



Policy: Data Protection

Approved by: FHOT

Date Approved: 27th November 2020
Last Full Review: First issued 22 May 2018

POLICY STATEMENT:

Broadland Housing Association and its subsidiaries (collectively known as Broadland Housing Group) control and process personal information about their customers, staff and board members. Data protection in the UK is governed by the Data Protection Act 2018, informed by the EU's General Data Protection Regulation (2018).

The Data Protection Act 2018 (the 'Act') covers all personal information that relates to living individuals. These individuals are given rights by the Act.

This policy sets out what Broadland Housing Group (BHG) will do to comply with the Data Protection Act 2018. This Act requires that organisations (data controllers) process personal data in accordance with the six Data Protection Principles espoused by the GDPR, namely that data should be:

- processed lawfully, fairly and in a transparent manner;
- collected for specified, explicit and legitimate purposes;
- adequate, relevant and limited to what is necessary;
- accurate and, where necessary, kept up to date;
- kept in a form which permits identification of data subjects for no longer than necessary;
- processed in a manner which ensures appropriate security of the personal data.

This policy adopts these principles (amplified definitions are provided in the glossary in the Data Protection Procedure) as the guide for the approach to data protection. Broadland Housing Group acknowledges that all individuals have the right to expect that appropriate safeguards will be operated to protect the confidentiality and integrity of their personal data or information.

Broadland Housing Group acknowledges and understands that the consequences of failing to comply with the requirements of the GDPR and the Data Protection Act 2018 may include:

- Personal accountability and liability;
- Organisational accountability and liability;
- Criminal and civil action;
- Enforcement powers and fines being issued by the Information Commissioner's office (ICO);
- Loss of confidence in the integrity of our systems and procedures;
- Significant reputational impact and damage;
- Loss of trust by our tenants, employees and other stakeholders.

This policy has been developed to ensure BHG complies with current legislation, regulatory expectations and good practice, and will be subject to ongoing review.

SCOPE:

This policy applies to all employees, board members and others who may be involved in the collection of and processing of personal information on behalf of the Group, and extends to all data whether it is held on paper or by electronic means.

Partnership arrangements – where Broadland Housing Group works in partnership with external service providers, this policy remains applicable. The introduction of GDPR places obligations on both ‘controllers’ and ‘processors’ in relation to maintaining and processing personal data.

The various Data Protection-related Procedures within BHA give more details of how this Policy will be implemented.

STATEMENT OF COMMITMENT:

Broadland Housing Group is committed to maintaining high standards of security and confidentiality for information in our custody and control. Safeguarding this information is critical to the successful operation of Broadland Housing Group. Broadland will treat all information in its care and control with the same degree of security and confidentiality, and this policy applies to all organisations within the Group and all its employees. Broadland undertakes to inform residents, contractors, employees and board members on how it uses information and the purposes for which information is processed.

KEY STAFF RESPONSIBILITIES:

All staff, and where necessary consultants, board members and/or third party contractors engaged to carry out duties on our behalf and by our instructions, with whom we share personal data, will adopt and follow this policy and the requirements of the supporting Information Governance policies, procedures and systems which outline our core requirements relating to the collection, confidentiality, availability and integrity of personal data and associated information, security, incident management, retention and disposal of information.

Broadland Housing Group will only process personal data that has been obtained fairly and lawfully and for a specific set of purposes. It will be adequate and relevant for those purposes, maintained accurately, and not retained for any longer than is necessary.

Staff responsible for processing personal or sensitive personal data must ensure that it is used appropriately and kept both secure and confidential. They should ensure that, at all times, they access and process only the data that they are authorised to manage.

DEFINITIONS:

BHG – Broadland Housing Group
BHA – Broadland Housing Association
GDPR – General Data Protection Regulation
DPA18 – Data Protection Act 2018

RELEVANT KEY LEGISLATION AND RELATED DOCUMENTS: (not limited to)	
Legislation	Documents
GDPR: General Data Protection Regulation Data Protection Act 2018 Human Rights Act 1998 The Common Law Duty of Confidentiality Freedom of Information Act 2000	BHA Data Protection Procedure (October 2020) Regulator for Social Housing Regulatory Code and Guidance National Housing Federation Code of Practice Information Commissioner's Codes of Practice.

EIA – EQUALITY IMPACT ASSESSMENT:

As this policy would be implemented in a consistent manner in all cases, there would be no disadvantage to any particular group. Therefore, there is no need for a full EIA.

IMPORTANT PRINCIPLES:

Broadland Housing Association will only share personal data in accordance with the requirements of the GDPR/ Data Protection Act 2018. We will abide by the laws and regulations in relation to the right to confidentiality, data sharing and disclosure rules in the Act and in relation to any Civil and/or Criminal disclosure legal requirements. _

Broadland Housing Association will inform individuals of the identity of other parties to whom we may disclose, or to whom we may be required to provide, personal data; the circumstances in which this may happen, and when any exceptions to this rule may apply.

Broadland Housing Association will carry out an annual health check taking account of legislative and regulatory changes and a fundamental review of this policy every three years.