



SAXON WEALD

DATA PROTECTION POLICY

First Approved: September 2005

Author: Joe Binder

Last Revision: June 2024

Next Review: June 2026

1.0 Introduction and aim

- 1.1 Saxon Weald holds confidential and personal information about its tenants, former tenants, leaseholders, housing applicants, employment applicants, employees, Board members, suppliers' representatives and suppliers' staff. Saxon Weald could also come into contact with confidential and personal information pertaining to external stakeholder individuals outside of these categories.
- 1.2 Saxon Weald acknowledges that the UK is committed to maintaining the high standards of the UK General Data Protection Regulation (UK GDPR) and that the government has incorporated it into UK law as the UK GDPR, by means of the Data Protection Act 2018 (DPA 2018). Saxon Weald is also committed to adhere to such additional privacy & data protection regulations that are in force in the UK at any given time.
- 1.3 Saxon Weald is committed to upholding the rights of all individuals as per the provisions of the previously referenced privacy & data protection regulations, including but not limited to the following rights provided for by the UK GDPR:
- The right to be informed
 - The right of access
 - The right to rectification
 - The right to erasure
 - The right to restrict processing
 - The right to data portability
 - The right to object
 - Rights in relation to automated decision making and profiling
- 1.4 This policy aims to set out how Saxon Weald protects and promotes the rights of individuals (and groups insofar as the privacy and data protection regulations provide for such categories of data subjects). It identifies the information that is to be treated as confidential and the procedures for collecting, storing, handling and disclosing such information.

- 1.5 As Saxon Weald looks to become even more forward thinking, embrace change and diversify, we acknowledge that our data management places us in every possible role of independent data controller, data processor, partner of independent data controllers and joint controller working together with other legal entities.
- 1.6 Saxon Weald has adjusted its sound compliance focus in line with its privacy and data protection duties as an organisation with 250 or more employees. We also aim to further develop our agile working environment and are enthusiastically learning and exploring innovative ways of working and safeguarding the privacy, health and safety of our staff, with a positive outlook as to the challenges that these uncover.
- 1.7 As part of our prudent approach to all matters privacy and data protection-related, we retain an external Data Protection Officer service through a qualified third party. The external Data Protection Officer will work with our internal Data Protection Coordinator on all aspects of data protection.

2.0 Legal and regulatory requirements

Legal requirements

- 2.1 The Data Protection Act 2018 sets developed standards for protecting personal 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 for recording purposes within the Register of fee payers maintained by the latter.
- 2.3 The Data Protection Act makes the following distinction between Personal and Special Category of Personal Data:
 - 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.
- 2.4 Special category of personal data means data consisting of information about the data subject which relates to:
 - c) Racial or ethnic origin
 - d) Political opinions
 - e) Religious beliefs or philosophical beliefs
 - f) Trade union membership
 - g) Genetic data
 - h) Biometric data (where used for identification purposes)
 - i) Health
 - j) Sex life
 - k) Sexual orientation

This does not include personal data about criminal allegations, proceedings or convictions, as separate rules apply.

2.5 Any Special Category of Personal Data generally cannot be shared without one of the following conditions for its processing being met:

- l) Explicit consent from the data subject
- m) Employment, social security and social protection (if authorised by law)
- n) Vital interests
- o) Not-for-profit bodies (only processing data of members)
- p) Made public by the data subject
- q) Legal claims or judicial acts
- r) Reasons of substantial public interest (with a basis in law)
- s) Health or social care (with a basis in law)
- t) Public health (with a basis in law)
- u) Archiving, research and statistics (with a basis in law)

If you are unsure about sharing this type of data, please contact the Data Protection Officer.

2.6 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.

2.7 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 Protection Officer.

3.0 Responsibilities

3.1 Saxon Weald employs an external Data Protection Officer under UK GDPR. Data protection will be managed internally by the Data Protection Coordinator who will be supported by the Data Protection Officer.

3.2 A member of the Board is named as Information Security Lead to act as primary contact and representative for all information security matters, ensuring that good governance is in place.

3.3 It is the responsibility of all staff and Board members to maintain privacy, data protection and confidentiality as set out in this policy. A breach of confidentiality is a serious offence, and all staff must inform the Data Protection Officer if they are made aware of a breach of confidentiality.

3.4 The UK GDPR defines a Data Breach as a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. All data breaches will be logged and reported to the ICO within 72 hours whenever required or appropriate. Notification to the affected data subjects will take place whenever required or appropriate.

4.0 Policy

General

- 4.1 Saxon Weald is supported by 3rd party software vendors as they update their software to enable optimal data management and overall compliance with the UK GDPR. Saxon Weald will endeavour to keep systems updated and GDPR compliant at all times. As such, our records, data management and retention policies will continuously evolve as functionality becomes available. We will strive to drive the implementation of relevant updates by our 3rd party software vendors or to explore more compliant alternatives, in line with our privacy and data protection duties.
- 4.2 System updates are likely to include new technologies such as improved encryption and pseudonymisation. These technologies will be employed where reasonable.
- 4.3 Any significant changes in processing activities which may result in a high risk will 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, specifically by ensuring that the following principles are upheld:
- Proactive not reactive; preventative not remedial
 - Privacy as the default setting
 - Privacy embedded into design
 - Full functionality – positive sum, not zero sum
 - End-to-end security – full lifecycle protection
 - Visibility and transparency – keep it open
 - Respect for user privacy – keep it user-centric
- 4.5 Saxon Weald endeavours to process any data within the UK. However, there are times where it or a sub-contractor data processor may be required to process data outside of the UK. When this is the case, the data should only be processed where there are appropriate transfer mechanisms in place to safeguard the data. Any data transfers be made in compliance with Chapter 5 of the UK GDPR. The use of any data processing sub-contractors requires authorisation and approval from the Data Protection Officer or Data Protection Coordinator.

Customers

- 4.6 Saxon Weald will ensure all data subjects are provided with clear and comprehensive information detailing how we will process their data. This will include details of the data which is collected, the reasons why personal information is required, the lawful basis for processing, how long the data will be retained for and the people likely to have access to it. This information must be available at the point of data collection and during the period of processing. Saxon Weald will ensure this information is kept up to date.

- 4.7 Following tightening of consumer standards and pressure from regulators, we will collect special category data about our customers which is relevant to their housing need. This will allow us to tailor our services to meet the needs of the customer. We will ensure we have a lawful basis for this processing, ensure the data remains confidential and process it in compliance with the data protection principles.
- 4.8 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 both a right and a duty to inform Saxon Weald if their circumstances change in order that we can update the information held.
- 4.9 This policy refers to all personal data held by Saxon Weald and any appointed data processors in all formats, whether electronically or manually stored. It will also apply in most cases where we are partnering with independent data controllers or decide to operate in a joint controller setting.

Employees and job applicants

- 4.10 Confidential information relating to all employees is held by Saxon Weald, especially by The People Team and the Finance Team, e.g. in relation to the administration of the monthly payroll, pension details, etc. People Team and Finance will not attempt to collect or process information they do not need.
- 4.11 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 2018, they are happy for the information to be held in a secure place and used when processing their application. All data provided in this application will be held securely and is being processed under a contractual basis.
- 4.12 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 six months, 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 appropriately published retention period.

Monitoring at work

- 4.13 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.
- 4.14 Some examples of monitoring that are common practice at Saxon Weald are:
- Listening in on and recording calls to and from the Customer Service Teams to ensure security checks are taking place, to assess quality of the service, identify training needs and dispute resolution.
 - 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.
 - Investigation into computer activity such as logon times and email activity where performance management concerns exist.
- 4.15 Further information about monitoring of electronic communications is covered in the Computer Use and Electronic Communications Policy.
- 4.16 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.
- 4.17 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.
- 4.18 From time to time, evidence of malpractice or concerns about productivity may be discovered through the normal course of activity. In these circumstances, the People Team 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.
- 4.19 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. Access to CCTV systems is restricted to approved personnel.

Tenants, former tenants, leaseholders, potential tenants and suppliers

- 4.20 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.
- 4.21 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 in an adequate and transparent manner.
- 4.22 Staff who handle confidential information will ensure that this information remains confidential.

4.23 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 categories 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 UK GDPR is met.

5.2 Data controllers could and all joint controllers and data processors will be required to provide or enter into a UK GDPR compliant contract that includes the relevant data protection clauses tailored to the specific nature of the business relationship. These agreements need to be in place before any data sharing takes place.

5.3 In certain cases, Saxon Weald 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.

5.6 Saxon Weald will also take part in such other information sharing schemes regulated by the UK public authorities as required by the UK legislative framework or as considered to be in its operational best interest, with strict adherence to the privacy and data protection regulations that are in force.

6.0 Rights of the Individual

6.1 As listed in Section 1, the DPA allows individuals certain rights regarding information about them held by Saxon Weald. It is important staff are aware of these rights and are able to recognise a request should they receive one. All requests should be passed on, without delay, to the Data Protection Coordinator.

6.2 The Right to be Informed means that Data Subjects have the right to be informed about the collection of their data and the uses of it. Saxon Weald therefore provides information regarding the purposes for processing personal data, the retention periods and who it will be shared with. Further details on this can be found within Saxon Weald's Privacy Notice.

6.3 The Rights of Access means that Data Subjects have the right to obtain a copy of the personal data Saxon Weald process about them. Saxon Weald will respond to Data

Subject Access Requests (often referred to as DSARs) in line with legislation. No charge can be made for our responses to a routine DSAR request, although in some circumstances we can refuse to respond. Any response to a Data Subject Access will include applicable redactions, including information that relates to third parties.

- 6.4 The Right to Rectification means that an individual can make a request for inaccurate personal data to be rectified, or completed if it is not complete. This right links to the accountability principle of UK GDPR, so it is a requirement that all data is up to date and accurate.
- 6.5 The Right to Erasure (also known as Right to be Forgotten) means that in some circumstances individuals can make a request for data that is held on them to be erased. There may be certain exceptions that would mean that data is not erased within certain timescales. Information relating to retention can be found in the Retention Schedule.
- 6.6 The Right to Restrict Processing means that an individual may in certain circumstances (as it is not an absolute right) request that the processing of their personal data is restricted. If data processing is restricted, it can still be stored however it cannot be used.
- 6.7 The Right to Data Portability means that in some circumstances an individual can request and obtain their data to then reuse for their own purposes across different services.
- 6.8 The Right to Object means that in some circumstances an Individual can request that Saxon Weald stops processing their personal data in certain circumstances.
- 6.9 Saxon Weald will notify individuals if it carries out automated decision-making or profiling. This type of decision making will only be carried out if:
- It is necessary for a contract;
 - Authorised by law that is applicable to Saxon Weald;
 - Based on the individual's explicit consent.
- 6.10 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 bi-annually 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 and data protection obligations.

7.3 The People Team, with the assistance of the Data Protection Coordinator, will monitor that training has been completed.

8.0 Value for money

8.1 Any data protection enforcement action undertaken by the ICO is likely to be costly to Saxon Weald. Organisational wide awareness of data protection best practice 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 requests can be made via the service desk and qualified internal staff will be able to answer any queries.

9.0 Equality and diversity

9.1 Equality and diversity affect all aspects of our business and, as such, its principles are integral to everything we do. As a landlord and an employer, Saxon Weald aims to recognise and respond positively to people's differences, while providing equality of opportunity in relation to the services and careers we provide and support. This means that no person or group of people, either working for Saxon Weald or seeking housing, services, employment or contracts from us, will be treated less favourably because of their or their partner's, family's, friend's or associated person's protected characteristics, which are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including race and ethnicity, nationality, immigration status), religion or belief, gender and sexual orientation. This includes individuals either already serving on or applying to join our Board. All data relating to equality and diversity is considered special category data and must be handled in confidence.

9.2 Saxon Weald takes the security and integrity of all the personal data it holds very seriously. Staff are trained in Privacy and Data Protection, and we believe our systems are secure as demonstrated through Cyber Essentials Plus accreditation.

9.3 The handling of personal data is controlled by the UK GDPR and associated legislation. The UK GDPR requires us to comply with a number of principles regarding privacy and disclosure when handling personal and special category data which includes equality data. One of these principles is that data must be processed lawfully and therefore Saxon Weald will ensure we have a lawful basis for processing under Article 6 of the UK GDPR. Where we process special category data, we will also ensure we have a lawful basis under Article 9 of the UK GDPR. Where necessary we will also ensure we have a condition for processing under Schedule 1 of the Data Protection Act 2018.

9.4 Further Data Protection Principles which Saxon Weald comply with including ensuring such data is processed fairly and transparently, processed and used for limited purposes, that only the data necessary for the purpose is processed and that

the data is only stored for as long as is necessary. We will also take all appropriate technical and organisational measures required to ensure the integrity and confidentiality of the data.

- 9.5 All equality data disclosed to Saxon Weald may be used for statistical analysis, whereby it is anonymised, and individual data connections are consequentially excluded. The information is then collated to avoid being linked to any individual as this could put their privacy and data protection at risk.

Version	Amendment	By	Date
3.0	Three-yearly review	Mark Ansell	June 2010
4.0	Three-yearly review	Mark Ansell	June 2013
5.0	Annual review	Alex Gunter	October 2016
6.0	Review	Alex Gunter	July 2018
7.0	Three-yearly review	Alex Gunter	July 2021
8.0	Annual review	Alex Gunter	October 2022
9.0	Biennial review	Joe Binder	May 2024