

General Data Protection Regulations Policy



Our Viability

Warrington Housing Association

GENERAL DATA PROTECTION REGULATIONS 2018 POLICY

Warrington Housing Association needs to collect and use personal data about people including past, present and prospective tenants and other customers in order to carry on its business and meet its customers' requirements effectively. We recognise that the lawful and correct treatment of personal data is very important to successful operations and to maintaining our customer's confidence in ourselves.

Any personal data which we collect, record or use in any way whether it is held on paper, on computer or other media will have appropriate safeguards applied to it to ensure that we comply with the General Data Protection Regulations 2018 ('GDPR'). We fully endorse and adhere to the six principles of Data Protection as set out in the GDPR.

The purpose of this policy is to ensure that the staff and volunteers of Warrington Housing Association are clear about the purpose and principles of Data Protection and to ensure that it has guidelines and procedures in place which are consistently followed. This policy should be read in conjunction with 'Data Protection – Guidance for Staff'. The Data Protection principles state that personal data must be:

1. Processed lawfully, fairly, and in a transparent manner relating to individuals.
2. Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
4. Accurate and, where necessary, kept up to date;
5. Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
6. Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Our purpose for holding personal data and a general description of the categories of people and organisations to whom we may disclose it are listed in the Data Protection register. The Association is a registered data controller (number: Z5959960). You may inspect the register entry or obtain a copy from the Information Commissioner's Office, on the Information Commissioner's website (<http://www.informationcommissioner.gov.uk>).

When we collect any personal data from you, we will use your data as set out in our Privacy Policy.

Where we collect any sensitive data, we will take appropriate steps to ensure that we have explicit consent to hold, use and retain the information. Sensitive data is personal data about an individual if it includes any of the following types of information:

- Racial or ethnic origin
- Political opinions.
- Religious or philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data
- Data concerning health
- Data concerning a natural person's sex life or sexual orientation.

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Personal 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 shall only be processed when such processing is authorised under EU or National Law. This includes Disclosure and Barring Service checks on prospective and existing employees.

Personal Data (including Sensitive Personal Data) will only be processed by the Association where there is a valid legal basis for doing so.

At least one of these must apply whenever data is processed:

- **Consent:** the individual has given clear consent to process their personal data for a specific purpose.
- **Contract:** the processing is necessary for a contract WHA has with the individual, or because they have asked WHA to take specific steps before entering into a contract.
- **Legal obligation:** the processing is necessary for WHA to comply with the law (not including contractual obligations).
- **Vital interests:** the processing is necessary to protect someone's life.
- **Public task:** the processing is necessary for WHA to perform a task in the public interest or for WHA's official functions, and the task or function has a clear basis in law.
- **Legitimate interests:** the processing is necessary for WHA's legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

WHA do not give details of our tenants and other customers or related individuals to any other company where this information could not be alternatively sourced from generally available sources (such as a telephone directory). Tenants, customers and others with queries regarding this policy can contact the Association via The Company Secretary, Warrington Housing Association, the Gateway, 89 Sankey Street, Warrington, WA1 1SR.

Under the GDPR, any individual may write to the Data Protection Officer (Company Secretary) at the above address and request a copy of the information which we hold about them.

Failure to adhere to the GDPR is unlawful and could result in legal action being taken against Warrington Housing Association, its staff or volunteers.

Compliance with the GDPR is the responsibility of all staff and volunteers. Warrington Housing Association will regard any unlawful breach of any provision of the GDPR by any staff or volunteer as a serious matter which may result in disciplinary action. Any employee who breaches this policy statement or the accompanying guidance for staff will be dealt with under the disciplinary procedure which may result in dismissal for gross misconduct. Any such breach could also lead to criminal prosecution.

There is a right to raise concerns or make a complaint to the Data Protection Officer, or to the Information Commissioner's (ICO) Office.

(ICO). They can be contacted by post:
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow

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By calling **0303 123 1113** or visiting www.ico.org.uk

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Produced by
Warrington Housing Association
the Gateway, 89 Sankey Street,
Warrington, Cheshire, WA1 1SR

Tel: 01925 246810

www.wha.org.uk

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