



SAXON WEALD

DATA PROTECTION POLICY

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1.0 Introduction and aim

- 1.1 Saxon Weald holds personal and confidential information about its employees, Board members, employment applicants, tenants, former tenants, leaseholders, housing applicants and suppliers. All individuals have a right to privacy and Saxon Weald is bound by the Data Protection Act 2018 (DPA 2018).
- 1.2 This policy aims to set out how the Company protects and promotes the rights of individuals and groups. It identifies the information that is to be treated as confidential and the procedures for collecting, storing, handling and disclosing such information.
- 1.3 The Data Protection Act incorporates the changes introduced by General Data Protection Regulation (GDPR) which came into force in May 2018. These changes strengthen the rights of data subjects in a digital age.

2.0 The legal framework

- 2.1 The Data Protection Act sets new standards for protecting general data, in accordance with the GDPR, giving people more control over use of their data, and providing them with new rights to move or delete personal data.
- 2.2 The Information Commissioner's Office (ICO) is responsible for enforcement of the act. In line with its obligations to do so, Saxon Weald makes an annual notification to the ICO detailing the systems containing data and the purposes for which data is used.
- 2.3 The Data Protection Act makes the following distinction between Personal and Special Category of Personal Data:

- 2.4 Personal data only includes information relating to natural persons who:
- (a) can be identified or who are identifiable, directly from the information in question; or
 - (b) who can be indirectly identified from that information in combination with other information.

- 2.5 Special category of personal data means data consisting of information about the data subject which relates to:

- (a) racial or ethnic origin,
- (b) political opinions,
- (c) religious beliefs or other beliefs of a similar nature,
- (d) trade union membership (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992),
- (e) physical or mental health or condition,
- (f) sex life or sexual orientation,
- (g) the commission or alleged commission of an offence,
- (i) biometric data; or
- (j) genetic data.

- 2.6 Special Category of Personal Data generally cannot be shared without express permission from the data subject. If you are unsure about sharing this type of data, please contact the Data Privacy Manager.

- 2.7 In addition, strict controls are in place for any data relating to any proceedings for any offence committed or alleged to have been committed by the data subject, the disposal of such proceedings or the sentence of any court in such proceedings.

- 2.8 Saxon Weald will only process personal data relating to criminal convictions based on the applicable requirements as set in DPA 2018. If you are unsure about sharing this type of data, please contact the Data Privacy Manager.

3.0 Responsibilities

- 3.1 Data Protection specialists have concluded that Saxon Weald is not required to appoint a Data Protection Officer under GDPR. Instead data protection queries will be managed internally by the Head of IT with external support from Data Protection People. The Head of IT will be known as the Data Privacy Manager.

- 3.2 It is the responsibility of all staff and Board members to maintain confidentiality as set out in this policy. A breach of confidentiality is a serious offence and all staff must inform the Data Privacy Manager if they are made aware of a breach of confidentiality.

- 3.3 Breaches of the Data Protection Act will be logged and reported to the ICO within 72 hours if appropriate. Notification to the data subjects will take place where appropriate.

4.0 Policy

General

- 4.1 Saxon Weald is reliant on 3rd party software vendors to update their software to enable data cleansing and GDPR compliance. Saxon Weald will endeavour to keep systems updated and GDPR compliant at all times. As such, our data retention policies will continuously evolve as functionality becomes available.
- 4.2 System updates are likely to include new technologies such as encryption and pseudonymisation. These technologies will be employed where reasonable.
- 4.3 Any significant business change will now undergo data privacy impact assessment to determine if there is a risk to the privacy of data subjects.
- 4.4 This extends to new IT systems and processes which will follow a “Data protection by design and default” approach.
- 4.5 Saxon Weald endeavours to process any data within the EU and the EEA. However, there are times where it or a sub-contractor data processor will process data outside of the EU or the EEA. Where this is the case, the data should only be processed where a GDPR compliant data processing agreement exists. The use of any data processing sub-contractors requires Saxon Weald permission and all other conditions for processing data outside the EEA must be met

Customers

- 4.6 All individuals will be made aware of appropriate GDPR compliant privacy notices which detail what data is collected, the reasons why personal information is required, the legal basis for processing, how long the data will be retained for and the people likely to have access to it. This information will be relevant for the purpose for which it is required and will be kept securely.
- 4.7 We will make every effort to ensure that information held is accurate and up to date by the timely updating of records. It will be explained to individuals that they have a duty to inform the Company if their circumstances change in order that we can update the information held.
- 4.8 This policy refers to all data held by Saxon Weald and any appointed data processors in all formats, whether electronically or manually stored.

Employees and job applicants

- 4.9 Confidential information relating to all employees is held by Saxon Weald, especially by Human Resources (HR) and the Finance team, e.g. in relation to the administration of the monthly payroll, pension details, etc. HR and Finance will not attempt to collect or process information they do not need.

- 4.10 Employment application forms will contain a data processing declaration from applicants, ensuring that the information they have provided is correct and in line with the Data Protection Act, they are happy for the information to be held in a secure place and used when processing their application.
- 4.11 Information relating to applications made by potential employees will be held for the published retention period from the closing date set out in the advertisement. After this period, the application forms of unsuccessful candidates will be destroyed. Anonymous information, such as the equal opportunity statistics of candidates will be retained. Candidates who are not appointed but may be suitable for future opportunities will be moved to a talent pool. Recruitment information of candidates in the talent pool will be kept for the published retention period.

Monitoring at work

- 4.12 Saxon Weald collects and stores information about the productivity and quality of our staff in relation to our business processes. A full list of data that is collected is published to staff via the intranet.
- 4.13 Some examples of monitoring that are common practice at Saxon Weald are:
- Listening in on calls to and from the Customer Service Teams to ensure security checks are taking place, to assess quality of the service and to identify training needs.
 - Tracking of van locations to report on operative productivity and to ensure the location of our staff from a Health & Safety perspective.
 - Quality checking of outgoing communications to ensure that the campaign for “plain English” is being adhered to.
 - Monitoring of internet access to ensure that staff are not exposing the organisation to unnecessary risks (visiting high risk websites) and that productivity levels are maintained.
- 4.14 Further information about monitoring of electronic communications is covered in the **Computer Use and Electronic Communications Policy**.
- 4.15 Staff have the reasonable expectation that they can keep their personal lives private and that they are entitled to a degree of privacy in the work environment. Where Saxon Weald wishes to monitor staff, there will be a clear purpose where monitoring is justified by a real benefit to the business.
- 4.16 Covert monitoring, where monitoring is calculated so that the subject is unaware, should normally be authorised by senior management where there are grounds for suspecting criminal activity or equivalent malpractice, and that notifying individuals would prejudice prevention or detection.
- 4.17 From time to time, evidence of malpractice or concerns about productivity may be discovered through the normal course of activity. In these circumstances,

HR may be notified, and further analysis may take place to determine if action is required. For the avoidance of doubt, any intercepted or monitored communication or vehicle monitoring data may be used as part of Saxon Weald's internal procedures, including but not limited to disciplinary and capability proceedings.

- 4.18 Please note that CCTV is in operation at many Saxon Weald locations. Changes to these locations can occur without prior notification. CCTV signage will always be present where recording is taking place.

Tenants, former tenants, leaseholders, potential tenants and suppliers

- 4.19 Confidential information relating to tenants, former tenants, housing applicants, leaseholders and suppliers is held on Saxon Weald's housing database, financial systems, main file server, e-mail system, electronic document management system and paper files in the relevant operational departments.

- 4.20 All customers will be provided with GDPR compliant privacy notices outlining data processing conditions where data is collected.

Further easy to understand information on data protection is also published via the website and other resources available.

- 4.21 Staff who handle confidential information will ensure that this information remains confidential.

- 4.22 Information relating to tenants, leaseholders and housing applicants will be held for the published retention periods set out by Saxon Weald.

5.0 Disclosure of information

- 5.1 Special category of personal data will only be passed on to other organisations with an individual's consent unless another condition listed in Article 9(2) of the GDPR is met.

- 5.2 All data processors will be required to provide or enter into a GDPR compliant contract that includes the relevant data protection clauses.

- 5.3 In certain cases the Company may, or may in future share information with 3rd party organisations in line with our privacy notices. Where routine sharing takes place, an Information Sharing Agreement will be put in place.

- 5.4 The Company collects data on all new tenancies and right to buy sales for CORE (Continuous Recording of all lettings and sales by housing associations and local authorities in England). This information is anonymous and confidential and is forwarded to be used by CORE to collate national statistics on social housing tenants.

- 5.5 Saxon Weald will participate in the National Fraud Initiative which does include the sharing of personal data. This scheme is designed to detect and prevent

fraud and, where Housing Associations are concerned, particularly illegal occupation and sub-letting of social housing.

6.0 Data Subject Access Requests (DSARS)

- 6.1 The DPA allows individuals certain rights regarding information about them held by Saxon Weald.
- 6.3 This means that information held on any system or any paper files in the relevant operational departments would be available.
- 6.4 The data subject can request a copy of the data as well as just confirming what information is being processed.
- 6.5 The Company will respond to subject access requests in line with the DPA guidance outlined in the accompanying procedure. No charge can be made for a routine DSAR request.
- 6.6 Please note that the Freedom of Information Act does not apply to Saxon Weald at present.

7.0 Monitoring and review

- 7.1 The policy and procedures relating to data protection and confidentiality will normally be reviewed every three years to ensure that they are effective and comply with good practice.
- 7.2 All staff responsible for handling sensitive and personal information will receive annual training on data protection to ensure they remain aware of their information security obligations.
- 7.3 HR will monitor that training has been completed.

8.0 Value for Money

- 8.1 Any data protection enforcement action undertaken by the Information Commissioner's Office is likely to be costly to Saxon Weald. Organisational wide awareness of data protection best practise is relatively low cost to deliver and helps reduce the likelihood of a fine.
- 8.2 Relevant IT staff are trained on data protection and information security to keep the cost of external consultants to an acceptable level.
- 8.3 Data protection activities under GDPR are very time consuming. In order to allow the Head of IT to focus on other activities, a helpdesk service with data protection specialists is in place. This service also provides the organisation with support where the Head of IT is unavailable.

9.0 Equality and diversity

- 9.1 Saxon Weald aims to achieve equality of opportunity in relation to the services we provide as a landlord and as an employer. This means that no person or group seeking housing, jobs or contracts with us will be treated less favourably because of their or their partner's, family's, friend's or associated person's protected characteristics. In law, protected characteristics specifically cover: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In addition to these, Saxon Weald will not treat anybody less favourably for any reason which causes a person to be treated with injustice.

Version	Amendment	By	Date
6	Updated for GDPR	Alex Gunter	31/08/218