



## **POLICY: DATA PROTECTION (GDPR)**

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Copies of this Policy are available in alternative formats.

Previous BHSE Policy No:	BM 1.3
Previously agreed and approved by Board:	8 February 2011/10 May 2011
Last agreed and approved by the Board:	4 November 2015
Format changes/review (no substantive changes):	10 November 2016/25 May 2018
Next review date:	November 2019
Published on website:	Yes





## **POLICY: DATA PROTECTION (GDPR)**

All reference to 'we', 'our' or 'us' in this Policy should be read as meaning Sandbourne Housing Association.

### **1. Purpose and aim of the Policy**

- 1.1 Before, during, and after employment, we will handle certain personal information in relation to candidates and employees. During the course of our activities, we will collect, store, use and process personal information about our staff in accordance with the Data Protection Act 2018 and General Data Protection Regulations (GDPR).
- 1.2 This Policy does not form part of any employee's contract of employment and may be amended at any time. Any breach of this Policy may result in disciplinary action.
- 1.3 Any questions or concerns about the operation of this Policy should be referred in the first instance to the Data Controller, who is the Chief Executive, or to the employee's line manager.

### **2. Important definitions**

- 2.1 **Data** is information which is stored electronically, on a computer, or in paper-based filing systems.
- 2.2 **Data subjects** include all individuals about whom we hold personal data.
- 2.3 **Personal data** means data relating to an individual who can be identified from that data, or from that data and other information in our possession. It can be factual or it can be an opinion.
- 2.4 **Data controllers (Sandbourne)** are those who determine the reasons for, and the way in which, any personal data is processed. Sandbourne is the data controller of all personal data used in our business.
- 2.5 **Data users** include employees whose work involves using personal data.
- 2.6 **Data processors** include any person who processes personal data on behalf of a data controller.
- 2.7 **Processing** is any activity that involves use of the data. It includes obtaining, recording or holding the data, organising, amending,

retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties.

- 2.8 **Sensitive personal data** includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings. Sensitive personal data can only be processed under strict conditions, and will usually require the express consent of the person concerned

### 3. **Data protection principles**

- 3.1 Anyone processing personal data must do so in compliance with the eight enforceable principles of good practice. These provide that personal data must be:
- 3.1.1 processed fairly and lawfully
  - 3.1.2 processed for limited purposes and in an appropriate way
  - 3.1.3 adequate, relevant and not excessive for the purpose
  - 3.1.4 accurate
  - 3.1.5 not kept longer than necessary for the purpose
  - 3.1.6 processed in line with data subjects' rights
  - 3.1.7 secure
  - 3.1.8 not transferred to people or organisations situated in countries without adequate protection.

### 4. **Processing data**

- 4.1 This will be done fairly and without negatively affecting the rights of the data subject. The data subject must be told who the data controller is, the purpose for which the data is to be processed by us, and the identities of anyone to whom the data may be disclosed or transferred.
- 4.2 For personal data to be processed lawfully, the data subject must have consented to the processing, or the processing must be necessary for the legitimate interest of the data controller or the party to whom the data is disclosed. In most cases the data subject's explicit consent to the processing of such data will be required, particularly with regards to the processing of sensitive personal data.
- 4.3 data must be processed in line with data subjects' rights. Data subjects have a right to:
- 4.3.1 request access to any data held about them by a data controller
  - 4.3.2 prevent the processing of their data for direct-marketing purposes
  - 4.3.3 ask to have inaccurate data amended

4.3.4 prevent processing that is likely to cause damage or distress to themselves or anyone else.

## **5. Security**

5.1 We have put in place procedures and technologies to maintain the security of all personal data from collection to destruction.

5.2 We will maintain data security by guaranteeing the information is confidential, kept only for as long as necessary, only kept and used for the purpose for which it was collected, kept accurate and up-to-date and is only available to authorised persons.

5.3 Our security procedures include keeping the data in secure lockable cabinets/desks, shredding paper data and erasing electronic data and using passwords and log off systems to ensure passersby do not access unattended PCs.

## **6. Subject access requests**

6.1 If a data subject would like a copy of any information we hold in relation to them, they must make a formal request in writing. Any such request should be sent to the Data Controller (Chief Executive), using the Subject Access Request form (SAR).

## **7. Telephone enquiries**

7.1 Staff dealing with telephone enquiries should be cautious about disclosing any personal information held by us. They should:

7.1.1 check the caller's identity to make sure that information is only given to a person who is entitled to it

7.1.2 ask that the caller put their request in writing if they do not have proof of the caller's identity

7.1.3 refer the caller to the Chief Executive or their line manager for assistance if they are in any doubt about whether they should disclose information.

## **8. Equality impact assessment**

Age	Neutral
Being or becoming a transsexual person	Neutral
Being married or in a civil partnership	Neutral
Being pregnant or on maternity leave	Neutral
Disability	Neutral
Race including colour, nationality, ethnic or national origin	Neutral
Religion, belief or lack of religion/belief	Neutral
Sex	Neutral
Sexual orientation	Neutral

## **9. Consultation arrangements**

9.1 Our staff will be consulted on this Policy. Any reasonable suggestions will be taken into account before the Policy is approved by the Board.

### **Further information:**

- Data Protection Statement
- Privacy Notice, which includes how we use personal information
- Procedure for access to information
- Subject Access Request form (SAR)