

## **Appendix A**

# **Summary of Data Protection Policy**

(for the website, intranet and staff induction)



This is a summary of the PCH Data Protection Policy, a full version is available on request.

### **Who does the Policy apply to?**

The Policy applies to everyone who processes PCH data including staff, Board members, volunteers, involved residents and Data Processors, and applies to PCH and its subsidiary entities.

### **What are the principles of data protection?**

PCH must ensure Personal Data is:

- processed lawfully, fairly and transparently
- only collected for specified, explicit, and legitimate purposes and not subject to further processing which is incompatible with the original purpose
- adequate, relevant and limited to what is necessary
- accurate and kept up to date
- kept for no longer than is necessary
- processed with appropriate security using technical and organisational measures

### **What is Personal Data?**

As a social landlord, we process Personal Data to carry out landlord and related services, and ensure the welfare of our residents and communities.

Personal Data includes any information relating to a living identified or identifiable individual (a Data Subject):

- name and contact details (including email, telephone numbers and addresses)
- identification information (including age and gender)
- family details (including next of kin and marital status)
- financial information (including income, welfare benefit entitlements and bank details)
- national identifiers (including National Insurance or social security number)
- education and employment details
- online identifiers (including IP address or cookies)
- device identifiers (identifiers for a smartphone)
- photographs, CCTV images, films and telephone recordings
- whistleblowing (confidential reporting) information

We may also process Sensitive Data:

- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade-union membership
- physical or mental health status (past, current or future)
- disability
- sex life or sexual orientation
- genetic data
- biometric data (i.e., DNA, fingerprints and retina scans)

Occasionally we may also process data relating to criminal convictions or offences, such as criminal proceedings, allegations and investigations.

### **When can we process Personal Data?**

We must have a lawful reason for processing each type of data.

Most of our processing relates to 'performance of a contract' (such as a tenancy agreement, support agreement or employment contract) and 'social protection law' (which covers the functions of a housing association).

We occasionally use 'consent' to process Personal Data, but we must give a clear explanation of what the individual is being asked to agree and why. The Data Subject must be able to give consent freely and choose to 'opt-in'.

### **What are the rights of Data Subjects?**

Data Subjects have these rights:

- right to be informed
- right of access (subject access request)
- right to rectification
- right to erasure (or right to be forgotten)
- right to restrict processing
- right to data portability
- right to object
- rights in relation to automated decision-making and profiling

We have a set of Privacy Notices available on our website and Intranet that explain what data we collect, how we use it, who we share it with and how Data Subjects can exercise their rights in relation to their data.

### **Can a Data Subject request a copy of their data?**

Anyone can ask an organisation for a copy of the Personal Data that is held about them; this is called a subject access request. These requests are dealt with by the Governance Team and must be responded to within one month.

### **How do we share data?**

We need to share data to deliver services, this includes:

- regular sharing with contractors who are delivering works or services on our behalf – in this case we agree how they will process that data via a contract
- regular sharing with other agencies such as the Police or the local authority in relation to anti-social behaviour data – in this case we must have a legal basis for sharing
- one-off sharing - in this case we must have a legal basis for sharing

Sharing requests are considered on a case-by-case basis using these principles:

- verify the requester (call them back or verify their email)
- check for an existing Data Sharing Agreement and follow it
- understand and justify the purpose(s) of sharing (i.e. lawful basis, as noted above)
- only share what is necessary for the purpose
- provide the information securely (i.e. encrypted email or password protected document)

- the duty to share information can be as important as the duty to safeguard the individual and their confidentiality; consider the safety and well-being of the individual and others who may be affected by their actions
- consider whether it is appropriate/safe to inform the individual that you have shared their information
- if in doubt consult your manager and/or the Governance Team

### **How do we deal with data breaches?**

Everyone is responsible for reporting breaches, potential breaches and near miss data incidents to the Governance Team. Where a breach has occurred, we will apologise and investigate so that we can learn from the incident.

### **What happens when a new software or system is being introduced?**

We must ensure the software or system has appropriate safeguards and is fit for purpose before it is implemented. A Data Protection Impact Assessment (DPIA) is carried out to identify and mitigate any risks, such a data breach or security; this assessment is reviewed by our Digital & IT team and Governance team.

### **More information:**

Data Protection Policy (full version)

Data Protection Officer: [governance@plymouthcommunityhomes.co.uk](mailto:governance@plymouthcommunityhomes.co.uk)