



Privacy Information

(Formerly Data Protection Policy)

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Review Plan: e.g. annually	Annually
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Owner:	Highstone Housing Association
Document Controller:	Supported Housing Director

Amendments

Changes made	sections	date	by	Date approved by board
Expanded to reflect surveillance camera code of practice	8	17/11/2016	L Bell	1/2/2017
Review period Revised from three yearly to annually to comply with CCTV	Front page	17/11/2016	L Bell	1/2/2017
Full revision to reflect GDPR requirements from 25/05/2018	All	11/01/2018	L Bell	13/06/2018

1 Highstone Housing Privacy Information

Highstone Housing Association (HHA) is responsible for collecting, processing, storing and safe-keeping personal and other information as part of our business activities. We manage personal information in accordance with the Data Protection Act 1998 and the General Data Protection Regulation (GDPR) effective from 25th May 2018. Highstone Housing Association is the registered Data Controller with the Information Commissioner's Office, reference number: ZA161627. Our Data Protection Officer is Lucy Lloyd.

2 The Eight Principles of the Data Protection Act (DPA)

The Data Protection Act lists eight data protection principles, which HHA is obliged to follow:

1. Personal data shall be processed fairly and lawfully.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under this Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

3 GDPR Rights

In addition to the eight principles of the Data Protection Act, GDPR includes the following rights for individuals:

- the right to be informed;
- the right of access;
- the right to rectification;
- the right to erasure;
- the right to restrict processing;
- the right to data portability;
- the right to object; and
- the right not to be subject to automated decision-making including profiling.

4 Personal Information Collected by Highstone

We will only collect and store information that is required to enable us to fulfil our contractual obligations to our tenants, the local authority and care provider organisations. Additionally, we will share specific and relevant information with law enforcement and government agencies or public

bodies, where we are legally required to do so, or to safeguard a tenant e.g. emergency services or social services. We will collect, process and store information such as:

- Tenant: name, date of birth, National Insurance numbers, photographs, contact details, proof of identity and preferences
- Tenant demographic data such as religion, ethnicity and sexuality.
- References from landlords, support providers or other people vouching for applicants' suitability as a tenant
- Details of other family members or people living in our properties
- Bank account details including direct debit details, where applicable
- Rent information including payments and arrears
- Housing benefit claims and overpayments
- Repairs requested
- Application or referral forms
- Tenancy agreements
- Physical, mental health and mobility problems
- Complaints about our services
- Responses to surveys or involvement initiatives
- Information about any anti-social behaviour or other breaches of tenancy
- Acceptable behaviour contracts or injunctions
- Convictions, proceedings and criminal acts
- Correspondence to and from our residents, service users, other agencies or advocates
- Recordings of telephone calls made to and from HHA (in the future)
- CCTV images

We may apply markers to tenant information (for example, in relation to vulnerability or health status) to enable us to tailor and deliver our services efficiently and safely.

Appendix 1 "The 12 guiding principles of the surveillance camera code of practice and HHA's approach to compliance" explains how HHA fulfils its CCTV responsibilities.

5 How We Use Tenant Personal Information

We use tenant personal information for responding to enquiries, providing services to and managing relationships with tenants. We will also use the information to:

- Notify tenants of changes we are considering or planning to make
- Help us improve our services
- Inform tenants about our services.

We may also anonymise tenant information, so that it cannot be linked to tenants, as part of research exercises.

We will always tell tenants how we will use their information when collecting it. In most cases, we will use tenant data to manage rents through housing benefit applications and collection. We will also use information to ensure we are aware of tenant support needs when organising repairs or making changes to accommodation or procedures, for example.

6 Sharing Tenant Personal Information

Access to Tenant information will normally be limited to HHA. However, there may be occasions when we disclose tenant details to others as detailed in this section

We will usually obtain consent before referring tenants to another service or an activity that requires us to share tenant contact and background information with the organisation that provides the service.

6.1 Lawful Basis for Processing Data

In order to carry out our duties as a registered provider of social housing, we will record and process essential personal data i.e. to fulfil our contractual obligations between HHA and the tenant and HHA and the local authority. Additionally, we will share specific and relevant information with law enforcement and government agencies or public bodies, where we are legally required to do so.

Examples may include:

- The prevention or detection of crime and fraud
- The apprehension or prosecution of offenders
- The assessment or collection of tax or duty owed to customs and excise
- Sharing in connection with legal proceedings
- Sharing in relation to the physical or mental health of an individual, where disclosure is required to protect them or others from serious harm
- Research and statistical purposes.

We may also share information with emergency services and local authorities, where this is necessary to help them respond to an emergency situation that affects tenants.

6.2 Sharing Information

We will keep tenant personal information secure and confidential. Our staff have restricted access to personal information on a “need to know” basis. We may share information with contractors, or agencies we work with, such as Local Authorities, Social Services, Police, other social landlords when we believe it is in the tenant’s, or the public’s, interest to do so. We will also disclose information as required by law.

- We may share current or forwarding addresses with utility companies and Council Tax offices to ensure billing details are correct.
- If there is any default on tenancy/licence conditions, we may provide tenant personal information to authorised debt recovery agencies, to enable them to recover the debt. This may affect future applications for tenancies, credit and insurance.
- We will pass information to contractors who are working on our behalf so that they are able to contact our tenants. We may provide these contractors with information about our tenants or their home that we feel they need to know to ensure that they are safe in our tenant’s home or to ensure they give our tenants the best possible service.
- We may discuss financial situation, rent payments (including any arrears) and any claims made for welfare benefits with an external debt advice agency, Welfare rights advisor, the housing benefit department or the local authorities housing advice and homeless prevention team to make sure that benefits are paid correctly.
- We may pass on data about rent payment records to credit reference agencies to assist other organisations when tenants apply for financial products and services.

7 Protecting Personal Information

We aim to ensure that staff and board members do not misuse any confidential information, or pass on this information improperly to a third party. We protect personal information by applying technical measures, implementing policies, training staff and carrying out checks on practice.

7.1 Secure storage

- Paper files and records containing personal information are kept in secure cabinets. These cabinets are locked when they are not in use. Staff are provided with guidance on secure handling of records when taken from the office – for example, when carrying out a home visit.
- We ensure any information on our computer system is secure, accurate, relevant and necessary. All our computers are secured with passwords, and staff are all fully trained on our systems. The personal data held on mobile IT devices is minimised, encrypted wherever possible and technical measures taken to secure data should a device be lost or stolen.

7.2 Complaints and Enquiries

HHA's Housing Officer makes regular visits to each of our tenants which usually means any concerns, complaints and queries can be managed face to face. Where a visit is not timely and someone, other than the appointed care team makes contact on behalf of a tenant, we will always seek the tenant's permission first. This is because in responding to the complaint, the person claiming to represent the tenant might view some of their personal data. Every tenant has their own unique Tenancy Number; which can be found on the regular rent statements. If a tenant does not know their Tenancy Number we will ask for their full name and date of birth before giving out any details about the rent account.

7.3 Moving house

Twelve months after moving out, we will destroy the paper files relating to the tenancy (unless we are pursuing money owed or we need the information to support any dispute about disrepair or anti-social behaviour).

8 Accessing Personal Information known as Subject Access Requests

The General Data Protection Regulation 2018 gives tenants a number of rights in relation to personal information. Full guidance can be found on the Information Commissioner Office's website www.ico.org.uk/gdpr

Tenants have the right to access files or other records containing information relating to their present tenancy and past tenancies, where we were the previous housing association. This is now referred to as a Subject Access Request.

Tenants can make a request to access their personal data either through HHA housing officer or in writing to HHA. All requests are dealt with by our Data Protection Officer to ensure we act in accordance with the DPA and GDPR.

Under GDPR, we are required to comply with subject access requests within one month of a request being made. In most cases we will not charge for complying with the request, however we may charge where requests are manifestly unfounded or excessive. If we refuse a request to access data we will

always tell the individual why and that they have the right to complain to the Information Commissioners Office.

Tenants have the right to ask us to delete or change any inaccurate information held on our files. We consider all requests and will change or delete information that we agree is inaccurate.

We also need to respect the rights of others, and because of this we cannot make the following information available to a tenant:

- Information relating to, or identifying a third party, unless that person has given their written permission.
- Information from other agencies such as Social Services, doctors or lawyers which could reasonably be expected to be treated as confidential.
- Information that could cause physical or mental harm.

The decision to refuse an individual access to personal information about themselves is taken at 'Manager' level within HHA, in liaison with our Data Protection Officer.

We will identify ourselves and provide a contact number for tenants to confirm our identity on request when contacting them about our services.

9. Contact Information

Highstone Housing Association
Broadstone Farm
Browns Edge Road
Ingbirchworth
Sheffield
S36 7GR

Tel 01484 609189 Website: www.highstoneha.co.uk

The Information Commissioner's Office (ico) is the UK's independent body who upholds information rights in the public interest:

ICO
Wycliffe House
Wilmslow
SK9 5AF

Tel: 0303 123113 Website: www.ico.org.uk

10. Changes to Our Privacy Information

We will update this privacy notice to reflect changes either to the way we operate or changes to data protection legislation. We will bring significant changes to the attention of our tenants and update information on our website accordingly www.highstoneha.co.uk