



PRIVACY POLICY

Procedure owner/author:	Housing Manager
Approved by:	Stoke on Trent Housing Society Board
Date approved:	11/09/18
Next review date:	As per any change in legislation

1. Policy Overview

Stoke on Trent Housing Society is committed to protecting and respecting the privacy of its customers, contractors and staff. This privacy policy sets out the basis on which any personal data we collect or that is provided to us, will be processed by us.

2. General Data Protection Regulation

Stoke on Trent Housing Society complies with the principles set out in the General Data Protection Regulation and aims to ensure that the personal information that we are provided with is processed fairly and lawfully.

We comply with the relevant English Data Protection laws, which include having a legal duty to protect any information we collect and we use appropriate technologies to safeguard data, and keep strict security standards to prevent any unauthorised access to it. Normally, any personal details provided to us will not be disclosed to third parties outside the company without the user's consent. However, in some circumstances, we may share information to other agencies or organisations such as contractors working on our behalf, the police or local authorities and any other organisation with whom we work where the law allows.

For the purpose of the General Data Protection Regulation (**GDPR**) and other UK data protection laws (**Data Protection Laws**) that apply from time to time, the data controller is Stoke on Trent Housing Society Limited, The Trevor Jones Office, Hammond House, Ridgway Road, Stoke on Trent, ST1 3AX. The Society is registered with the Homes and Communities Agency under Section 3 of the Housing Act 1996.

3. Information Collection

Stoke on Trent Housing Society will collect information in a variety of ways including our website, on various forms, tenancy agreements, and through our ongoing contact with residents. In some cases we will also collect CCTV images.

This information may include names, genders, date of births, addresses, e-mail addresses, postal addresses and phone numbers, and other personal data (including sensitive or special category personal data) that is provided to us.

When a customer applies to become a Stoke on Trent Housing Society resident, we will request and hold on file information necessary to assess their application. This includes information from other housing

providers / private landlords. In some circumstances we may collect information from the Police, the Probation Service, support workers, social workers and mental health workers.

We may also process other personal information to manage our tenancies. This will vary on a case by case basis but may include financial information (we may use this to help resolve arrears payments and optionally to provide welfare, benefits and debt advice as a free service to help you budget and pay your bills) and warning information (where the safety of our staff is believed to be at risk, usually where a customer has threatened staff, we may record this information on our records so that risks to our staff can be minimised).

Where personal information relating to family members or associates is provided we will assume that this has been provided with their knowledge and their consent to the collection and processing of the information.

We may also collect supplier information about our payments system provider, www.allpayments.net and IP addresses. We may use aggregate data and statistics for the purpose of monitoring the site usage in order to help us develop the site and our services. The statistics will not include information that can be used to identify any individual.

4. Use of information

The lawful grounds that Stoke on Trent Housing Society will utilise in terms of holding and using information are:

1. Our processing is necessary for the performance of a contract (**Performance of Contract**)
2. Our processing is necessary for the purposes of our legitimate interests or those of a third party, except where such interests are overridden by your interests or fundamental rights and freedoms (**Legitimate Interests**)
3. In the case of us processing sensitive or special category personal data, processing is necessary for reasons of Public Interest in the area of Public Health (**Public Health**)

Where any person believes that our legitimate interests are overridden by their interests, rights or freedoms, as the data subject they have the right to object.

5. Sensitive Personal Information

Under GDPR certain categories of personal information are classified as sensitive or special category data. These categories are data relating to racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; health/medical data; sex life or sexual orientation.

Stoke on Trent Housing Society will minimise the use of special categories of personal data but, given the services we provide there are times when we may have a legitimate interest in processing special categories of data and therefore, we may ask for consent to collect and process this data.

We will always give a 'prefer not to answer' option when we ask for any of the special categories of data above. However, where someone chooses not to provide the information we may not be able to provide all our services to that person. Providing us with special category data helps us to deliver our services when providing accommodation for disabled people, people with substance abuse problems or when helping someone to access support services.

Collecting special category data also helps us ensure that we meet the Public Sector Equality Duty. This requires Stoke on Trent Housing Society, as a social housing provider, to give due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations. This means that we may ask for information about ethnicity, religion or belief and so on but our responsibilities under the Public Sector Equality Duty do not over ride the right to privacy.

When we collect specific sensitive data we will notify the person of how we will use it, and we will tell them who it may be shared with.

6. Closed Circuit Television (CCTV)

Some of our properties have CCTV in public areas to deter crime and anti-social behaviour and to promote public safety by helping to identify and prosecute criminal offenders. A copy of any CCTV images taken of a person can be requested by that person by making a 'subject access request'.

Stoke on Trent Housing Society will carry out an impact assessment for all locations where we use CCTV. This helps ensure that our use of CCTV is appropriate and proportionate to issues of crime and public safety that we are seeking to address and minimises intrusion into individual rights to privacy.

7. Sharing Information

Personal information will be kept secure and confidential. Usually we will not disclose personal data without consent but we may share information with contractors or third parties and other agencies we work with, including Local Authorities, Social Services, Police, other social landlords and other agencies when we believe it is in an individuals or the public's interest to do so, or as required by law.

In particular:

- Current or forwarding addresses may be shared with utility companies and Council Tax offices to ensure billing details are correct.
- Where a person defaults upon any tenancy/licence conditions information may be provided to authorised debt recovery agencies, to enable them to recover the debt. This may affect a person's future applications for tenancies, credit and insurance.
- We may discuss a person's 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.
- All customer names, addresses and rent amounts are shared at the end of each year with Local Authority Benefits teams and the Department of Works and Pensions to help claims for housing benefits and changes to housing benefits happen more quickly and easily for everyone. All customers are included as we do not always have records of who receives benefit, due to direct payment.

8. Accessing Information

Section 7 of the Data Protection Act 1998 (DPA) gives individuals a right of access to information held about them. This right is usually exercised through individuals (known in the Act as data subjects) requesting to see a copy of the information an organisation holds about them – these are commonly known as Subject Access Requests (SARs).

Customers can request access to their information by writing or emailing in to Stoke on Trent Housing Society with details of the information they want and evidence of identification. Information on Data Protection and how to make a SAR will be available on the Society's website.

Under the right of subject access, an individual is entitled only to their own personal data, and not to information relating to other people (unless they are acting on behalf of that person), or to their property.

The Society understands that failure to deal appropriately with a SAR could result in enforcement action being taken by the Information Commissioner's Office (ICO) and so any requests will be dealt with by the Housing Services Manager following the appropriate guidance.

9. Security of Information

Stoke on Trent Housing Society is committed to ensuring that information we hold is secure and that we operate secure data networks protected by industry standard security systems. In order to prevent unauthorised access or disclosure we will put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect on line.

Any person that knowingly introduces malicious or technologically harmful material would be committing a criminal offence under the Computer Misuse Act 1990. We will report any such breach to the relevant law enforcement authorities and we will co-operate with those authorities.

We will make every effort to ensure that our systems and website are free from viruses, defects and harmful files however Stoke on Trent Housing Society is not liable for any loss or damage to software or computer systems or loss of data as a result of using, or the inability to use, our website.

Our website may contain links to other websites of interest that we do not have any control over. Therefore, we cannot be responsible for the protection and privacy of any information provided whilst visiting such websites.

10. Storage Limitation

It would be impossible to list all the documents that the Society keeps, or need to keep. In many cases, it will be a matter of what 'feels right' for the organisation and the exercising of common sense when making a decision on what to keep, what to archive or what to dispose of.

Personal data will be stored in line with guidance from the **National Housing Federation**. Examples are:

- Applications for accommodation: kept for 6 years after offer accepted;
- **Tenancy** files: kept for 6 years after the end of the **tenancy**;
- Application forms for shortlisted job applicants: 1 year;
- Application forms for non-shortlisted job applicants: 6 months.

10. Review

To ensure this Privacy Policy remains effective, the Society will:

- Review it when significant changes are made to General Data Protection Regulation or guidance or when related policies and procedures are amended.
- Present any changes to the Society Board for approval.
- Make any amendments known to employees.
- Communicate and consult employees, contractors and customers by bringing the Policy to their attention through various forms of communication and continued training.