

Important information about your Personal Data (Supported Housing)



Summary

The information in this document is to ensure that you understand the type of data we collect from you and how we collect, store, use and dispose of that data.

It is also to ensure that you understand your rights regarding your personal data.

If you have any questions regarding any of the information in this document then please discuss with the Supported Housing staff.

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 support you as a service user.

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 please speak to the support staff 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 use of the service 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, financial details including benefits information, NI insurance number and proof of ID, 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, the address you had been fleeing from, any offending history, your family relationships, any support networks and legal support needs. Any previous refuge stays, education, training and employment information, any history of abuse, danger areas, referrer's details and details of other agencies which may have assisted or were assisting you at the time.

We also asked you to sign an information sharing consent form where all relevant agencies/people working with you are listed.

After you became a service user other information is added such as risk assessments, support plans, contact notes, support session notes, external agency support information, solicitors letters, court orders, care plans, licence agreements.

There are two other types of data which are automatically collected as part of our Housing for Women procedures:

1. Audio Calls

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 calls, are as follows:

- help identify staff training needs;
- help protect staff and service users 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;
- 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. These 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.

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 we are legally required to keep them, for example, pending an investigation) and the right to object to our use of CCTV monitoring.

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?

As support providers our services range from providing Sanctuary scheme support, Floating Support and various accommodation based services such as refuges. We owe a duty of care to all our service users and it is therefore a **legal duty** for us to collect and process the personal information provided by them.

As support providers we are also required to ensure the safeguarding (protecting from harm or damage) of all the adults and children within our services. 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.

Housing for Women receives public funding and donations in order to assist us in providing support to vulnerable women and their dependents. In order to apply for funding and to bid for services, we need to provide certain evidence required by the funding body. In these instances we use statistical data we have collected on our services users. We do this sensitively without using actual names and addresses and only provide information which is required. Your safety is not compromised during this process.

What does H4W do with my information?

All personal data is processed by our support 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.

All 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 funding agencies and donors is necessary for us to continue to be able to provide the service. We also need to report to our regulators. 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.

Your data may be shared with various appropriate advice and support agencies as part of your support plan. As part of providing support the data may be shared, where necessary, with legal and medical services. Training and education providers may also be included.

After my use of the service 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.

Support plans and related documents are kept indefinitely.

Paper files will be archived securely with our archive supplier after you have finished using our service. They will be retained for a period of up to six years. 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 your use of service 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 use of the service. We need information and data requested to advocate on your behalf and provide support. Without this information we have nothing to go by to be able to assist you.

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 must be given to you within 30 working days instead of 40 working days. There is no longer a £10 administration fee unless the request is repetitive or excessive in which case a reasonable fee may be charged.

3. You have the **right to request for the processing of your data be restricted** (meaning that it may only be held, not processed) and may only be used for limited purposes) if the information is:

- a. Inaccurate
- b. Being processed unlawfully
- c. No longer needed for its original purpose (unless needed, for example, legal rights purposes. Legal rights purposes means for the establishment, exercise or defence of legal claims)
- d. Needed for proof relating to a request for erasing data

4. You have the **right to object to processing** if the information:

- a. is being used for direct marketing purposes (H4W do not engage in direct marketing)
- b. is being used for purposes of scientific/historical research and statistics (H4W do not process data for these purposes)
- c. processing is based on the legitimate interests of the processor (e.g. H4W processing data to manage your use of the service) 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). (Profiling is defined as profiling as a “procedure which may involve a series of statistical deductions ... often used to make predictions about people”)

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, erased or restricted and we have shared the data with any other third parties, **we will then 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 updates on changes in data protection law which affect your rights regarding the processing of your personal data.

Please sign in box below to confirm that you have read and been supported to understand this information:

Resident's Name: Resident's Signature:	Date:
Support Staff Name: Support Staff Signature:	Date: