

## General Data Protection Regulation (GDPR) Privacy Notice

### Who are we?

Littlehampton & Rustington Housing Society Ltd is the data controller. Littlehampton & Rustington Housing Society is a Housing Association (Registered Social Housing Landlord) and is regulated by both Homes England, and the Care Quality Commission.

### Registered Office

**Littlehampton & Rustington Housing Society Ltd**  
**Rustington Hall**  
**Station Road**  
**Rustington**  
**West Sussex**  
**BN16 3AY**

### We take privacy seriously

This privacy notice tells you what to expect when Littlehampton & Rustington Housing Association Ltd collects your personal information.

Littlehampton & Rustington Housing Society Ltd complies with the General Data Protection Regulation (GDPR) 2018 in relation to personal information that you give to us and ensures that it is not misused. The Regulation defines a set of rules and guidelines we must follow when handling your information, these are referred to as the General Data Protection principles, personal information shall be:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal information that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal information are processed; personal information may be stored for longer periods insofar as the personal information will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals;

f) processed in a manner that ensures appropriate security of the personal information, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

### **How we use your personal information**

The personal information you provide us with will be retained only for as long as necessary to fulfil the purposes for which it was collected or as required by law. We do not share personal information with third parties except as necessary to carry out our business or as required by law or other legal processes, and we never sell your personal information or pass it to marketing companies.

### **Aims of this notice**

Littlehampton & Rustington Housing Society Ltd is required by law to tell you about your rights and our obligations regarding our collecting and processing any of your personal information, which you might provide to us. We have a range of policies and procedures to ensure that any personal information you supply is only with your active consent and will always be held securely and treated confidentially in line with the applicable regulations.

### **What Personal information we collect about a) Service Users b) Employees and c) Third parties**

- a. *Service users.* As a registered social landlord and care provider, we must collect some personal information on our service users, including financial information, which is essential to our being able to provide effective accommodation, care and support services. The information is contained in individual files (manual and electronic) and other record systems, all of which are subject to strict security and authorised access policies. Personal information that becomes inactive, e.g. from enquiries or prospective users who do not enter the service is also kept securely for as long as it is needed, before being safely disposed of.
- b. *Employees and volunteers.* The service operates a safe recruitment policy to comply with the regulations in which all personal information obtained, including CVs and references, is, like service users' information, securely kept, retained and disposed of in line with data protection requirements. All employees are aware of their right to access any information about them.

*Third parties.* All personal information obtained about others associated with the delivery of the accommodation, care service, including contractors, visitors, etc will be protected in the same ways as information on service users and employees.

## How we collect information

To register and receive or use many of the services, including those on our website, you need to give us some personal information. We will hold this information for as long as it is needed for the service you have requested and remove it when that purpose has been met.

In the case of an online information service, such as email alerts, we will remove your details if you inform us that you no longer wish to continue to receive the service.

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances.

- Public task: to perform a task in the public interest or for an official function.
- Legal obligation: to comply with the law (not including contractual obligations).
- Contract: for a contract with you, or because you have asked us to take specific steps before entering into a contract.
- Vital interests: to protect someone's life.
- Legitimate interests: to protect the interests of the Society or someone else unless there is a good reason to protect your data which overrides those other interests.
- Consent: you have specifically agreed to our use of your data and we have no other legal basis for processing it.

Most of service users', employees' and thirds parties' personal information is collected directly from them or through form filling, mainly manually, but also electronically for some purposes.

With service users, we may continue to build on the information provided in enquiry application and referral forms, and, for example, from needs assessments, which feed into tenancy, care and support plans.

With employees, personal information is obtained directly and with consent through such means as references, testimonials and criminal records (DBS) checks. When recruiting staff, we seek applicants explicit consent to obtain all the information needed for us to decide to employ them.

All personal information obtained to meet our regulatory requirements will always be treated in line with our explicit consent, data protection and confidentiality policies.

Our website and databases are regularly checked by experts to ensure they meet all privacy standards and comply with our general data protection security and protection policies.

## What we do with personal information

All personal information obtained on service users, employees and third parties are only used to ensure that we provide a service, which is consistent with our purpose of providing person-centred care and tenancy management services, which meets all regulatory standards and requirements. It will not be disclosed or shared for any other purpose.

## With whom we might share information

We only share the personal information of service users, employees and others, with their consent, on a “need to know” basis, observing strict protocols in doing so. Most information sharing of service users’ information is with other professionals and agencies involved with sustainment of occupancy, support, care and treatment. Likewise, we would not disclose information about our employees without their clear agreement, e.g. when providing a reference.

We do not disclose or share sensitive or confidential information without your explicit consent, except in a small number of situations where:

- disclosure is required by law
- we have good reason to believe that failing to do so would put you or someone else at risk of harm.

You may decide you do not wish your personal information to be collected or shared; or may wish to set conditions on our use of it. In such cases we may not be able to provide the service you require; or may only be able to provide it in a limited way. There are occasions where we have a legal obligation to collect or use personal information without consent.

We may use personal information to identify individuals who need additional support during emergencies or major incidents, for example, in an emergency evacuation.

To enable the Society to provide effective joined-up social care with health partners, we may share personal identifiable information with NHS Digital. This is to obtain NHS information from the Personal Demographic Service, the national electronic database of NHS patient details.

Statutory services, such as education, social care, protection of vulnerable children and adults and public health may involve collecting, using and sharing special category data (sensitive personal data) as defined by the GDPR.

### **Other third parties**

We do not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent. We may process your personal information using web services hosted outside the European Economic Area (EEA), but only where a data processing agreement is in place that complies with obligations equivalent to those of the Data Protection Act.

### **How personal information held by the Society can be accessed**

There are procedures in place to enable employees or third parties whose personal information we possess and might process in some way, to have access to that information on request. The right to access includes both the information and any uses which we may have made of the information.

### **Your rights**

- To request access to your personal data.
- To request correction of our records.
- To request removal of data or limit our use of it (applicable after 25 May 2018) - This right is not absolute, and we may not be able to comply with your request. You have a right to have personal data erased and to prevent types of data processing in the following specific circumstances.
  - Where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed.
  - When you withdraw consent, we have relied upon.
  - When you object to the processing and there is no overriding legitimate interest for continuing the processing.
  - The personal data was unlawfully processed.
  - The personal data must be erased to comply with a legal obligation.
  - The personal data is processed in relation to the offer of information

## **Your rights continued**

- To object to processing - In some cases, we may need to explain that we have good grounds to continue to process your information.
- To data portability (applicable after 25 May 2018) - This right allows individuals to obtain and reuse their personal data for their own purposes for different services. This only applies to personal data provided by you, with your consent or for the performance of a contract, and when processing is automated.
- Not to be subject to automated decision-making, including profiling (applicable after 25 May 2018) - This right only applies where the decision is based on automated processing and we do not undertake any automated decision-making, including profiling.
- To withdraw consent (when this is the only basis for our use of your data).

To find out more about your legal rights or request a change or deletion to your personal information you may contact our nominated Data Protection Officer.

## **How long we keep information**

There are strict protocols in place that determine how long the organisation will keep the information, which comply with the relevant legislation and regulations.

## **How we keep our privacy policies up to date and ensure your data is secure**

The staff appointed to control and process personal information in our organisation are delegated to assess all privacy risks continuously and to carry out comprehensive reviews of our data protection policies, procedures and protocols at least annually.

We have put in place security measures to prevent your personal data from being lost, used or accessed in an unauthorized way, altered or disclosed inappropriately.

We also limit access to your personal data to those employees, agents, contractors and other third parties who have a need to know for our service to be provided. They will only process your personal data on our instructions and are subject to a duty of confidentiality.

We have procedures to deal with any suspected breach of the rules about personal data and will notify you and the regulator of a breach where we are required to do so.

## **Contact for data protection issues and complaints**

We have nominated a data protection officer (DPO) who is responsible for overseeing issues in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, contact the DPO:

Marcin Szczepaniak, Data protection officer