

# Data Protection Policy



**Scope:** Housing Solutions

**Legislation And Guidance:** Data Protection Act 2018 UK  
General Data Protection Regulation (UKGDPR)2021  
Human Rights Act 1998  
Freedom of Information Act 2000  
Limitation Act 1980  
Computer Misuse Act 1990  
NHF Document Retention for Housing Associations Guidelines 2018  
ICO's Guidance on Video Surveillance

**Author:** Assistant Director of Digital Transformation & Organisational Design

**Approved by:** Housing Solutions Board

**Related Policies:** Information Governance Framework  
Complaints & Compliments Policy  
Whistleblowing Policy  
Data Privacy Impact Assessment (DPIA) Policy  
Data Controllers Policy  
Data Processors Policy  
Data Retention Policy  
Data Retention Policy Subject Access Request Procedure  
Handling Information Rights Requests Procedure

**Date of approval:** October 2024

**Date of next review:** October 2027

## 1. Policy Statement

- 1.1. This Policy sets out Housing Solutions' (HS) ("we", "our", "us") approach to data protection in relation to the current Data Protection Act 2018 (DPA) and the UK General Data Protection Regulation 2021 (UKGDPR) and how we handle the Personal Data of our customers, prospective customers, suppliers, employees, workers, business contacts and other third parties.
- 1.2. Housing Solutions recognises the need to process Personal Data legally under the principles set out by the DPA and UKGDPR and will comply with our legal requirements transparently. Housing Solutions is registered with the Information Commissioner's Office (ICO) as a Data Controller.
- 1.3. We will ensure that when we collect, process and share Personal data we will do so in a lawful, fair, relevant, secure, and transparent way in relation to the Data Subject. Personal Data will only be shared in accordance with the law and in a way which ensures that third parties apply appropriate standards of data protection.

## 2. Scope

- 2.1. This policy relates to the DPA, UKGDPR and Housing Solutions' internal procedures for

processing personal and sensitive information The policy also outlines how individuals can access their Personal Data.

- 2.2. The requirements and accountabilities to comply with this policy apply to all Housing Solutions staff including (where necessary) any third parties engaged to carry out services on our behalf.
- 2.3. This policy will apply to:
  - current and former customers
  - housing applicants
  - current and former employees (including Board Members and agency workers)
  - prospective employees
  - volunteers
  - contractors and suppliers
  - workers
  - complainants
  - others who may not fall into the above categories, but to whom we provide services or contracts; and
  - any other person whose personal data is processed by Housing Solutions
- 2.4. All staff must read, understand and comply with this Data Protection Policy when processing Personal Data on Housing Solutions' behalf and attend training on its requirements. Data protection is the responsibility of everyone within Housing Solutions and this Data Protection Policy sets out what we expect from members of staff when they handle Personal Data to enable us to comply with applicable law. Compliance with this Data Protection Policy is mandatory. Any related policies and privacy guidelines that are available are there to help interpret and act in accordance with this Data Protection Policy and must be complied with.
- 2.5. This policy applies to data held manually or within electronic systems that are deployed for the processing of Personal and Sensitive Personal Information. The policy details Housing Solutions' (and its affiliates) obligations to comply with data protection legislation to ensure that individuals' rights are upheld.
- 2.6. We will take all reasonable measures and actions to meet our legal obligations in relation to data protection.

### **3. Definitions**

- 3.1. Personal Data refers to any information relating to a living, identified or identifiable person who can be directly or indirectly identified from that data alone or in combination with other identifiers we possess or can reasonably access. Personal Data includes special categories of Personal Data and pseudonymised Personal Data but excludes anonymous data or data that has had the identity of an individual permanently removed. Personal Data can be factual (for example, a name, email address, location or date of birth) or an opinion about that person's actions or behaviour.
- 3.2. Sensitive personal data (also known as 'special category data') refers to data consisting of:
  - racial or ethnic origin.
  - political opinions.
  - religious or philosophical beliefs.
  - trade union membership.
  - genetic data.

- biometric data.
- health information.
- data concerning an individual's sex life or sexual orientation.

3.3. A Data Subject is the person to whom Personal Data pertains (who is consequently the owner of the personal data).

3.4. Processing or Process refers to any activity that involves the use of Personal Data. It includes obtaining, recording, or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing, or destroying it. Processing also includes transmitting or transferring Personal Data to third parties.

### 3.5. Roles and responsibilities

Position	Responsibilities
Data Controller	Housing Solutions
Information Commissioner's Office	Enforcing data protection legislation and data subject's rights within the UK.
Executive Team	Oversight of compliance with the Data Protection Policy.
DPO	Monitoring Housing Solutions' data processing activity and acting as a point of contact for residents and other data subjects with any queries or concerns, as well as supervisory authorities. Housing Solutions' Data Protection Officer is : CP-DP Data Protection <a href="#">CP Data Protection – Clear &amp; practical Data Protection advice, tools &amp; training</a> . They can be contact via email at : datacontroller@housingsolutions.co.uk.
Assistant Director of Digital Transformation & Organisational Design	Monitoring and reporting on compliance with this policy. Individuals should contact the DPO with any queries regarding the operation of this policy.
Other Data Controller	A third party with whom Housing Solutions may share personal data for shared purposes.
Data Processor	A third party acting on behalf of Housing Solutions and with a shared purposes which processes personal data on HousingSolutions' behalf.
Line Managers / HR / Learning & Development	Ensuring that their team / all staff are aware of this policy and receive appropriate training.
All staff (and Board Members)	Responsible for following this policy when handling information on behalf of Housing Solutions. Where a data protection breach is identified it should be reported immediately to the IT Manager.
IT Manager & Data Analysts (including Team Leader)	Processing of Data Subject Access Requests (DSAR) and ensuring timely completion.

## 4. Legislation

4.1. The existing data protection legislation is the DPA and the UKGDPR, which strengthens the rights of individuals (see Handling Information Rights Procedure).

- 4.2. Housing Solutions understands that protecting the confidentiality and integrity of Personal Data is a critical responsibility that we take seriously, and we understand that failing to comply with the requirements of the DPA and UKGDPR may result in:
- Enforcement measures (including fines) being issued by the ICO.
  - Reputational impact and damage.
  - Compensation for individuals for damages in relation to data breaches.
  - Disciplinary action.
  - Criminal and civil action.
  - Personal accountability and liability.
  - Organisational accountability and liability.
- 4.3. Housing Solutions is responsible for, and will demonstrate, compliance with the data protection legislation (accountability).

## 5. Information Held

- 5.1. Housing Solutions is required to process Personal Data to provide services to customers and stakeholders. This processing can include (but is not limited to):
- Customer information (e.g. Name, Contact Details, Financial data).
  - Prospective, Current or Former Employee information (e.g. Applicant details, contract terms, salaries).
  - Information about other groups or persons (e.g. complainants).
- 5.2. When asked for Personal Data, individuals will be informed as to how and why the information is required and who will have access to it. This is known as a Privacy Notice and also sets out the rights the individual has in relation to the information we collect. Our main Privacy Notice is published on our website.
- 5.3. The Personal Data must be relevant for the purpose for which it is being requested and will only be collected for specified, explicit and legitimate purposes. We will not use the data for a new, different, or incompatible purposes from that disclosed when it was first obtained unless we have informed the Data Subject of the new purposes, and they have consented where necessary.
- 5.4. Personal Data will be kept securely and when it is no longer needed for specific purposes, We will ensure it is deleted or anonymised in accordance with our data retention guidelines. We will also take reasonable steps to destroy or erase from our systems all Personal Data that we no longer require in accordance with Housing Solutions' retention schedules and policies. This includes requiring third parties to delete that data where applicable.
- 5.5. When Personal Data is collected indirectly (for example, from a third party or publicly available source), we will provide the individuals with all the information required by the UK GDPR as soon as possible after collecting or receiving the data. We must also check that the Personal Data was collected by the third party in accordance with the UK GDPR and on a basis which contemplates our proposed processing of that Personal Data.
- 5.6. UKGDPR enforces stricter rules upon organisations to ensure that they are taking all reasonable measures to guard against data theft, loss or other breaches. If there is a data breach resulting in a high risk to an individual, we must let them and the ICO know at the earliest opportunity.
- 5.7. We will make all reasonable efforts to ensure that information held is accurate and kept up to date by the timely updating of records held. It will be explained to individuals that

they have a duty to inform us if their circumstances change so that we can update the information we hold to ensure its continuing accuracy.

- 5.8. When embarking on any significant new data processing activity or projects that may impact the data protection rights of individuals (e.g. installing new CCTV adopt a 'privacy by design' approach and conduct a Privacy Impact Assessment in accordance with our Data Privacy Impact Assessment (DPIA) Policy. If the Privacy Impact Assessment identifies a data processing activity as high risk, this will be flagged to the nominated data protection representative who will make a recommendation as to whether the processing can begin or continue. If the recommendation is that processing should not begin or should desist then the assessment should be reviewed by the DPO, completed by the IT Manager - who may elect to proceed with the processing despite the highlighted risks. If we identify a high risk that we cannot mitigate, we must consult the ICO before starting/continuing the processing.
- 5.9. Personal Data relating to all employees is held by the Human Resources (HR) department. The Finance department holds Personal Data relating to payroll and pensions. There are security restrictions in place to ensure that the HR and Finance departments cannot gain access to information that is not necessary for them to view.

#### Employees and Job Applicants

- 5.10. Employment application forms contain a relevant privacy notice that explains how the form will be used and seeks consent from the applicant. If this information is to be disclosed to another party, consent will be sought from the individual (and an explanation provided regarding the implications of giving their consent).
- 5.11. Information relating to applications made by potential employees will be held for up to 12 months from the advertised closed date. After this period, the application forms of unsuccessful candidates will be destroyed. Anonymous information, such as diversity statistics of candidates, will be retained.

#### Potential, Current and Former Customers and Contractors

- 5.12. Confidential and Personal Data relating to potential, existing and former customers, contractors and suppliers is held on the Housing System, the main file server, email system and paper files within relevant departments.
- 5.13. The call recording system complies with the Payment Card Industry Data Security Standard (PCI DSS). Telephone recordings are securely held for training and monitoring purposes and access to this is limited to the Digital Contact Team Leader. Additionally, no payments are taken over the phone, they are instead processed by a third-party supplier.
- 5.14. Housing Solutions may use CCTV monitoring on its office premises and/or in residential areas subject to protecting the personal safety of customers, employees, and visitors, investigate, detect, and/or prevent crime.
- 5.15. Housing Solutions complies with the ICO's Guidance on Video Surveillance.
- 5.16. All customers are required to sign a Data Collection Form (Appendix 1).

## **6. Disclosure of Information**

- 6.1. We may need to share Personal Data with other organisations. To process this data, we will need to rely on one or more of the lawful bases set out in the UK GDPR. This will

normally entail seeking and obtaining an individual's consent prior to the data being shared. An individual will consent to processing of their Personal Data if they clearly indicate agreement to the processing. Consent requires affirmative action, so silence, pre-ticked boxes or inactivity will not be sufficient to indicate consent. If consent is given in a document which deals with other matters, then the consent must be kept separate from those other matters. This consent can be withdrawn at any time.

6.2. There are some circumstances where consent may not be required because we can rely on another lawful bases to process Personal Data including (but not limited to):

- in connection with the assessment or collection of tax or duty (i.e. Council Tax).
- detecting or preventing crime.
- where disclosure is necessary to protect an individual's vital interests (e.g. in the event of an emergency).
- to comply with prevailing health and safety legislation.
- where a court orders the disclosure.
- where it is in the legitimate interests of Housing Solutions' business to make disclosure;
- to comply with or perform a contract.

These circumstances are known as grounds for processing under the DPA and UKGDPR. There are several other grounds we can rely on.

6.3. Generally, we will not share Personal Data with third parties, however, we may share this data if:

- they have a need to know the information for the purposes of providing the contracted services.
- sharing the Personal Data complies with the Privacy Notice provided to the Data Subject and, if required, the Data Subject's Consent has been obtained.
- the third party has agreed to comply with the required data security standards, policies, and procedures, and put adequate security measures in place.
- the transfer complies with any applicable cross-border transfer restrictions; and
- a fully executed written contract that contains UK GDPR-approved third party clauses has been obtained.

Housing Solutions has information sharing protocols (ISP)/data sharing agreements (DSA) with a number of partner organisations including the Police and Local Authorities. These allow us to transfer information between these agencies for the benefit of individuals and communities. This information is not shared outside of the protocol group. Where reasonable, individuals will be informed that information about them will be subject to discussion at such a forum. We must still ensure that we have a ground for processing - the ISP/DSA merely ensure that both parties are aware of, and comply with, their obligations under data protection law.

6.4. Under the Freedom of Information Act 2000, any information supplied by Housing Solutions to a public body may be published in response to a Freedom of Information request.

6.5. Where a new external organisation is identified which requires data sharing, we will ensure a new DSA is in place. Data will be shared with the external organisation following our IT Acceptable Use Policy to ensure data is transferred in a secure method.

## 7. Access to Personal Data

7.1. All individuals that we process Personal Data for (and their representatives) have a right to obtain:

- confirmation that their data is being processed.
  - access to their personal data; and
  - other supplementary information (which corresponds to Privacy Notices provided when the information is collected).
- 7.2. Requests will preferably be made in writing, but verbal requests can be accepted. Those with learning disabilities can be assisted to access this service, or we will assist their support worker in doing so.
- 7.3. There is no charge for access to Personal Data. However, we may charge a reasonable fee (or reject the request altogether) when a request is manifestly unfounded or excessive, or if it is repetitive. Any fee charged must be based on the administrative cost of providing the information.
- 7.4. Housing Solutions will provide information without delay and within one month of receipt of a valid request, unless more than one request is made, or the request is complex - in which case we will provide the information within three calendar months. In circumstances where we ask the Data Subject to clarify their subject access request, the period for providing the information pauses until the clarification has been provided.
- 7.5. We may refuse to respond to subject access requests for the following reasons:
- A third party fails to present sufficient proof of authority to make the request on the Data Subject's behalf.
  - When we process data for purposes that do not require Data Subject identification and we demonstrate that we cannot identify the Data Subject, we may deny Data Subject requests under Articles 15 (right of access), 16 (right to rectification), 17 (right to erasure), 18 (right to restrict processing), and 20 (right to data portability) unless the Data Subject provides additional information enabling identification.
  - The law provides a basis for denying the request.
  - We demonstrate that the request is manifestly unfounded or excessive, in particular, because of its repetitive character. The ICO provides examples of situations where a request might be considered manifestly unfounded or excessive.
  - We do not hold any personal data related to the Data Subject's request.
- 7.6. If we refuse a request for information individual reasons for this will be provided.
- 7.7. A log of subject access requests and subsequent actions will be kept by the organisation.
- 7.8. Full details in relation to subject access requests are available in our Subject Access Request Procedure (including the methods for verifying individuals' ages, obtaining consent from the child or parent(s)/guardian(s) where applicable for any data processing activity relating to child data subjects).

## 8. Training

- 8.1. All Housing Solutions employees will receive annual data protection training. Additional training for specific job roles will be provided as required. Training will be provided to all new starters and refreshed annually.

## 9. Complaints

- 9.1. Where an individual believes that Housing Solutions has misused, allowed inappropriate access to, unreasonably refused access or to amend personal data, the grievance will be dealt with in accordance with our Complaints Policy, the DPO should be consulted on the intended response.
- 9.2. Staff members should follow the staff grievance procedure, any investigative hearing should be supported by the DPO.
- 9.3. In the event of anyone wishing to appeal their complaint or grievance, this should be directed to the Information Commissioners Office.

## **10. Marketing and Promotion**

- 10.1. Housing Solutions will never share or sell individuals' data to third party organisations for the purposes of marketing or promotion. We may contact individuals with information about services that are relevant, similar or complement existing services that we already provide. Individuals can opt out of any such communications by informing any member of our staff who will then be responsible for updating the housing management system accordingly as soon as possible.

## **11. Equality & Diversity**

- 11.1. Housing Solutions recognises that the personal data we process relates to a diverse resident community and workforce, including people with protected characteristics, vulnerabilities and different access needs. We act in accordance with our Equality, Diversity & Inclusion Policy and the Equality Act 2010.
- 11.2. Where lawful and appropriate, we collect and use equality-related information (such as ethnicity, disability and vulnerability indicators) to support inclusive services, make reasonable adjustments, meet regulatory and safeguarding responsibilities, and promote fairness and inclusion for both residents and employees. All such processing is carried out in line with UK GDPR principles, with appropriate safeguards for privacy and confidentiality.

## **12. Confidentiality and Security**

- 12.1. Personal Data must be secured by appropriate technical and organisational measures against unauthorised or unlawful processing, and against accidental loss, destruction, or damage.
- 12.2. We will develop, implement, and maintain safeguards appropriate to our size, scope and business, our available resources, the amount of Personal Data that we own or maintain on behalf of others, and identified risks (including use of encryption and Pseudonymisation where applicable). We will regularly evaluate and test the effectiveness of those safeguards to ensure security of our processing of Personal Data. Individuals are responsible for protecting the Personal Data we hold, and they must implement reasonable and appropriate security measures against unlawful or unauthorised processing of Personal Data and against the accidental loss of, or damage to, Personal Data. Individuals must exercise particular care in protecting Special Categories of Personal Data and Criminal Convictions Data from loss and unauthorised access, use or disclosure.
- 12.3. Under the DPA, the UKGDPR, all personal and sensitive organisational information, however received, is treated as confidential. This includes:
  - anything of a personal nature that is not a matter of public record about a resident, client, applicant, staff, or board member.

- sensitive organisational information.

12.4. Housing Solutions employees will ensure that they only involve other agencies and share information where necessary and if there is a legal basis for processing the information.

12.5. The UK GDPR requires Data Controllers to notify any Personal Data Breach to the Information Commissioner within 72 hours of becoming aware of it, if the breach poses a risk to a person’s rights and freedoms. Data breaches must be reported to affected individuals without undue delay when the breach is likely to result in a high risk to their rights and freedoms. If a data breach has occurred, staff must not attempt to investigate the matter themselves. Immediately contact the person or team designated as the key point of contact for Personal Data Breaches.

**Review**

12.6. This policy will be reviewed on a 3-yearly basis or more frequently in response to changes in legislation, regulatory guidance, good practice, or changes in other relevant Housing Solution’ policy.

12.7. Our performance in relation to the delivery of the services and activities set out in this policy – including data breaches and DSARs will be monitored on an ongoing basis through our established reporting mechanisms to our Senior Management Team, Executive Team, Board, and associated committees.

Version	Date	Section(s) Updated	Description of Change	Author	Approved By

## Appendix 1

### 12.8. Data Collection Form (Privacy Notice)

Housing Solutions (“we”) are defined as a data controller and responsible for your personal data under the UK General Data Protection Regulation (UKGDPR) and any successor legislation to the UKGDPR (collectively the “Data Protection Legislation”). We are registered with the Information Commissioner’s Office (ICO) under Z6037328.

We can be contacted in writing at Crown House, Crown Square, Waldeck Road, Maidenhead, Berkshire, SL6 8BY, by email at [datacontroller@housingolutions.co.uk](mailto:datacontroller@housingolutions.co.uk) or by telephone at 0800 876 6060 or 01628 543101. Our data protection representative is the Director of Finance and Data Integrity and can be contacted using the contact details above.

It is important that you read the information contained within this Data Collection Form together with our Data Protection Policy and Privacy Policy and any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you. This is so that you are fully aware of how and why we are using your data. This Data Collection Form supplements our Privacy Policy and the other notices and is not intended to override them.

#### 1. What personal data do we process?

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you (the primary tenant), joint tenant(s) and any other occupants of the property which we have set out below in section 2.

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, your tenancy agreement).

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

#### 2. Purposes for which we will use your personal data.

We have set out overleaf, in a table format, a description of the likely ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

We may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground, we are relying on to process your personal data where more than one ground has been set out in the table below.

The references below to the lawful basis for processing have the following meanings:

“Legitimate interests”: where it is in the legitimate business interests of Housing Solutions to undertake the processing, and the processing does not cause unwarranted interference with the rights and freedoms of the individual.

**“Contract”:** where the processing is necessary for the performance of a contract (for example in order to apply or enforce the terms of a tenancy agreement or lease)

**“Vital interests”:** where the processing is in the vital interests of the individual and it is not practicable to obtain their consent to the processing.

**“Legal obligation”:** where Housing Solutions is under a legal obligation to undertake the processing because of a statutory or other legal requirement.

**“Explicit consent”:** means consent which is freely given and unambiguous.

**“Safeguarding”:** means the safeguarding of children or vulnerable adults.

**“Equality of opportunity or treatment”:** means that the processing is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment.

**“Administration of justice or bringing or defending legal claims”;** means that we can process data where it is necessary for the purposes of court proceedings including civil claims such as possession claims.

**“Public task”** means the processing is necessary to perform a task in the public interest or official functions, and the task or function has a clear basis in law.

Purpose/Activity	Type of Data	Lawful basis for processing
To keep our records up to date and to help prevent tenancy fraud and illegal subletting	<ul style="list-style-type: none"> <li>● Communications</li> <li>● Contact</li> <li>● Financial</li> <li>● Identity</li> <li>● Profile</li> <li>● Technical</li> <li>● Transaction</li> <li>● Usage</li> </ul>	<ul style="list-style-type: none"> <li>● Contract</li> <li>● Legitimate interests</li> </ul>

To communicate with you and keep you informed about services that may be useful to you	<ul style="list-style-type: none"> <li>• Communications</li> <li>• Contact</li> <li>• Financial</li> <li>• Profile</li> <li>• Technical</li> <li>• Transaction</li> <li>• Usage</li> </ul>	<ul style="list-style-type: none"> <li>• Legitimate interests</li> </ul>
Verifying your identify	<ul style="list-style-type: none"> <li>• Identity</li> </ul>	<ul style="list-style-type: none"> <li>• Contract</li> <li>• Legitimate interests</li> </ul>
Managing your tenancy, including to help you improve your financial circumstances	<ul style="list-style-type: none"> <li>• Communications</li> <li>• Contact</li> <li>• Financial</li> <li>• Profile</li> <li>• Transaction</li> </ul>	<ul style="list-style-type: none"> <li>• Contract</li> <li>• Legitimate interests</li> </ul>
To provide information to third parties that we work with (e.g. the Police and other emergency services, training or employment opportunities, external service providers).	<ul style="list-style-type: none"> <li>• Communications</li> <li>• Contact</li> <li>• Financial</li> <li>• Identity</li> <li>• Profile</li> <li>• Technical</li> <li>• Transaction</li> <li>• Usage</li> </ul>	<ul style="list-style-type: none"> <li>• Contract</li> <li>• Legitimate interests</li> <li>• Vital interests</li> </ul>
Recording communication with us (including telephone calls) for training and monitoring to ensure a high level of services provided.	<ul style="list-style-type: none"> <li>• Communications</li> <li>• Transaction</li> </ul>	<ul style="list-style-type: none"> <li>• Legitimate interests</li> <li>• Vital interests</li> </ul>

Purpose/Activity	Type of Data	Lawful Basis
Recordings for safeguarding purposes, in addition to preventing and detecting crime(e.g. CCTV).	<ul style="list-style-type: none"> <li>• Audio</li> <li>• Image</li> </ul>	<ul style="list-style-type: none"> <li>• Legitimate interest</li> <li>• Vital interests</li> </ul>
Information provided by third parties. relevant to your circumstances (e.g. social workers or healthcare professionals).	<ul style="list-style-type: none"> <li>• Communications</li> <li>• Contact</li> <li>• Financial</li> <li>• Identity</li> <li>• Health</li> <li>• Profile</li> <li>• Technical</li> <li>• Transaction</li> <li>• Usage</li> </ul>	<ul style="list-style-type: none"> <li>• Contract</li> <li>• Legal obligation</li> <li>• Legitimate interests</li> </ul>

### 3. Special Categories of Personal Data

We may also process the following special categories of sensitive personal data:

Special categories of personal data	The purpose for which we process these special categories of personal data	Lawful basis for processing
<p>Religion or other beliefs of a similar nature</p> <p>Racial or ethnic origin</p> <p>Sexuality and/or sexual life</p> <p>Trade union membership</p> <p>Health, e.g. details of any physical or mental health conditions, or disability</p>	<p>1. To assist us in managing your tenancy and providing you with advice and support, as required.</p> <p>2. To help us assess what adaptations we may be able to make to provide you with easier access to your property.</p> <p>3. For statistical purposes.</p> <p>4. To provide a service which meets your individual requirements and to develop future services to meet the needs identified</p>	<ul style="list-style-type: none"> <li>• Your explicit consent</li> <li>• Vital interests</li> <li>• Safeguarding</li> <li>• Administration of justice or bringing or defending legal claims</li> <li>• Equality of opportunity or treatment</li> <li>• Necessary for the purposes of preventative or occupational medicine for the assessment of your working capacity, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of English law.</li> </ul>

### 4. Criminal Offence Data

We may also process the following criminal conviction data:

Special categories of personal data	The purpose for which we process these special categories of personal data	Lawful basis for processing
<p>Offences committed or alleged to have been committed, outcomes and sentences, commission of proceedings for any offence.</p>	<p>To assist us in managing your tenancy and providing you with advice and support, as required.</p> <p>To help us assess what adaptations we may be able to make to provide you with easier access to your property.</p> <p>For statistical purposes.</p>	<p>Safeguarding.</p> <p>Administration of justice or bringing or defending legal claims</p>

## **5. How we treat your personal data**

We are committed to treating your personal data fairly, lawfully and transparently.

When processing your personal information, we will comply with all relevant Data Protection Legislation and any national implementing laws, regulations and secondary legislation. The information we collect to deliver you a service throughout your tenancy is detailed in this document and our Privacy Policy found on our website at <https://www.housingsolutions.co.uk/cookies/privacy/>.

It may sometimes be necessary to transfer your personal data overseas. When this is required, information will only be held or processed within the European Economic Area (the “EEA”).

We will ensure all relevant and reasonable measures are in place to keep your personal and sensitive personal data secure.

## **6. How we share your personal data**

We may have to share your personal data with third parties for the purposes set out in the tables at sections 3 and 4 above.

We collect and share relevant information, which may include the disclosure of your personal data to others, for various purposes including:

- where required to by law, with law enforcement and government agencies, local authorities 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.
  - In connection with legal proceedings.
  - In relation to the physical or mental health of an individual, where disclosure is required to protect them or others from serious harm and to protect their vital interests.
  - Research and statistical purposes.
- when engaging third party contractors (data processors) to carry out functions on our behalf.
- to provide, change and improve our services, example of which include:
  - housing contractors e.g. to undertake repairs or improvements to your home.
  - IT providers who own or manage the computers, phones or systems we use.
  - our contractors who handle your out of hours service calls for us.
  - financial institutions e.g. to carry out payments through a secure system.
  - companies that assist us in mailing out our leaflets/ newsletters and/or to undertake research (including but not limited to customer satisfaction surveys).
  - additional staff resources, such as consultants or agency staff.
  - our professional advisors and providers of financial services.
  - our partner organisations whose purposes dovetail with ours.
  - training providers or learning institutions.
  - other housing associations.

- when engaging external assistance where you have agreed to the referral, for example to do with financial problems or domestic abuse.
- to local authorities and government departments who provide relevant services for you, including benefits.
- to the police, fire services, utility companies, health authorities or medical staff who provide services for you.
- to debt collection agencies acting for others, for example this may be necessary if you terminate your tenancy with an outstanding rent balance and no payment arrangement in place, we may forward your details to a debt collection company or tracing agent. This information will be your name, address, contact details, current arrears, last payment made, and tenancy start and end date. We will also share any forwarding address if you leave the property in debt with a utility company.

We require all third parties to respect the security of your personal data and to treat it in accordance with Data Protection Legislation. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 7. How long do we keep your personal data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

Either by law or in line with best practice we have to keep some information about our tenants (including tenancy agreements), most of which is kept for a period of six years after they cease being tenants, unless otherwise stated in our Data Retention Policy. After this retention period expires the data will be securely destroyed.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## 8. Your rights in relation to your personal data

As a 'data subject' you have certain rights over the personal data we hold and process about you, specifically:

### 1. The right to be informed.

Individuals have the right to be informed about the collection and use of their personal data.

### 2. The right of access

Individuals have the right to access their personal data and supplementary information, including confirmation that their data is being processed.

### 3. The right of rectification

Individuals have the right to have personal data rectified if it is inaccurate or incomplete.

### 4. The right to erasure (also known as the 'right to be forgotten')

This is also known as the 'right to be forgotten'. Individuals can request the deletion or removal of personal data where there is no compelling reason for processing it.

### 5. The right to restrict processing.

The processing of personal data may be restricted in certain circumstances, e.g. where the accuracy of the personal data is contested.

**6. The right to data portability**

Individuals have the right to obtain and reuse their personal data for their own purposes across different services.

**7. The right to object**

Individuals have the right to object to the processing of their personal data in certain circumstances.

**8. Rights in relation to automated decision-making and profiling.**

Individuals have extra protections where automated decision-making (i.e. making a decision solely by automated means without any human involvement) is the sole method of decision-making.

These rights are set out in more detail on the ICO's website [www.ico.org.uk](http://www.ico.org.uk).

**9. Requesting a copy of your personal data**

If you wish to obtain a copy of the personal data we hold about you, please put your request in writing to the Assistant Director of Digital Transformation & Organisational Design and Data Integrity, Housing Solutions, Crown House, Crown Square, Waldeck Road, Maidenhead, Berkshire, SL6 8BY or [datacontroller@housingsolutions.co.uk](mailto:datacontroller@housingsolutions.co.uk) by email.

We are legally obliged to make this information available within one month of your request (which can be extended by a further two months if the request is complex or numerous requests have been received from one individual) once we have received the request in writing, together with proof of your identity, in accordance with our Subject Access Request Procedure. Please note that if your request(s) for a copy of your personal data is 'excessive or manifestly unfounded', we have the right to refuse your request or charge a reasonable fee to reflect the administrative cost of providing you with a copy of your personal data.

**10. Contacting us about your personal data**

Our Privacy Policy is available on our website which is linked below and outlines our approach to data protection in full. If you require any further information on this matter or wish to exercise any of your data subject rights (as listed above) then please contact our Customer Contact Centre on 0800 876 6060 or email [datacontroller@housingsolutions.co.uk](mailto:datacontroller@housingsolutions.co.uk). For independent advice please contact an appropriate agency such as the Citizens Advice Bureau on 03444 111 444 ([www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)) or the ICO ([www.ico.org.uk](http://www.ico.org.uk)) on 0303 123 1113.

**11. Questions and complaints**

If you have a questions or concerns about any of your personal data that we hold or process, please contact us. If, after contacting us, you are still not satisfied, you have the right to make a complaint at any time to the ICO, the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)).

We need your permission to process the special categories of personal data about you set out in section 3 of this Data Collection Form. If you have submitted special categories of personal data about other individuals besides yourself in completing this Data Collection Form, then we will also need their permission to process their personal data. If we want to use special category data for purposes where we do not have your permission/the permission of the data subject, we may only do so for very restricted purposes some of which are set out in the Table at section 3.

We will at all times process such special categories of personal data in accordance with our Privacy Policy which is available on our website (by searching 'privacy'). By signing this Form you and every individual over the age of 16 named in this Data Collection Form are providing your

explicit consent to us processing the special categories of personal data submitted in this Data Collection Form for the purposes set out above.

Address .....

Signed .....

Printed .....

Date .....

*Incoming customer*

Signed .....

Printed .....

Date .....

*Incoming customer (if joint tenancy)*

Signed .....

Printed .....

Date .....

*Other occupier of the property*