

	<b>Data &amp; Information Policy</b>
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Version No	Title	Author	Draft Date	Approved By	Approval Date	Live Date	Review Date
1	Confidentiality Policy	S Davies	Jul 23	Board	Jul 23	Jul 23	Jul 26
1	Access to Information	S Davies	Aug 23	Board	Aug 23	Aug 23	Aug 26
1	Resident Privacy Notice	P Latham	Mar 24	Board	Mar 24	Mar 24	Mar 27
1	Data Management Statement	P Latham	Feb 24	Board	Feb 24	Feb 24	Feb 27
1	Data & Information Policy	P Latham	Oct 24	Board	Oct 24	Oct 24	Aug 26

## 1. Introduction

This policy seeks to set out Eldonian Community Based Housing Association's (ECBHA's) approved policy positions regarding its collection, use, storage, protection and disposal of data and information required for its business activities.

This document has brought together a number of separate ones into a single document. Those previous documents and applicable content are superseded by this document.

This policy sets out how ECBHA intends to comply with the relevant legislation and regulatory requirements and guidance.

ECBHA seeks to be transparent with all stakeholders regarding its performance, compliance and assurance with this policy.

The document is relevant to all ECBHA employees, residents, contractors and other person's or other stakeholders delivering or affected by activities and ECBHA homes and services.

## 2. Confidentiality and Privacy Policy

### 2.1 Policy Summary

Eldonian Community Based Housing Association Ltd (ECBHA) recognises that its work involves dealing with confidential information about its customers, its staff, and its business. Staff and Board Members must respect that confidentiality.

Staff and Board Members must treat as confidential:

- information concerning people: tenants, residents, staff, applicants etc.
- those matters of the Association's business which are defined as confidential.

This Policy details:

- what tenants and residents can expect regarding their rights to confidentiality and privacy
- the basic standards that staff and Board Members should adhere to.

## **2.2 Definitions**

Confidentiality has been defined by the International Organisation for Standardisation (ISO) in ISO-17799 as "ensuring that information is accessible only to those authorized to have access".

Privacy is defined as "the right to be left alone, out of public view and in control of information that is known about you".

The term 'tenant' below is extended to include all residents of the Association.

## **2.3 Scope**

The Confidentiality and Privacy Policy applies to all staff and Board Members who may use, obtain, or have access to confidential information as outlined in the Policy Statement above.

## **2.4 Confidentiality: tenants' rights**

All tenants of ECBHA are assured of complete confidentiality.

No files, records or other documentation containing written personal information about tenants may be taken from the office or scheme where it would usually be kept unless it is being transported to another site by an appropriate member of staff.

Tenants will be asked to provide, when relevant, confidential information to the Association during the application process and during their tenancy. Tenants will be informed:

- why ECBHA is seeking this information.
- how and when ECBHA will use this information in meeting their needs
- how this information will be stored to ensure it is secure
- who has access to the information they provide and when it is necessary to share information externally e.g.,
  - ☐ with professional colleagues such as housing support workers,
  - ☐ housing benefit officers,
  - ☐ doctors,
  - ☐ social workers,
  - ☐ health visitors.

- External agencies will be expected to accept the principles of the Association regarding confidentiality and privacy in addition to adhering to their own confidentiality and privacy policies.
- that they can see this information on request and have their views added if they disagree with its content
- that this information will not be provided to a third party without consent other than in exceptional circumstances where non-disclosure of information poses a serious risk to the tenant themselves and/or to others. Examples include but are not limited to bodies that have a statutory right to access the information held by ECBHA such as the Police, Customs and Excise etc.

## **2.5 Privacy: tenants' rights**

All tenants are assured that their privacy will be respected. The tenancy agreement states that no one will enter the accommodation without permission unless there is a reasonable concern of serious risk to the occupant and/or to others.

## **2.6 Confidentiality and privacy: responsibilities of staff and Board Members**

ECBHA staff:

- will receive induction and on-going training to implement ECBHA's policy and good practice concerning confidentiality and privacy.
- must not share confidential information about tenants and their families with other staff, tenants, or members of the wider community except, when necessary, within the terms of this policy
- should know, and where they are responsible, ensure that tenants' personal records will be kept secure (paper records are kept locked up with limited and recorded access). Computer records are protected in line with security protocols and data protection requirements.
- must involve tenants, where possible, in the recording process so that they are aware of what is being recorded.
- must record conversations and other information using simple language, preferably in the tenant's, or person's own words and avoiding the use of jargon.
- must state the source of information and indicate how it was obtained on all records.
- will only share information regarded as confidential within the Association for the better performance of the Association's business.

Eldonian Board Members

- You acknowledge that all relevant information is confidential to the Association and should not be released or disclosed to third parties, either during your appointment or following termination (by whatever means), without prior clearance from:

The Chair.

- the Board (in the event that you are appointed as or are acting as the Chair at the time that you are proposing to release Relevant Information); or

The Company Secretary

May disclose Relevant Information:

- To the extent that you are required to do so by law or by a court order, provided that you use all reasonable endeavours to give the Association prior written notice of any such disclosure and do limit such disclosure to that which is legally required; or
- Where the Relevant Information has (other than by reason of your breach) become available to the public generally.
- You undertake to ensure that each person to whom Relevant Information is disclosed in accordance with clauses 6.1 and 6.2: is made aware of the confidential nature of the Relevant Information;
- Observes the terms of this Agreement as if he or she were a party to this Agreement; and
- If requested by the Association, enters into written undertakings similar to those contained in the Agreement, and you acknowledge that you will be responsible for any breach of the terms of this Agreement by any person to whom Relevant Information is disclosed.
- You acknowledge the need to hold and retain, and ultimately to dispose of, Relevant Information under appropriately secure conditions and in accordance with the Association's policies from time to time, and you agree not to remove, or allow others to remove, any Relevant Information from the Association's premises other than to the extent that it is strictly necessary to do so for the proper performance of your duties as a Board Member.
- You acknowledge that the Relevant Information is and will remain the property of the Association and must be delivered to the Association as soon as practicable upon request.
- Not to use the Relevant Information for any purpose other than fulfilling your duties as a Board Member.
- Not to obtain or seek to obtain any financial advantage (direct or indirect) from the disclosure of Relevant Information, and

- Not to make or use any copies other than with the prior approval of the Chair, or the Board in the event that you are appointed as or are acting as the Chair, or the Company Secretary.

## ECBHA's responsibilities

### 2.7 ECBHA will:

- review the effective implementation of the confidentiality and privacy policy.
- ensure a copy of this policy is available to all tenants and staff.
- ensure that the practice in the Association complies with the Data Protection Act 1998, Human Rights Act 1998 and the Public Interest Disclosure Act 1998, and Public Interest Disclosure (Northern Ireland) Order 1998

### 2.8 Breaches of confidentiality or privacy

Any tenant or staff member witnessing a breach of the confidentiality and privacy policy should raise this directly with the person concerned or draw it to the attention of a member of the Senior Management Team. Alternatively, a tenant may choose to invoke the complaints procedure and a staff member may choose to invoke the grievance procedure.

### 2.9 Monitoring and Review

- Confidentiality will be monitored through the supervision process.
- Any member of staff with a concern regarding Confidentiality or Privacy should ensure that it is discussed with their line manager.
- Tenants will be given the opportunity to comment and be involved in reviewing the policy and its implementation •
- The policy will be reviewed every three years unless changing circumstances or an incident trigger an earlier review.

## 3. Access to Information Policy

### 3.1 Policy Statement

The Association is fully committed to the aims and principles underlying the Freedom of Information Act 2000 (FOIA) to its service users and the wider public. It makes every effort to embrace the spirit of the FOIA, promote openness and transparency and maximise public trust in its work as a registered social landlord. In this policy, reference to a “request” or “request for information” is to a request made to the Association under the Freedom of Information Act.

### **3.2 Responsibilities**

The Association's Senior Management Team has overall responsibility for assisting the Association in co-ordinating the handling of and response to requests for information and advising, providing guidance to and training staff on complying with the FOIA and this policy.

All staff and Board are responsible for creating and maintaining a culture supportive of openness, transparency and accountability and promoting the right to know.

### **3.3 Principles**

The Association will handle requests for information in accordance with legal requirements and best practice.

The Association will publicly demonstrate its commitment to access to information by regularly and proactively making information available.

The Association will provide advice and assistance to prospective applicants and applicants throughout the lifecycle of handling and responding to requests for information.

All staff are responsible for providing prospective applicants and applicants with information about their right to know, to outline the key points of FOIA to them and inform them of how to request information.

The Association will handle all requests in an "applicant blind" manner i.e. in a way that does not take the identity of the person requesting the information into account when handling and responding to the request.

The Association will respond to requests as promptly as possible and will only use the maximum period for response and issue fees notice to an applicant for access in circumstances where this is strictly necessary.

The Association will interpret exemptions contained within the FOIA in a narrow manner with a view to favouring disclosure of information, where possible, and will not unduly restrict access to information and will fully explain to the applicant why an exemption or exception has been applied.

### **3.4 Scope**

FOIA provides for access to recorded information held by the Association in relation to housing activities. This covers any activities undertaken by the Association in relation to housing services, including information in any format regarding the following:

- the prevention and alleviation of homelessness.
- the management of social housing accommodation where the Association has granted a tenancy or a short term tenancy.
- the supply of information to the Social Housing Regulator in relation to the Association's financial viability and standards of governance.

Examples of information held by the Association covered by FOIA include information on:

- housing applications submitted to the Association.
- allocations of property by the Association.
- general tenancy management (such as complaints, rent calculations and reviews, rent arrears and evictions).
- tenant participation and engagement activities.
- policies and procedures relating to the provision of housing services.
- the provision of core services, such as housing management system, rent payments / finance and information technology.
- governance, performance, and regulatory matters,
- information about staff involved in the delivery of core housing services, for example, recruitment, remuneration, performance appraisals and conduct, is also covered by FOIA.

In determining whether to disclose information under the FOIA the Association will have due regard to the requirements of data protection legislation and the privacy rights of relevant individuals. In particular, the Association will redact personal information about individuals and will only disclose it in statistical or non-identifiable format.

### **3.5 The three expectations**

There are three core expectations which the Association aims to comply with when providing access to information that it holds:

- the expectation to publish.
- the expectation to provide advice and assistance; and
- the expectation to respond to requests for information.

**The expectation to publish.** FOIA asks the Association to adopt and maintain a publication scheme, which sets out the information the Association routinely publishes (or intends to publish), together with the way that information is / will be published and whether the published information is available to the public free of, or subject to, a charge.

**The expectation to provide advice and assistance.** The Association is expected to provide reasonable advice and assistance to a person who proposes to make, or has made, a request for information to the Association. This applies to both prospective applicants and applicants and exists throughout the lifecycle of the request.

Examples of reasonable advice and assistance that staff provide include:

- providing guidance on how to make a request and associated fees.
- helping an applicant understand the processes, procedures and legislation involved in making a request for information.
- helping an applicant describe the information sought or to clarify their request.

- helping to validate requests where all of the required particulars have not been provided by the applicant.
- providing outlines of relevant information held by the Association.
- maintaining dialogue with an applicant regarding who is handling the request, third parties being consulted and when the applicant should expect to receive a response.
- sending reminders to an applicant in relation to clarifications and payment of fees required.
- being sensitive to an applicant's circumstances, particularly in relation to disability and literacy.
- finding suitable alternatives if information cannot be provided in the format requested by an applicant.
- informing an applicant about what can be provided within the fees limit.
- if an applicant cannot afford to pay the fees, highlighting to an applicant what can be provided free of charge; and
- assisting an applicant to understand the application of exemptions and exceptions and what other information held by the Association (that is not exempt or except) might be useful and relevant to an applicant's request.

**The expectation to respond to requests for information.** A request for information made to the Association should include the following particulars:

- the name of the applicant. If the identity of the applicant is not clear from the request or it appears that the request is being made on behalf of another person, then the Association is entitled to refuse the request, subject to first providing appropriate advice and assistance to try and validate the request.
- address for correspondence, which may consist of a postal or e-mail address; and
- a description of the information to which the applicant seeks access.
- A FOIA request must be in writing or other permanent form, such as a letter, e-mail, social media message, voicemail message, audio recording or made to the Association via the website, but it does not need to specifically refer to FOIA in order to be valid. The Association will not accept verbal requests.
- The Association will provide the applicant with appropriate advice and assistance to validate a request by, for example, assisting an applicant put a FOIA request in permanent form, if the applicant is unable to do so. In providing the applicant with advice and assistance, the Association must not, and is not entitled to, ask the applicant why the applicant seeks access to the requested information. This is irrelevant to the Association's handling of and response to the request.

The Association has twenty working days to respond to requests. The time for response pauses when an applicant is asked for clarification on their request, or a fees notice is issued by the Association and resumes when the clarification has been provided or fee has been paid by the applicant.



The Association will manage and respond to requests for information received from anyone, irrespective of whether they are a service user of the Association or otherwise have an interest in the work of the Association.

The Association is not obliged to create or required to instruct a third party to create information to satisfy a request. The expectation to respond to requests extends only to information held by or on behalf of the Association as at the date of receipt of the request.

### **3.6 Reviews**

If an applicant is in any way dissatisfied with the way in which their request for information has been managed and responded to by the Association (including where the Association failed to respond at first instance), the applicant may ask the Association to review its handling and response to the request. An applicant may not require a review where the original request for information was 'vexatious' or a repeat request or where the requirement for review is itself vexatious. The Association will issue a notice to this effect to an applicant requesting a review in these circumstances,

The applicant may ask for a review within forty working days either after the end of the period for responding to the request (where the Association did not respond) or following receipt by the applicant of the Association's response. The applicant must explain the dissatisfaction with the Association's original handling and response, although the applicant does not specifically need to mention the requirement for a review.

Where the applicant is asking for a review on the basis that the Association failed to respond to the applicant at first instance, the requirement for review will normally be regarded by the Association as a new request, with a separate entitlement to require a review following on from this.

### **3.7 Equalities**

The Association is committed to ensuring that all people are given full and equal opportunity to make a request for information.

Where necessary, staff will assist and advise the applicant by helping to validate the request for them and read it back to them to ensure that an accurate record of the request has been taken.

The Association can arrange to provide:

- assistance to applicants who have difficulty with spoken English or whose first language is not English by providing the information in a minority language.
- support for visually impaired customers by providing information in large print, Braille, or audio recording; and
- sign language interpretation.

Where an applicant is unable to make a request on their own, the Association may accept requests made on the applicant's behalf by a third party where the applicant has authorised the third party to make the request. The applicant on whose behalf the request is being made must be named in the request. If not, the Association is entitled to refuse the request on the ground that it is not valid.

### **3.8 Failure to comply.**

The Association takes compliance with this policy seriously. Failure to comply with this policy:

- is likely to impact on the perception that the Association is an open and transparent organisation and affect the Association's reputation and trust in the Association and its work.

### **3.9 Access to Information Scheme**

We want to ensure a culture change whereby landlords are more open with tenants, beyond the information provided through tenant satisfaction measures. Local authority tenants can already access information from their landlord through a request made under the Freedom of Information Act 2000, but this is not available to tenants of housing associations and other private registered providers. Good landlords would want to share the information with tenants when asked, but there is a risk that others might choose to withhold information that they should share. To address this, **we will introduce a new access to information scheme for social housing tenants of housing associations and other private registered providers through the social housing regulatory regime.** This will ensure that all social housing tenants can access information from their landlord or be supported by others to do so such as councillors, MPs, solicitors, advocates or local journalists to support them in holding landlords to account.

This new access to information scheme will allow tenants or their representatives to access information related to the management of social housing held by their landlord, and also relevant information that may be held by sub-contractors. The scheme will include time limits for providing the information. It will also set out the circumstances in which a landlord may refuse to disclose information. This will be broadly aligned with the exemptions from disclosure under the Freedom of Information Act 2000.

It is important that if a tenant feels their landlord has unreasonably withheld information then they can challenge that decision. The first stage of this should be an internal review carried out by the landlord. We propose that the Housing Ombudsman will be engaged to decide on cases that have not been resolved at this first internal review stage. The Housing Ombudsman would also be able to refer suspected systemic breaches of the scheme to the regulator as it does on other matters. We will work with the Housing Ombudsman to develop this new role and agree its responsibilities.

## **4. Data Management Statement**

### **4.1 Introduction**

Having strong data is the foundation to customer insight and ensuring customers can influence decision making at every level. Customer voice at the heart of data collection further supports positive customer experience by ensuring accurate, informative record keeping based upon customer preferences, sentiment and satisfaction.

This position statement outlines how we intend to ensure that data is supporting the delivery of quality services to ECBHA customers, evidence led decision making and organisational resilience.

### **4.2 Background**

Meeting the recently approved Social Housing Regulation Bill continues to evolve the expectations of social housing providers. In 2022 the Regulator of Social Housing warned boards that decision-making will be weakened by failure to maintain data integrity or by data isolated in siloed systems, further supporting the need for providers to strengthen their approach to data as a fundamental asset to their organisations.

Lessons learnt from the Grenfell Tower and the Rochdale strategy highlight how essential a golden thread of accurate, joined up information about customers, housing stock and service delivery is.

The introduction of Tenant Satisfaction Measures demonstrates the regulatory influence being applied to mandate that organisations 'know' whether they are meeting their customer's needs.

The Housing Ombudsman has published reporting that highlights increased levels of failings by housing providers where one of the key factors is poor record keeping.

### **4.3 Aims**

The increasing demands, expectations and regulatory requirements on data, coupled with the ICT solutions that enhance the power of business insight, have resulted in an ever increasing need to formalise a strategy that clearly sets out its approach and aspirations in relation to data collection and management.

We aim to build a holistic view, using a 'one version of the truth' with data informed decision making across the organisation.

- Consolidating and minimising ICT platforms and ensuring the effective integration of data between them.
- Ensuring customer experience is central to data related improvements.
- Developing a framework for data governance, creating data standards and robust processes to ensure data is accurately recorded, secure and easily accessible
- Ensuring clarity around performance management data requirements, robustness and testing.
- Drive for consistent levels of data literacy across the business working towards improved ownership and accountability for data as a strategic asset.

#### **4.4 Strategic Data Objectives**

Our strategic data objectives are as summarised as follows:

- Improve use of data to inform decision making.
- Improve the range and quality of data to better tailor our service delivery.
- Improve our data literacy and culture across the organisation.
- Improve our approach to data governance and retention.

The intended outcomes of these objectives are:

- Improved effective and efficient service delivery.
- Improved customer service and customer satisfaction.
- Use data to inform both strategic and operational decision making.
- Consistent data analysis, use and application.
- Proactive data compliance.

To be proportionate to the ECBHA, we have not identified specific actions for the delivery of our data objectives. Instead we will seek to deliver these outcomes and objectives through our wider business planning, business improvement and operational reviews. All of which will and will be mindful to our data management and use responsibilities and objectives.

The implementation of this position statement must be mindful of the requirements and commitments outlined in the Customer Privacy Statement within the ECBHA Communications Plan.

This statement will be reviewed alongside the IT & Digital strategy unless there is a regulatory or legislative change that requires earlier amendments.

### **5. Resident Privacy Notice**

#### **5.1 Purpose of the Privacy Notice**

Eldonian Community Based Housing Association (Eldonians) are committed to protecting personal identifiable information (PII) we collect about you and obtaining, using and disclosing this information in accordance with data protection legislation and regulation. Privacy laws govern the way in which we process your information as well as the rights you have to the information we hold about you.

This Privacy Notice explains how Eldonians will use any PII you provide to us for yourself and your household. Please read this notice carefully and make sure you understand your rights and responsibilities. As our services develop, we will continue to update and review this statement to comply with the law. The contents of this notice apply to our residents, both residents and leaseholders.

Eldonians is a registered data controller with the Information Commissioners Office (ICO). In accordance with the Data Protection Act 2018 we collect and process PII about our residents. We do this in order to provide social housing and services related to housing or as permitted by law.

## **5.2 Summary**

Full details are set out in the relevant sections of this notice below, but in summary:

- We receive PII relating to you from you directly, but it may occasionally be provided to us by third parties with whom you have a separate relationship with (such as a local authority).
- We use your data to provide housing and other services to you, correspond with you, meet our legal obligations and improve our products and services.
- We provide your PII to third parties as part of our role to provide housing and services or as permitted by law.
- We do not share your data with third-party advertisers.
- We store data for specified periods for our limited business purposes.
- You have certain rights, prescribed by law, in relation to the processing of your data, such as rights to request access, restriction, portability, rectification, to be informed or deletion of your PII, in certain circumstances.
- We do have CCTV in operation at some of our sites.

## **5.3 What is Personally Identifiable Information**

PII is data related to a living individual who can be identified from that data, either directly or indirectly. This can also include special categories of personal data (SPD) (revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, and genetic data, biometric data, health data and data concerning a person's sex life or sexual orientation) as well as information relating to criminal convictions and offences.

## **5.4 How we use your PII**

PII will be processed in accordance with the Data Protection Act 2018. This notice sets out how we use your information in the following circumstances:

- Your Tenancy or Lease
- CCTV
- Resident Involvement
- Marketing Communications (e.g. Newsletters, Resident Survey)

## **5.5 Who we share your information with and why**

Where required we will disclose your PII with others, in these instances we will ensure we have appropriate information sharing protocols in place. We may share PII with:

- All Eldonians employees, contractors and suppliers who provide services to you, or who provide services on our behalf, e.g. contractors who undertake repairs/improvements or research companies who conduct surveys for us

- Anyone who you have provided permission to speak with us on your behalf
- Banks, to carry out payments through a secure system
- Local authorities, other housing and support organisations and statutory agencies
- Mediation partner organisations
- Our solicitors and other advocacy partner organisations
- Insurers in the event of public liability claims
- Credit reference agencies
- External assistance where you have agreed to the referral
- Utilities companies
- Tracing/debt collection agencies for unresolved debts after termination of tenancy by either party or unpaid service charges / major works owed by a leaseholder.

In some cases we will have a duty to disclose your information by law to:

- Other housing associations
- Local authorities, regulators and government departments
- Police, fire services, health authorities or medical staff
- Others who may need information from us for their own purposes, for example detecting and preventing crime, prosecuting offenders and for the prevention and detection of fraud.

We do not provide organisations with access to your information in return for payment for their marketing or commercial purposes. However, on an annual basis we are obliged to disclose your information by law to the government, as required of all housing associations.

We may also instruct an approved third party to administer our resident survey. We are required by law, under the Regulator of Social Housing to gather Tenant Satisfaction Measures (TSMs), and part of this process stipulates that these satisfaction measures must be gathered through a perception survey. There may also be instances when we are required regulator with appropriate powers or via court order.

From time to time we may need to provide third parties with PII relating to you or members of your household or obtain PII relating to you or members of your household from third parties. However, this will only be so we can accomplish our responsibilities as a housing provider.

## **5.6 What information we collect from you**

We will collect the following PII about our residents:

- Name
- Address
- Phone number
- Marital status
- Whether you have any dependants
- National Insurance Number
- Benefits

- Date of birth
- Family details
- Reference information
- Relationship status

In addition, we are likely to require and hold application numbers and/or documents relating to common allocations and lettings processes, evidencing identity and/or satisfying eligibility to hold a tenancy. These can include:

- Passport
- National identity card
- Provisional/full driving license
- UK birth certificate
- UK Government Home Office ID card for nationals outside EEA
- Legal documents if name changed
- Other UK Government Home Office related documents.

We will only ask for personal information that is appropriate to enable us to deliver services to you. In some cases you can refuse to provide your details if you deem a request to be inappropriate. However, it is important to note that where you refuse to provide information, in the performance of your tenancy agreement with us, it may impact upon our ability to provide certain services to you and may result in us being unable to process your application for a tenancy or provide you with a property that meets your needs.

During the life of your tenancy or lease Eldonians will collect and process information about you and members of your household for the following purposes:

- Managing your tenancy or lease
- Providing safe and sustainable properties
- Monitoring compliance with the terms of your tenancy or lease agreement
- Delivering support to you or members of your household
- Conducting surveys in order to monitor and improve our services
- Providing associated welfare services, advice and support
- Maintaining our accounts and records
- Recruiting, supporting and managing our Board and Employees
- Carrying out surveys and conducting research
- Cooperating with anti-fraud and money laundering initiatives, including working with local and national agencies
- corporate administration and all activities we are required to carry out as a data controller ensuring we meet our legal obligations as a housing provider
- insurers and/or professional advisers in relation to maintaining insurance coverage
- Where you are identified as an alleged victim, witness or perpetrator of anti-social behaviour or are the reporting party in relation to queries, complaints or reports.
- To allow the statistical analysis of data so we can plan the provision of services to prevent and detect fraud or crime

Unless we specifically advise you otherwise, we will only collect and process PII that we need in order to carry out these functions.

### **5.7 Collection of PII for Residents**

The collection and processing of PII allows us to provide a service that meets your needs and the information will be processed for social care purposes and as part of emergency response situations.

This PII will be stored on our computer systems and/or a paper resident file. It is held securely and we have security measures in place to prevent it from being accessed by any unauthorised person. Eldonians does not transfer your data outside of the European Union.

### **5.8 CCTV**

CCTV is installed in some of our locations to monitor building security, crime prevention and detection. We operate our CCTV in accordance with the guidance issued by the ICO. The Data Protection Act 2018 covers images of people and information about people derived from CCTV, for example a vehicle registration plate.

Eldonians collects this data as part of its public function as a housing provider to ensure the health and safety of residents and its employees.

We will not hold images for longer than necessary and will dispose of them securely.

### **5.9 Resident Involvement / Engagement**

Eldonians encourages residents to become involved in helping us to improve the services that we provide. Should you decide to be kept informed about community projects and ways to get involved you will be added to the resident involvement records.

Eldonians may use this information to contact you for consultation exercises. This information is processed as part of our role as a housing provider, as resident involvement helps us to improve our services.

### **5.10 How we store your information**

We store PII both electronically and in paper format. We use a range of controls to keep your PII is secure from unauthorised access, improper use or disclosure, unauthorised modification and unlawful destruction or accidental loss. These include delivering data protection training to all Eldonians employees and implementation of security related policies, processes and physical security precautions.

Information kept in a paper format is placed in secure offices when onsite at the Eldonians premises and in a secure data storage sites if held externally.

Our business is based solely in the United Kingdom, and so we do not send data overseas. We may sometimes make use of cloud-based systems to support the management of our



business. Where this happens we will ensure that there are appropriate safeguards in place to protect your rights

### **5.11 Identity Checks**

Security checks of identity are conducted if you call our front line teams to ensure the call handler can identify you before disclosing any account-related information. We do this to protect you, your data and ensure that other people are not privy to your PII.

If you would like another person to speak to us on your behalf, e.g. relative, carer, partner, friend, etc. you will need to provide them with your permission and make us aware of this. We cannot discuss your personal situation or disclose information about you without your permission, permission can be granted verbally every time you call us alternatively you can confirm in writing and a note will be retained on our system and we can then speak with your chosen contact.

### **5.12 Marketing and Communications**

If you have agreed to receive marketing communications we will contact you from time to time by phone, email and text. Residents may also have opted in via the privacy options at tenancy sign up.

To provide you with the updates we process the following types of information:

- Name
- Address
- Phone Number
- Email address

Eldonians processes your information in these circumstance because we have your consent to do so and you may withdraw your consent to marketing communications at any time.

### **5.13 PII Data Retention**

All PII is retained in line Eldonians Policy which is aligned to guidance provided by the National Housing Federation. In summary the following applies:

- Current residents' Tenancy Files, including rent payment records, and details of any complaints and harassment cases, are retained for the length of the tenancy plus 7 years thereafter
- Former residents' Tenancy Agreements, and details of their leaving are retained for 7 years
- For leaseholders, we hold the information for the duration of the lease or if you assign the lease to someone else for 12 years after the date of the assignment.

The data we collect and retain for the necessary period of time is sourced through all types of communication, this includes telephone calls, e-mail and paper based correspondence.

#### **5.14 Apply to see the PII we hold about you**

If you wish to see a copy of the PII we hold about you then you can ask us at any time and we must respond within one calendar month of the request. This is a data subject access request under the Data Protection Act 2018.

You will not usually have to pay a fee to access your PII. However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

You have a legal right to access information we hold about you, including the right to:

- Be informed about how we process your PII – this is why we have developed this privacy notice
- Have access to a copy of the PII we collect and keep on you – known as a data subject access request
- Have incomplete or inaccurate information rectified
- Restrict the processing of your PII in certain circumstances, for example, if you have challenged the accuracy or you have objected to the processing of your PII
- Have PII erased in certain circumstances
- Object to the processing of your PII in certain circumstances including to stop your details from being used for direct marketing purposes

You may exercise any of your rights in relation to your PII by written notice to us. You can exercise any of the above rights by emailing the Data Protection Officer at [contactus@eldonians.org](mailto:contactus@eldonians.org) or in writing to our office.

If you wish to make a complaint about how we are processing your PII you have the right to make a complaint at any time to the Information Commissioner's Office (ICO). You can find out how to contact the ICO on their web site [ico.org.uk](http://ico.org.uk).

#### **5.15 Cookies**

Our website uses cookies to monitor traffic to improve user experience, to improve the site and to monitor the effectiveness of our advertising. Acceptance of cookies may be required in order to complete some actions such as submitting applications.

#### **5.16 Changes to the Privacy Notice**

Eldonians reserve the right to update this privacy notice at any time, and we will notify you when we make any fundamental changes. We may also notify you in other ways from time to time about the processing of your PII.

### **5.17 Purpose of the Privacy Notice**

Eldonian Community Based Housing Association (Eldonians) are committed to protecting personal identifiable information (PII) we collect about you and obtaining, using and disclosing this information in accordance with data protection legislation and regulation. Privacy laws govern the way in which we process your information as well as the rights you have to the information we hold about you.

This Privacy Notice explains how Eldonians will use any PII you provide to us for yourself and your household. Please read this notice carefully and make sure you understand your rights and responsibilities. As our services develop, we will continue to update and review this statement to comply with the law. The contents of this notice apply to our residents, both residents and leaseholders.

Eldonians is a registered data controller with the Information Commissioners Office (ICO). In accordance with the Data Protection Act 2018 we collect and process PII about our residents. We do this in order to provide social housing and services related to housing or as permitted by law.

### **5.18 Summary**

Full details are set out in the relevant sections of this notice below, but in summary:

- We receive PII relating to you from you directly, but it may occasionally be provided to us by third parties with whom you have a separate relationship with (such as a local authority).
- We use your data to provide housing and other services to you, correspond with you, meet our legal obligations and improve our products and services.
- We provide your PII to third parties as part of our role to provide housing and services or as permitted by law.
- We do not share your data with third-party advertisers.
- We store data for specified periods for our limited business purposes.
- You have certain rights, prescribed by law, in relation to the processing of your data, such as rights to request access, restriction, portability, rectification, to be informed or deletion of your PII, in certain circumstances.
- We do have CCTV in operation at some of our sites.

### **5.19 What is Personally Identifiable Information**

PII is data related to a living individual who can be identified from that data, either directly or indirectly. This can also include special categories of personal data (SPD) (revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, and genetic data, biometric data, health data and data concerning a person's sex life or sexual orientation) as well as information relating to criminal convictions and offences.

### **5.20 How we use your PII**

PII will be processed in accordance with the Data Protection Act 2018. This notice sets out how we use your information in the following circumstances:

- Your Tenancy or Lease
- CCTV
- Resident Involvement
- Marketing Communications (e.g. Newsletters, Resident Survey)

### **5.21 Who we share your information with and why**

Where required we will disclose your PII with others, in these instances we will ensure we have appropriate information sharing protocols in place. We may share PII with:

- All Eldonians employees, contractors and suppliers who provide services to you, or who provide services on our behalf, e.g. contractors who undertake repairs/improvements or research companies who conduct surveys for us
- Anyone who you have provided permission to speak with us on your behalf
- Banks, to carry out payments through a secure system
- Local authorities, other housing and support organisations and statutory agencies
- Mediation partner organisations
- Our solicitors and other advocacy partner organisations
- Insurers in the event of public liability claims
- Credit reference agencies
- External assistance where you have agreed to the referral
- Utilities companies
- Tracing/debt collection agencies for unresolved debts after termination of tenancy by either party or unpaid service charges / major works owed by a leaseholder.

In some cases we will have a duty to disclose your information by law to:

- Other housing associations
- Local authorities, regulators and government departments
- Police, fire services, health authorities or medical staff
- Others who may need information from us for their own purposes, for example detecting and preventing crime, prosecuting offenders and for the prevention and detection of fraud.

We do not provide organisations with access to your information in return for payment for their marketing or commercial purposes. However, on an annual basis we are obliged to disclose your information by law to the government, as required of all housing associations.

We may also instruct an approved third party to administer our resident survey. We are required by law, under the Regulator of Social Housing to gather Tenant Satisfaction Measures (TSMs), and part of this process stipulates that these satisfaction measures must be gathered through a perception survey. There may also be instances when we are required regulator with appropriate powers or via court order.

From time to time we may need to provide third parties with PII relating to you or members of your household or obtain PII relating to you or members of your household from third parties. However, this will only be so we can accomplish our responsibilities as a housing provider.

## **5.22 What information we collect from you**

We will collect the following PII about our residents:

- Name
- Address
- Phone number
- Marital status
- Whether you have any dependants
- National Insurance Number
- Benefits
- Date of birth
- Family details
- Reference information
- Relationship status

In addition, we are likely to require and hold application numbers and/or documents relating to common allocations and lettings processes, evidencing identity and/or satisfying eligibility to hold a tenancy. These can include:

- Passport
- National identity card
- Provisional/full driving license
- UK birth certificate
- UK Government Home Office ID card for nationals outside EEA
- Legal documents if name changed
- Other UK Government Home Office related documents.

We will only ask for personal information that is appropriate to enable us to deliver services to you. In some cases you can refuse to provide your details if you deem a request to be inappropriate. However, it is important to note that where you refuse to provide information, in the performance of your tenancy agreement with us, it may impact upon our ability to provide certain services to you and may result in us being unable to process your application for a tenancy or provide you with a property that meets your needs.

During the life of your tenancy or lease Eldonians will collect and process information about you and members of your household for the following purposes:

- Managing your tenancy or lease
- Providing safe and sustainable properties
- Monitoring compliance with the terms of your tenancy or lease agreement
- Delivering support to you or members of your household
- Conducting surveys in order to monitor and improve our services

- Providing associated welfare services, advice and support
- Maintaining our accounts and records
- Recruiting, supporting and managing our Board and Employees
- Carrying out surveys and conducting research
- Cooperating with anti-fraud and money laundering initiatives, including working with local and national agencies
- corporate administration and all activities we are required to carry out as a data controller ensuring we meet our legal obligations as a housing provider
- insurers and/or professional advisers in relation to maintaining insurance coverage
- Where you are identified as an alleged victim, witness or perpetrator of anti-social behaviour or are the reporting party in relation to queries, complaints or reports.
- To allow the statistical analysis of data so we can plan the provision of services to prevent and detect fraud or crime

Unless we specifically advise you otherwise, we will only collect and process PII that we need in order to carry out these functions.

### **5.23 Collection of PII for Residents**

The collection and processing of PII allows us to provide a service that meets your needs and the information will be processed for social care purposes and as part of emergency response situations.

This PII will be stored on our computer systems and/or a paper resident file. It is held securely and we have security measures in place to prevent it from being accessed by any unauthorised person. Eldonians does not transfer your data outside of the European Union.

### **5.24 CCTV**

CCTV is installed in some of our locations to monitor building security, crime prevention and detection. We operate our CCTV in accordance with the guidance issued by the ICO. The Data Protection Act 2018 covers images of people and information about people derived from CCTV, for example a vehicle registration plate.

Eldonians collects this data as part of its public function as a housing provider to ensure the health and safety of residents and its employees.

We will not hold images for longer than necessary and will dispose of them securely.

### **5.26 Resident Involvement / Engagement**

Eldonians encourages residents to become involved in helping us to improve the services that we provide. Should you decide to be kept informed about community projects and ways to get involved you will be added to the resident involvement records.

Eldonians may use this information to contact you for consultation exercises. This information is processed as part of our role as a housing provider, as resident involvement helps us to improve our services.

### **5.27 How we store your information**

We store PII both electronically and in paper format. We use a range of controls to keep your PII is secure from unauthorised access, improper use or disclosure, unauthorised modification and unlawful destruction or accidental loss. These include delivering data protection training to all Eldonians employees and implementation of security related policies, processes and physical security precautions.

Information kept in a paper format is placed in secure offices when onsite at the Eldonians premises and in a secure data storage sites if held externally.

Our business is based solely in the United Kingdom, and so we do not send data overseas. We may sometimes make use of cloud-based systems to support the management of our business. Where this happens we will ensure that there are appropriate safeguards in place to protect your rights

### **5.28 Identity Checks**

Security checks of identity are conducted if you call our front line teams to ensure the call handler can identify you before disclosing any account-related information. We do this to protect you, your data and ensure that other people are not privy to your PII.

If you would like another person to speak to us on your behalf, e.g. relative, carer, partner, friend, etc. you will need to provide them with your permission and make us aware of this. We cannot discuss your personal situation or disclose information about you without your permission, permission can be granted verbally every time you call us alternatively you can confirm in writing and a note will be retained on our system and we can then speak with your chosen contact.

### **5.29 Marketing and Communications**

If you have agreed to receive marketing communications we will contact you from time to time by phone, email and text. Residents may also have opted in via the privacy options at tenancy sign up.

To provide you with the updates we process the following types of information:

- Name
- Address
- Phone Number
- Email address

Eldonians processes your information in these circumstance because we have your consent to do so and you may withdraw your consent to marketing communications at any time.

### **5.30 PII Data Retention**

All PII is retained in line Eldonians Policy which is aligned to guidance provided by the National Housing Federation. In summary the following applies:

- Current residents' Tenancy Files, including rent payment records, and details of any complaints and harassment cases, are retained for the length of the tenancy plus 7 years thereafter
- Former residents' Tenancy Agreements, and details of their leaving are retained for 7 years
- For leaseholders, we hold the information for the duration of the lease or if you assign the lease to someone else for 12 years after the date of the assignment.

The data we collect and retain for the necessary period of time is sourced through all types of communication, this includes telephone calls, e-mail and paper based correspondence.

### **5.31 Apply to see the PII we hold about you**

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## **6. Data Retention Policy**

ECBHA seeks to ensure that all data is only retained for its intended purpose and for the period that it is required. In doing so the association adopts the National Housing Federation Guidance regarding data retention.

ECBHA takes a 'digital first' approach to retaining all data and only retains hard copy information where it is an absolute legal or operational necessity. Most digital data is held within the SDM and Housing Online systems or the ECBHA Microsoft environment. To aid data retention additional locations will be kept to a minimum.

Annually ECBHA will review the legacy hard copy documentation and make disposals accordingly in a confidential and secure manner.