



NECTAR
HOMES



DATA PROTECTION POLICY

I Introduction

- 1.1 The Group will comply with the Data Protection Act 1998, as amended from time to time.
- 1.2 The Data Protection Act 1998 gives individuals who are the subject of personal data a general right of access to the personal data which relates to them. These rights are known as “subject access rights”. Personal data may take the form of computerised and paper records. *Personal data is data which specifically relates to you as an individual.*

2 How to make a subject access request

- 2.1 Requests for personal data must be made on a Subject Access Request Form. Proof of identity, if not an Arcadia employee, together with a cheque made payable to the Arcadia Housing Group for £10.00 should be attached. This form should then be addressed to the Data Protection Officer (currently Mandy Garrett) and sent to Central Office marked “Staff in Confidence - Addressee Only”, for processing.
- 2.2 It will be helpful to be as specific as possible about the information you require.

3 Responding to your request

- 3.1 We are obliged to reply to you within 40 days. The 40 day time limit starts from the date when the Data Protection Officer has received the required fee, the necessary information to confirm your identity if applicable, and has confirmed your request.

4 What information will be sent to you?

- 4.1 We will provide you with computerised personal data covered by the Act, together with personal data held on paper in a relevant filing system.
- 4.2 You are entitled to:
 - be given a description of the personal data held, the purposes for which the data are being processed and information on who the data are or may have been disclosed to
 - be given a copy of the information in an intelligible form and any information on the source of the data
 - be told the logic involved in any automated decisions
- 4.3 We will provide the information in permanent form, such as a computer print out, in a letter or on a form, unless the supply of such a copy is not possible, would involve disproportionate effort or you agree otherwise.
- 4.4 On receiving a request, we will take into account the cost of providing the information, the length of time it may take to provide and how difficult it is to obtain. If this causes a “disproportionate effort”, we may ask you to restrict your request for information in a permanent form.

5 Is any information withheld?

- 5.1 Information relating to another individual who can be identified from that information may be withheld unless the other individual consents to the disclosure, or it is reasonable to supply the information without consent.
- 5.2 In determining whether it is reasonable to supply information relating to another individual without consent, the Group will give due regard to:
- any duty of confidentiality owed
 - the steps taken to seek consent
 - whether the individual is capable of giving consent
 - any express refusal of consent
- 5.3 The Group will always give due regard to the sensitivity of the data before disclosing the information.
- 5.4 There are a number of exemptions to the disclosure and subject access provision of the Act. These include:
- crime and taxation purposes are largely exempt
 - health, education and social work
 - regulatory activity
 - subject to satisfying certain specified conditions personal data presented for journalistic, artistic or literary purposes
 - research, statistical or historical purposes where published in a format which does not identify any data subjects
 - other miscellaneous exemptions:
 - confidential references given by the data controller
 - management forecasts/planning
 - corporate finance
 - negotiations
 - legal professional privilege
 - self-incrimination

Please refer to the Data Protection Officer if in doubt.

- 5.5 Where the Group has complied with a request, it is not obliged to comply with a similar request by the same individual unless a reasonable interval has elapsed.
- 5.6 Employers are not required by the Act to search through all e-mail records; however they are required to provide copies of e-mails where you may be the subject of the information. We will therefore ask you to restrict your request for searching e-mail accounts.

6 What can I do if my request is not complied with?

- 6.1 If we fail to respond to your request or wish to make any amendments to the data provided, you should in the first instance contact the Data Protection Officer for an update.
- 6.2 If you are not satisfied with the response from the Data Protection Officer or the timescales involved, or if you think that the information is wrong or incomplete, you may:
- ask the Data Protection Commissioner to carry out an assessment of whether it is likely or unlikely that we are processing your personal data in compliance with the terms of the Act.
(Website: www.informationcommissioner.gov.uk, Helpline: 01625 545740)
 - pursue the matter yourself through the court.