



Data Protection and Information Handling Policy

Date Authorised: 8 December 2015

Review Date: 2018

INTRODUCTION

Rosebery Housing Association Limited holds personal and confidential information about its residents, Board members, employees, employment applicants, housing applicants and suppliers. The Association needs to collect and use this information in order to provide an efficient and effective service.

The Association acknowledges that all individuals have a right to privacy and the Association is bound by the Data Protection Act 1998.

This policy is concerned with the storage, processing and accessibility of all personal information held by Rosebery. It outlines the position of the Association with regard to the nature of data to be held, the fair and lawful processing of such data, and deals with issues relating to the confidentiality of information and its availability to our customers.

The Association endorses and will adhere to the principles of Data Protection legislation, recognising that personal information is confidential and that unauthorised disclosure is an offence under the Data Protection Act.

The Association does not distinguish between records held on paper and records held electronically; both are processed to the same standard.

AIMS

The aims of this policy are as follows:

- To ensure that the Association complies with the legal requirements set out by the Data Protection Act 1998 and subsequent legislation;
- To set out the principles of the Association's approach to information handling and data protection;
- To outline the rights of customers with regard to access to information, and their entitlement to confidentiality and
- To specify responsibilities for ensuring compliance with the policy

COMPLIANCE

- The Company Secretary has responsibility for data protection within the Association and for ensuring that our notification to the Information Commissioner and our entry in the Data Protection Register is accurate and up to date.
- Data Protection registration must be renewed annually and is the responsibility of the Company Secretary;
- Compliance with data protection legislation is the responsibility of all employees of Rosebery who process personal information.
- The Data Controller is Rosebery Housing Association Limited.

IMPLEMENTATION

Guiding Principles

In adopting this Policy, the Association shall be guided by the following data protection principles:

- Personal information shall be obtained and processed fairly and lawfully
- Personal information shall be obtained only for specific and lawful purposes and shall not be used for any other purpose.
- Personal information shall be adequate, relevant and not excessive in relation to the purpose for which it is obtained or kept.
- Personal information shall be accurate and up to date
- Personal information will not be kept for longer than is necessary.
- Personal information shall be processed in accordance with the rights of data subjects under Data Protection Acts
- Personal information shall be kept securely.
- Personal information shall not be transferred to a country or territory outside the European Economic Area unless that country/territory ensures an adequate level of protection for the rights and freedom of data subjects in relation to the processing of personal data

In addition to these, the Association shall also recognise the following:

- Individuals have the right to access information that the Association holds on them;
- Individuals have the right to expect that the Association shall keep such personal information confidential, unless such specific circumstances apply that determine this would be inappropriate. These specific circumstances shall be defined within the "Access to Personal Information Procedure".

Data Collection

In accordance to the terms of the Data Protection Act 1998, we may collect the following information:

- name and address
- ethnicity
- contact information including phone numbers and email address
- personal information such as national insurance number and birth date
- income, benefits and other financial details
- medical history and treatments
- support needs
- demographic information
- preferences and interests
- other information relevant to customer surveys

Obligations

In compliance with the Act, the Association will, through appropriate management and strict application of criteria and controls:

- Observe fully conditions regarding the fair collection and use of information;
- Meet its legal obligations to specify the purposes for which information is used;
- Collect and process appropriate information in a confidential manner ensuring that the data held is not excessive but sufficient to fulfil operational needs or to comply with any legal requirements;
- Will dispose of data when it is no longer required in accordance with the Association's Document Retention Schedule (subject to any statutory requirements);
- Ensure that necessary and sufficient steps are taken to ensure the quality of information used;
- Ensure that the rights of people about whom the information is held can be fully exercised under the Act. These include:
 - The right to be informed that processing is being undertaken;
 - The right of access to one's personal information;
 - The right to prevent processing in certain circumstances and the right to correct, rectify, block or erase information which is regarded as wrong information.
- Take appropriate technical and organisational security measures to protect personal information against damage, loss, misuse or inappropriate disclosure

Purpose of Information Gathered

In accordance with the terms of the Data Protection Act 1998, we require this information to understand our customers' needs and provide them with a better service and in particular for the following reasons:

- Collating information from job applications/CV's;
- Managing tenancies, leases or applications;
- Improving our services;
- Sending emails and text messages about our services;
- Helping us to improve the quality of our website;
- Helping to detect and prevent fraud.

In the course of this activity, we may need additional information to assist us in our enquiry. The nature of this information will depend on the circumstances of the request.

We will not use individual/customer data for the purposes of contacting them for market research or to supply information to a marketing partner.

Image Capture

Images may be captured during events we organise using photography, video or other medium and may be used on our website, brochures or other publicity material.

We acknowledge our responsibilities in capturing images by photography or other means under the Data Protection Act 1998 and the following legislation, namely the Protection of Children Act 1978 and the Human Rights Act 1998.

We inform all persons taking part in our activities that they may be filmed or photographed and where possible seek written consent to image capture. Sometimes it is not practical to obtain individual consent due to the scale of an event, in these circumstances individuals attending an event are deemed to have provided their consent by virtue of their attendance, unless they have expressly objected otherwise.

Control of personal information

All personal information held by Rosebery is managed in accordance with the terms of the Data Protection Act 1998 and is only provided to other organisations or companies in order to provide the services that our customers requires as stated below.

We may give some of this information to the following people and organisations:

- Courts;
- Police or other law enforcement agencies;
- Local authorities;
- Legal representatives e.g. the Associations Solicitors;
- Other agencies as may be necessary to provide services under the terms of tenancies/leases e.g. gas contractors, utility companies;
- Other persons whom individuals may wish to be involved with the procedure e.g. their MP.

Retention of Data

In accordance with the Data Protection Act 1998, we are committed to ensuring that information is held in a secure form (whether paper or computer held).

To prevent unauthorised access or disclosure of information, we have stringent procedures in place to safeguard and secure the information we collect and hold.

We will ensure that all information/details are securely and confidentially destroyed when they are no longer required.

We undertake not to sell or distribute personal information in any way to third parties.

Right of Access to Information

Individuals may request a copy of information held about them by us, unless it is exempt under the Data Protection Act, and can seek its amendment / erasure if it is inaccurate or no longer required.

The procedure for dealing with such requests is set out in the "Access to Personal Information Procedure".

We reserve the right to make a reasonable charge for responding to such requests.

Duties of Employees and Board Members

It is the responsibility of all employees and Board members to maintain confidentiality as set out within this Policy. A breach of confidentiality is a serious offence which may lead to disciplinary action.

We will provide appropriate training for employees on the provisions and implementation of Data Protection Legislation.

It is the responsibility of all employees to inform a senior manager when they are made aware of a breach of confidentiality. The senior manager is then responsible for taking appropriate action when they are made aware of such a breach.

DISCLOSURE OF INFORMATION

Information on individuals shall be considered confidential, and will only be passed to other organisations with the express written consent of the individual concerned, unless there are exceptional circumstances. Such circumstances include:

- Where there is clear evidence of fraud
- To comply with the law
- In connection with legal proceedings
- To prevent or detect a crime
- Where it is essential to enable us to carry out our duties, for example where the Association need to protect the vital interests of an employee/resident in a life/death situation.

Requests from third parties for such access shall only be considered where these are made in accordance with the process specified in the "Access to Personal Information Procedure".

We will not normally transfer data outside of the UK.

ACCESS TO PERSONAL INFORMATION PROCEDURE

If individuals wish to access the data that we hold they must complete a 'subject access request form' and send this to the contact address below, together with an administration fee (currently £10).

Once the completed request form and administration fee have been received, the Data Protection Officer will retrieve all information held from our records and respond to the subject access request within 40 calendar days. . We will also keep a record of all such requests which can be examined if required.

If it is discovered that the data held by the Association is incorrect, we will discuss this with the individual concerned and rectify the position. We will provide details of remedial action taken by us, together with evidence of the relevant data amendment.

As a consequence of this rectification, any third parties we share information with in delivering our services to the individual will be advised accordingly

WEBSITE

Our website may contain links to enable individuals to visit other websites of interest.

Visitors to our website should refer to our 'Website Terms and Conditions' for further guidance regarding linked websites.

Once visitors leave the Association's website, we do not have any control whatsoever over that third party website. Website visitors are informed that we cannot be responsible for the privacy and protection of information which they provide whilst visiting these websites.

COMPLAINTS

If individuals consider that we are holding personal data about them that is either incorrect or incomplete or if they have any other complaint regarding data protection at Rosebery Housing Association, they should write with full details to the Company Secretary at the address below or telephone 01372 814000 as soon as possible.

GOVERNANCE INFORMATION

Rosebery Housing Association Limited is registered under the Data Protection Act 1998, registration Z7206954

The Association's Data Protection Officer is the Company Secretary.

Rosebery Housing Association Limited is a Registered Provider (LH 4026) and is an exempt charity under the Charities Act 2011 (Industrial & Provident Society number 27671R).

Registered office: Rosebery House, 3rd Floor, Newplan House, 41 East Street, Epsom, Surrey KT17 1BL

We may review this Statement due to operational and/or legislative changes; this Data Protection & Privacy Statement is effective from December 2015.