

Data Protection Policy

Approval on: 13 November 2003
Housing & Community Services Committee

BIELD HOUSING ASSOCIATION LIMITED

Registered Office: 79 Hopetoun Street, Edinburgh EH7 4QF

Scottish Charities No SC006878

BIELD HOUSING ASSOCIATION LIMITED

DATA PROTECTION POLICY FOR HOUSING & COMMUNITY SERVICES

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1 DATA PROTECTION POLICY STATEMENT

- 1.1 Bield Housing Association Limited (hereinafter referred to as 'The Association') recognises that the Data Protection Act 1998 is an important piece of legislation to protect the rights of individuals in respect to any personal information that we keep about them, whether held on paper, computer audio tape or video tape.
- 1.2 We will register with the Information Commissioner as a Data controller under the Data Protection Act, and ensure that our practices in the handling of personal information are of a high standard and comply fully with the Act.

2 PRINCIPLES

- 2.1 The Association will adopt and operate procedures in accordance with the Data Protection Act principles. Personal data and information held by the Association will be:
 - 2.1.1 Obtained and processed fairly and lawfully.
 - 2.1.2 Obtained only for specified and lawful purposes and will not be used for any other purpose.
 - 2.1.3 Adequate, relevant and not excessive in relation to the purpose for which it is obtained or kept.
 - 2.1.4 Accurate and up to date.
 - 2.1.5 Held no longer than is necessary for the purpose.
 - 2.1.6 Processed in accordance with the rights of data subjects under the Data Protection Act.
 - 2.1.7 Kept securely.
- 2.2 The Association and all staff who use any personal information must ensure that they follow these principles at all times. Training will be provided on these principles and the Association's procedures for all relevant staff on a regular basis. New staff will have this incorporated into their induction process.

3 RESPONSIBILITIES FOR COMPLIANCE WITHIN HOUSING & COMMUNITY SERVICES

- 3.1 The Director of Housing & Community Services has overall responsibility for data protection within Housing & Community Services, and for ensuring that our notification to the Information Commissioner, and our entry in the Data Protection register is accurate and up to date.
- 3.2 The Assistant Directors, Service Managers and the Bield Response24 Manager will assist in implementing the requirements of the Act by:

- 3.2.1 Providing advice and support to all staff on all matters relating to compliance with the Act.
- 3.2.2 Disseminating information relating to the Act.
- 3.2.3 Responding to requests from individuals to access personal information we hold about them.
- 3.2.4 All staff have a responsibility to fully comply with the requirements of the data Protection Act and this policy. When involved in requesting information, staff will explain why the information is necessary, what it is to be used for, and who will have access to it.

4 ACCESS RIGHTS TO INFORMATION HELD BY HOUSING AND COMMUNITY SERVICES

- 4.1 Tenants, applicants and other individuals about whom Housing & Community Services holds personal information will have the right to access the information, unless it is exempt under the Data Protection Act.
- 4.2 Service Managers and the Bield Response24 Manager will respond to information requests promptly and no longer than 40 working days.

5 CHARGE FOR PROVIDING INFORMATION

- 5.1 A charge of up to £10 may be made for requests for information to cover administration, stationery and postage costs.

6 PERSONAL DATA AUDIT

- 6.1 An audit of all personal information which is held by Housing and Community Services, and which may be subject to Data Protection legislation will be carried out every five years as part of the policy review.
- 6.2 The information held and what is required to comply with the Data Protection Act is detailed as follows
 - Housing Services activities appendix 1
 - Care Services activities appendix 2
 - Bield Response 24 appendix 3
- 6.3 The current data audit and action plan for compliance with the Data Protection Act 1998 will be held on MDrive.

7 CONFIDENTIALITY

- 7.1 This policy complements the Housing & Community Services Confidentiality Policy. Only information which can or must be legally disclosed under the Data Protection Act will be shared with a third party without the individuals consent.

- 7.2 All staff will have a password to ensure information is only accessible to those who need to know the information in order to carry out their requirements of their post.

8 REVIEW PERIOD

- 8.1 This policy will be reviewed every five years.
- 8.2 Tenants will be involved in the review of the Data Protection Policy in accordance with our Tenant Participation Strategy.

Bield Housing Association Limited
Data Protection Act 1998 – Personal Data Requirements for Housing Section of H&CS

Details of information collected or held	Location	Period retained for	Purpose collected or held	Who exchanged with or passed on to	Sensitive data held
1. Applications for housing awaiting processing	Lockable cabinet	Until processed	Assess housing need, level and type of support required Statistical purposes	Applicant's representative, social services, health services, other RSL for assessment, previous or current landlord, all with applicant's specific permission	Ethnic origin, mental and physical health
2. Applications for housing which have been processed	Lockable cabinet	Until housed or cancelled			
3. Applications for housing (computer records)	As computer records	Until housed or cancelled			
4. Applications for housing with HO/AO for home assessment	Locked in car out of sight	While out of office then returned to normal file			
5. Applications offered/ recently accepted housing	Lockable cabinet	Until processed then placed in lockable hanging filing cabinet			
6. Cancelled applications for housing (paper records)	Lockable cabinet	6 years	To answer queries from H&CS Committee or regulators regarding statistics.	H&CS Committee CS and CC for statistical purposes	
7. Cancelled applications for housing (computer records)	As computer record	6 years	To answer queries from the applicant or their representative at a future date regarding the status of the application	H&CS Committee if relative of board or member of staff	
8. Applications rejected as not meeting criteria	Lockable cabinet	6 years			
9. Nominations details and HP referrals	Lockable cabinet	Until processed	To contact and pursue housing application		
10. Tenant record (paper record)	Lockable cabinet	Until end of tenancy	Administration of tenancy and provision of services	Other RSLs for transfer requests, HOMES, NTVRLO, HB, CT, SPT with tenant's permission	As per 1 to 9 above
11. Tenant record (computer record)	As computer records	Until end of tenancy	Manage tenancy, rent/benefits queries		
12. Tenant record with HO for home visit	Locked in car out of sight	While out of office then returned to normal file	Statistical information		

Details of information collected or held	Location	Period retained for	Purpose collected or held	Who exchanged with or passed on to	Sensitive data held
13. Tenant record at schemes	Lockable cabinet	Until end of tenancy	To provide services and source, arrange and provide support and or personal care	Tenant's representative e.g. family, carers, friends with their agreement. Social services, health services with tenant's agreement, or without tenant's agreement if felt beneficial to tenant	As per above plus religious beliefs
14. Former tenant record at schemes	Lockable cabinet	Forwarded to office for filing with other former tenant files	Post tenancy queries		
15. Former tenant record awaiting action on rent	Lockable cabinet	Until rent account finalised	Finalise rent balance, terminate tenancy	H&CS Committee, HB,CT,SPT tenant's representative	As per 1 to 9 above
16. Former tenant record where rent account concluded	Lockable cabinet	Indefinitely	Post tenancy queries	HB for queries, H&CS Committee for write off	
17. Former tenant record (computer records)	As computer records	Indefinitely	Post tenancy queries		
18. Tenant/former tenant arrears (paper records)	Lockable cabinet	3 – 5 years	Monitor, pursue arrears balances, statistical information	HB, tenant representative, other RSL applicant applying to, H&CS for stats.	Nil
19. Tenant/former tenant arrears (computer records)	As computer records	3 – 5 years			
20. Files held at Filesafe including arrears printouts, former tenant files, rent registration applications, complaints, general correspondence	Filesafe	As per categories shown	Future reference	No one	Ethnic origin, mental and physical health
21. Complaints records	Lockable cabinet	Indefinitely	To process complaints	Tenant's representative with tenants specific agreement. Member of Board for appeals, H&CS for statistics	Nil

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Details of information collected or held	Location	Period retained for	Purpose collected or held	Who exchanged with or passed on to	Sensitive data held
22. Rent registration applications which have been processed	Lockable cabinet	Indefinitely	To apply for and administer rent registration	Rent registration Office, HB	
23. Rent registration applications awaiting processing	Lockable cabinet	Until processed			
24. National insurance number for new tenant over 75 years of age	Lockable cabinet	Indefinitely	To apply for concessionary TV licence	NTVRLO with applicant's specific permission	
25. CCTV video records	Locked room/cabinet at schemes	As agreed with SM normally 72 hrs or 7 days	Security of building/tenants personal security	Police or council where an incident involving scheme security has occurred	
26. Partnership Forum Members Details	Computer Database	While serving on PF	Database for mailing	No one	
27. RTO Committee Details	None held at present	While RTO registered	To register as RTO	No one	
28. Insurance Claim Details	Lockable cabinet	2 years after settlement	To make claim on house contents insurance	Insurance Company	
29. Suppliers Details	Computer Database and manual records	Indefinitely	To be able to contact suppliers	No one	Nil
30. Various registers (appeals, U60 applicants, O60 applicants deferred)	As computer record on intranet	6 years	To provide statistics To comply with regulation	H&CSC, CS, Councils	Ethnic origin, mental and physical health
31. Scheme diary	Locked Scheme office	2 years, Scheme Manager to forward others to office for disposal	Communicate information to other staff	Tenant's representative e.g. family, carers, friends with their agreement. Social services, health services with tenant's agreement, or without tenant's agreement if felt beneficial to tenant	Ethnic origin, mental and physical health, religious beliefs

Notes: All information presented at Committee is processed in accordance with our Confidentiality Policy.
All information to Communities Scotland and other organisations as statistical information ensures individuals are not identifiable.

Revised October 2003

Bield Housing Association Limited
Data Protection Act 1998 – Personal Data Requirements for Care Section of H&CS

Details of information collected or held	Location	Period retained for	Purpose collected or held	Who exchanged with or passed on to	Sensitive data held
1. Applications for housing awaiting processing	Lockable cabinet	Until processed	Assess need for RCH, level and type of support and care required	Applicant's representative, social services, health services, all with applicant's specific permission	Ethnic origin, mental and physical health, religious beliefs
2. Applications for housing which have been processed	Lockable cabinet	Until housed or cancelled			
3. Applications with SM for home assessment	Locked in car out of sight	While out of office then returned to normal file	Statistical purposes	H&CS Committee, CS and CC for statistical purposes	
4. Cancelled applications for housing	Lockable cabinet	6 years	To answer queries from H&CS Committee or regulators regarding statistics. To answer queries from the applicant or their representative at a future date regarding the status of the application	H&CS Committee if relative of board or member of staff	
5. Applications rejected as not meeting criteria	Lockable cabinet	6 years			
6. Resident record (paper record)	Lockable cabinet	Until end of occupancy	Manage occupancy and provision of services	Resident's representative, social services, health services, all with resident's specific permission	
7. Resident record (computer record)	As computer records	Until end of occupancy	Statistical information		
8. Resident record with SM for home visit	Locked in car out of sight	While out of office then returned to normal file			

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Details of information collected or held	Location	Period retained for	Purpose collected or held	Who exchanged with or passed on to	Sensitive data held
9. Applications for housing held at schemes	Lockable cabinet	6 years	Assess need for RCH, level and type of support and care required	Applicant or resident's representative e.g. family, carers, friends with their agreement. Social services and health services with resident's agreement, or without resident's agreement if felt beneficial to resident	Ethnic origin, mental and physical health
10. Resident records at schemes	Lockable cabinet	Until end of tenancy.	To provide services and source, arrange and provide support and or personal care		Ethnic origin, mental and physical health, religious beliefs
11. Former resident records at schemes	Lockable cabinet	Forward to office for filing with other tenant files	Post tenancy queries		
12. Third Party information (provided by social or health services)	Lockable filing cabinet	As per 10 & 11 above	To provide services and source, arrange and provide support and or personal care, to deal with resident issues		
13. Former resident records awaiting action on rent	Lockable cabinet	Until rent account finalised	Finalise rent balance, terminate tenancy	Resident's representative, social services, H&CSC for stats.	Nil
14. Former resident records rent account concluded	Lockable cabinet	Indefinitely	Post tenancy queries		
15. Former resident records (computer records)	As computer records	Indefinitely	Post tenancy queries		
16. Former resident arrears (paper records)	Lockable cabinet	3 – 5 years	Post tenancy queries		
17. Resident arrears (paper records)	Lockable cabinet	Indefinitely	Monitor, pursue arrears balances, statistical information		
18. Former resident arrears (computer records)	As computer records	3 – 5 years			
19. Resident arrears (computer records)	As computer records	Indefinitely			
20. Complaints records	Lockable cabinet	Indefinitely	To process complaints	Resident's representative with resident's specific agreement, member of board for appeals, H&CSC for statistics	Nil

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Details of information collected or held	Location	Period retained for	Purpose collected or held	Who exchanged with or passed on to	Sensitive data held
21. Insurance Claim Details	Lockable cabinet	2 years after settlement	To make claim on house contents insurance	Insurance Company	Nil
22. Suppliers Details	Computer Database and manual records	Indefinitely	To be able to contact suppliers	No one	
23. Day, flexicare applicants	Lockable filing cabinet	5 years	To assess need for service and level of support required	Applicant's representative with their agreement, social and health services	Ethnic origin, mental and physical health, religious beliefs
24. Day, flexicare service users	Lockable filing cabinet	5 years	To review need for service and level of support required	Service user's representative with their agreement , social, health services	
25. Third party information on day, flexicare applicants and service users (provided by health or social services)	Lockable filing cabinet	5 years	To assess and review need for service and level of support required	Applicant or service user's representative with their agreement , social and health services	

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