

Data Protection and Access to Personal Information

Overview

Inquilab is responsible for collecting, processing, storing and safe-keeping personal and other information as part of our business activities. We manage personal information in accordance with the Data Protection Act 1998, and are registered as Data Controllers with the Information Commissioner's Office.

We take your privacy and the security of your information very seriously. This article explains how we meet our obligations under the Data Protection Act to protect the personal information we may hold about you, and it also outlines your rights to inspect these details.

Data Protection Principles

The Data Protection Act contains eight data protection principles which Inquilab is required to follow. The eight principles are:

- i. Personal data shall be processed fairly and lawfully.
- ii. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
- iii. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- iv. Personal data shall be accurate and, where necessary, kept up to date.
- v. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
- vi. Personal data shall be processed in accordance with the rights of data subjects under this Act.
- vii. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- viii. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

The Types of Information Collected by Inquilab

We may collect, process and store information such as:

- Tenant's name, date of birth, National Insurance number, photograph, contact details and preferences
- Information about a tenant such as religion or belief and ethnicity
- References from landlords, support providers or other people vouching for applicants' suitability as a tenant
- Details of other family members or people living in our properties
- Rent payments made
- Income and expenditure estimates
- Repairs requested
- Application or referral forms

- Tenancy agreements
- Physical and mental health or condition
- Support contracts
- Support plans and details of support providers
- Complaints about our services
- Responses to surveys or involvement initiatives
- Allegations of anti-social behaviour
- Convictions, proceedings and criminal acts
- Correspondence to and from our residents, service users, other agencies or advocates
- Recordings of telephone calls made to and from the organisation
- CCTV images (If you live in a supported accommodation project with the provision of CCTV; the CCTV systems record and retain information for up to a month to safeguard your health and security).

We may apply markers to your information (for example, in relation to your vulnerability or health status) to enable us to tailor and deliver services to you. It is important that you notify us of any changes to your personal information.

How Inquilab Uses Your Personal Information

Tenants and Residents

We use your personal information for responding to your enquiries, providing services to you and managing our relationship with you. We will also use the information to:

- notify you of changes we are considering or planning to make
- help us improve our services
- inform you about our services.

We may also anonymise your information, so that it cannot be linked to you, as part of research exercises. We will always tell you how we will use your information when collecting it from you - for example in an interview, survey form or on our website (see Website Privacy Policy).

Job Applicants

Inquilab will use personal information submitted in a job application to process the application and to produce and monitor recruitment statistics.

Inquilab will not take up references without the applicant's prior permission.

We will not share or disclose an applicant's information unless given consent or we are required to by law. Where we are required to carry out a Disclosure and Barring Service check Inquilab will comply with the law and the applicant's rights when carrying out these checks.

Sharing Your Personal Information

There are occasions when Inquilab may disclose your details to others. These situations are governed by the Data Protection Act.

With Your Consent

Inquilab will usually obtain your consent before referring you to another service, an activity that requires us to share your contact and background information with the organisation that provides the service.

Legally Obligated

Inquilab will share specific and relevant information with law enforcement and government agencies or public bodies where we are legally required to do so. Examples may include:

- The prevention or detection of crime and fraud
- The apprehension or prosecution of offenders
- The assessment or collection of tax or duty owed to customs and excise
- Sharing in connection with legal proceedings
- Sharing in relation to the physical or mental health of an individual, where disclosure is required to protect them or others from serious harm
- Research and statistical purposes.

Contractors and Suppliers

We share your personal information with a limited number of suppliers who enable us to provide services to you, or who provide services on our behalf. Examples of those suppliers include the maintenance contractors who carry out work in tenants' homes; the contractor who handles the out of hours service and companies that assist us in mailing out our notices and letters. The data shared is limited to the specific information the supplier needs to carry out their task, as well as any information that ensures we fulfil our health and safety obligations to the people carrying out the task.

Inquilab remains responsible for the fair and lawful processing of personal data shared with suppliers. We ensure this occurs through setting data protection requirements in contracts let with suppliers.

Inquilab may also share your information with emergency services and local authorities, where this is necessary to help them respond to an emergency situation that affects you.

Utility Companies

Sometimes Inquilab will become aware that a tenant has moved leaving behind an unpaid utility bill or an account in credit. In addition, a utility provider may need to contact a former tenant regarding continuing social support. In these circumstances Inquilab can pass a forwarding address (where known) to the utility companies. Inquilab will make tenants aware of these possible disclosures at the start of the tenancy. Inquilab can also provide utility companies with the names of new tenants.

Partner Agencies

Inquilab may enter into partnerships with other organisations such as local authorities and the police. For example, we may join a partnership to help prevent and control anti-social behaviour. Inquilab will enter into a formal data sharing agreement to govern the process and ensure it is lawful. That agreement will be approved by our Data Protection Officer before it is implemented.

Disclosure of personal information without consent will be exceptional and only if required by law, a court order, or where overriding health and safety considerations apply.

Tracing Agents or Debt Collection Companies

Where a tenant leaves without paying the rent, and without making any arrangement to pay, Inquilab may provide their details to a tracing agent or debt collection company to help them recover money owed to them.

Protecting Personal Information

Inquilab aims to ensure that staff and board members do not misuse any confidential information, or pass on this information improperly to a third party. We protect personal information by applying technical measures, implementing policies, training staff and carrying out checks on practice.

Telephone Enquiries

Inquilab will ask tenants making telephone enquiries to quote their 'Tenancy Number'. Every tenant has a unique Tenancy Number which can be found on rent statements. Tenants who do not know their Tenancy Number will be asked for their full name and date of birth before we give out details. about the rent account.

Contacting Us On Behalf of a Tenant

Inquilab understands that some tenants need or prefer someone else to contact us on their behalf. Friends, family and neighbours often help our tenants out by contacting us on their behalf. This is particularly important if the tenant finds it difficult to make contact with us themselves for reasons of incapacity or infirmity. We want to support people who help our tenants and so have a policy in place which achieves this without placing us at risk of tenancy fraud or of failing to protect our tenants' personal data.

Inquilab may also receive calls from councillors, care workers and other peoples representing our tenants. We will endeavour to help all callers, keeping mindful of our responsibility towards our tenants.

What to Expect When You Contact Us On Behalf of A Tenant

If you contact us by phone or in person, you will be asked to identify yourself. This is an essential part of our approach to combating tenancy fraud and protecting our tenants' personal data.

Once we have established that you are calling on behalf of a tenant, we will ask to speak to the tenant to confirm they are happy to have you speak on their behalf. If possible, please call us when you are with the tenant. If the tenant gives us their permission, we will be able to talk to you, making a record of your name and what was discussed.

If the subject you are calling about is an emergency (e.g. a major leak in the tenant's home), please make us aware of this and we will deal with your request urgently.

What to Do If You Contact Us Frequently on Behalf of a Tenant

Some tenants require a friend, relative or neighbour to contact us on their behalf repeatedly. To cater for this situation, we ask the tenant to send us a letter naming the person(s) who they want to authorise to represent them. We will review the letter and if approved, we will record it on our system, so all our staff can see who they can talk to about that tenant's home and other issues.

Professionals Representing Tenants

When Inquilab is contacted by a councillor or MP about a tenant, we request and record the name, council and ward or constituency represented. We will discuss queries or requests related to repairs. However, we will not be able to discuss matters related to rent or housing applications or other personal issues without the permission of the tenant.

We take the same approach when contacted about a tenant by a social worker/support worker.

When we are contacted by a solicitor we ask that the tenant's written authorisation is provided before we can act on the request.

Accessing your Personal Information

The Data Protection Act 1998 gives you a number of rights in relation to your personal information.

- You can make your request to any member of staff.
- All requests are passed by staff to our Data Protection Officer to ensure we act in accordance with the Data Protection Act.
- To help us respond, please be as specific as you can be about the information you would like to see.
- We may make a nominal charge if you ask us to photocopy any documents (we will let you know beforehand if we need to make this charge).
- Under the legislation, we have up to 40 days from the date you request the information to provide it to you.
- You have the right to ask us to delete or change any inaccurate information held on our files. We consider all requests and will change or delete information that we agree is inaccurate.

Because we also need to respect the rights of others, we cannot make the following information available to you:

- Information relating to, or identifying a third party, unless that person has given their written permission.
- Information from other agencies such as Social Services, doctors or lawyers which could reasonably be expected to be treated as confidential.
- Information that could cause physical or mental harm.

You can find out about your rights, and get further guidance, on the Information Commissioner Office's website <https://ico.org.uk/for-the-public/housing/landlords/>