

Important information about your Personal Data



Summary

The information in this document is to ensure that you understand what kind of data we collect to manage your tenancy and how we collect, store, use and dispose of that data.

A summary of your rights under the GDPR regarding your personal data is also provided.

If you have any questions regarding any of the information in this document then you can contact your Housing Officer to discuss in further detail.

Background – the law which governs your personal data

Data protection is about how we manage and protect your information (data) and how we use that information to manage your tenancy.

The laws around data protection are changing on 25 May 2018. On that date, instead of the Data Protection Act 1998 (DPA), the new data protection law will be called the General Data Protection Regulation. You will most often hear it called by its abbreviated name 'GDPR'. It is a European law which will be adopted by the UK. There is also the Data Protection Bill which may, at a later date, add some amendments to the GDPR which are only for the UK.

The GDPR covers much of what is in the current Data Protection Act, however there are some differences which you need to be aware of and we will explain them in this document.

Under the GDPR we must make sure that you are clear about what information we do hold, why we hold it, what we do with it, under what circumstances we may share it, and also how and when we dispose of it. Therefore, we are providing this to you in order to answer what we feel are the main questions you are likely to ask. If you have any further questions or require us to explain this in more detail you can contact either your housing officer or use the contact details provided at the end of the document.

What kind of personal information (data) does H4W hold about me?

When you first applied and were assessed for your tenancy with us we captured a lot of information about you and your circumstances as part of processing your application. This included name and contact details, physical and mental health details, benefits information, financial details, NI insurance number and ID proof, Home Office information and immigration status.

We also asked you to provide information which covered issues such as gender or sexual orientation, race or ethnic group, religious or philosophical beliefs, previous accommodation, family relationships, support networks, legal support needs, employment information, and any other agencies which may have assisted, or were currently assisting you at the time of sign up.

After you became a tenant we also added to this information with rent account and service charge details, including any arrears and related correspondence, repairs and other property matters, any complaints or compliments correspondence, applications concerning transfers, and any correspondence relating to legal or criminal matters which may have arisen in the course of your tenancy.

There are two other types of data which are automatically collected as part of our housing management procedures:

1. Audio Calls

Any calls made to Housing for Women Maintenance / Property Services staff or General Needs Housing Management staff may be recorded. A recorded message will be given at the start of the call informing you that the call will be recorded.

The reasons for telephone call recording are to provide an exact record of the call which can:

- help identify staff training needs;
- help protect staff from abusive or nuisance calls;
- help improve staff performance;
- establish the facts in the event of a complaint either by a customer or a member of staff and so assist in resolving it;
- make sure that we are accurate in capturing the discussion which took place

Calls are stored securely on the BT One Phone electronic portal accessed by secure password and login. Access is restricted to the staff concerned and line managers where necessary. They are automatically deleted after the period of one year.

CCTV recordings

The use of a CCTV system will be used in communal areas such as entrances, bin stores and car parks and other internal communal areas to help us to monitor anti-social behaviour, crime and emergency incidents and situations and dumping of rubbish. We will retain CCTV footage for no more than 28 days, unless the footage is being used to investigate an alleged crime or an incident, in which case it may be retained for up to 2 years following the conclusion of an investigation. On selected properties we use Cloudview, a secure cloud based portal with restricted access. Footage is deleted after 30 days but, if required, can be retained for up to 1 year.

Due to the nature of CCTV data collection we have a legal duty to process this data and to protect the general interests and well-being of our tenants. You have the right to request access to CCTV data relating to you, to erase CCTV images of you (unless under the law we must keep them) and the right to object to our use of CCTV monitoring. Please note that there is no facial recognition technology available for our systems so there are no provisions to search for a particular individual or any specific characteristics.

We may be required to share CCTV data with any approved supplier who monitors the services on our behalf, with the police (following a formal request) or with other legal bodies if required.

Why does H4W need to collect this information?

Our tenancy agreement with you allows us to collect and process your sensitive and personal data relating to you and any dependents in order to effectively manage your tenancy.

As providers of this housing application/landlord service we owe a duty of care to all who occupy our properties and it is therefore a **legal duty** for us to collect and process that information.

Issues of safeguarding (protecting from harm or damage) may arise. Housing for Women has a **legal duty to make safeguarding reporting** to the relevant authorities.

As a housing association we are regulated by the Homes and Communities Agency (HCA). We are also members of the National Federation of Housing (NHF). We have a **statutory (legal obligation) requirement to monitor and report** to them on a regular basis.

What does H4W do with my information?

All the personal data we process is processed by our staff in the UK. Access to the stored data on our electronic system is restricted and password protected. The information is located on servers which are based in the UK and in a secure EU cloud. No third parties have access to your personal data unless the law allows them to do so.

Any manual files are kept under lock and key and archived securely with our archiving supplier at the end of your tenancy.

We have a Data Protection Policy and procedures in place to make sure that your personal data is processed safely and securely. This information can be provided on request.

Sharing of data with various agencies and suppliers is necessary for us to continue to be able to manage your tenancy. We share data where necessary/appropriate with the following: ALLPAY in the management of your rent payments, debt collection agencies where necessary, courts, credit reference agencies, social service and other agencies, local authorities, police, Department for Work & Pensions, contractors involved in the management and repair of properties and related services to those properties such as utilities. Charities such as Glasspool Trust and Turn2Us charities are also included. On occasion we employ consultants to conduct surveys and suppliers who may, from time to time, collect photographs and information regarding your views and experiences as a tenant of Housing for Women. Your consent will be obtained if these are used for publications such as annual reviews, newsletters, and website publicity.

We also need to report to the agencies which regulate us. The rights you have over your data are considered at all stages. Any information we gather cannot be traced back to an individual, all identifying details are removed.

After my tenancy finishes what happens to my information?

We are required under law to keep certain types of data for particular lengths of time after which time the information will be destroyed securely.

Paper files will be archived securely with our archive supplier after you have ended your tenancy. They will be retained for a period of up to six years. If there are outstanding arrears then information to enable us to follow up those arrears will be retained until the account is settled. Electronic files will be destroyed after 6 years unless required by law to keep for longer periods. Documentation provided by other agencies will be returned to the agency or destroyed. Anything relating to criminal records will be kept for the duration of tenancy or for longer if required by the police.

What are the differences in the GDPR which I need to know?

One of the main differences in GDPR is that you, ('the subject'), have been given more rights:

1. As a tenant of Housing for Women you have consented to Housing for Women to collect and process your personal information. We have explained how and why we process your data. You do have a **right to withdraw consent for processing** if you feel it was not freely given, however you would need to bear in mind that this would affect our ability to manage your tenancy.
2. Under the Data Protection Act (DPA) you had the **right to ask for a copy of your personal data** by making a subject access request. The General Data Protection Regulation also gives you this right, the difference is that this now must be given to you within 30 working days instead of 40 working days, and there is no longer a £10 administration fee for doing this unless the request is repetitive or excessive in which case a reasonable fee may be charged.

3. You have the **right to request that processing of your data be restricted** (meaning that it may only be held, not processed) and may only be used for limited purposes) if :
 - a. it is inaccurate
 - b. it is being processed unlawfully
 - c. it is no longer needed for its original purpose (unless needed, for example, legal rights purposes)
 - d. it is needed for proof relating to a request for erasing data
4. You have the **right to object to processing** if:
 - a. it being used for direct marketing purposes (H4W do not engage in direct marketing)
 - b. it is being used for purposes of scientific/historical research and statistics (H4W do not process your data for these purposes)
 - c. the processing is based on the legitimate (legal) interests of the processor (eg H4W processing data to manage your tenancy) but you feel the processing is creating a problem for your particular situation; this also applies to processing based on the performance of a task in the public interest/exercise of official authority (including profiling)
5. You have the **right to request erasure (deletion)** of your data (also known as the right to be forgotten). This only applies if the basis for the processing is unlawful.
6. You have the **right to request rectification** of your data. This means that if there are any errors in the data you can request that they be corrected.
7. If you have asked for data to be rectified or erased or restricted (see above) and we have shared the data with any other third parties then **we must notify those parties** .
8. You have the **right not to be subject to a decision when it is based on automated processing** (H4W does not currently process any personal data in this way).
9. There is also a **right to data portability** which means that, if requested, personal data can be transmitted directly to another organisation if this is technically feasible (only applies if data is based on automated decision making. (H4W does not currently process any personal data by automated decision making).
10. If you wish to raise a complaint regarding how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter.

Our Data Protection Officer is Susan Croft who can be contacted on 0207 501 6146, or 0793 272 502. Her email address is susan.croft@h4w.co.uk

If you are not satisfied with our response or believe we are processing your data in a manner that is not in accordance with the law you can complain to the Information Commissioner's Office (ICO) to ask them to review the matter. The ICO can be contacted at:

Information Commissioner's Office
Wycliffe House, Water lane, Wilmslow
Cheshire SK9 5AF

We will continue to provide any updates on changes in data protection law as it affects your rights regarding the processing of your personal data.