to do so.

What can I do with the photographs/footage from my phone?

Photographs or video footage should only be used for the purposes of assisting authorities such as Yorkshire Housing, the local authority or the Police to prevent or detect anti-social behaviour.

It should not be used for publishing or wider use, especially if it identifies people and personal information. When deciding what to do with your evidence you should discuss this with the person investigating your case. Once you've shared the footage with the relevant agencies, you should then delete it from your phone.

How do I know if I'm following the General Data Protection Regulations (GDPR)?

GDPR tells us how public authorities should use and store personal information.

If you want to know more about your responsibilities around sharing information you can find this at <https://ico.org.uk/for-the-public/>

Where can I find more information?

If you'd like more help and guidance with gathering evidence on your phone get in touch and we can talk this through with you.

Your safety is our priority, so if you or we think you might be at risk by filming there are other ways you can get evidence for us.

Other websites that have information on the use of mobile phones and gathering evidence can be found at:

<http://asbhelp.co.uk/gathering-evidence/>