

DATA PROTECTION POLICY

SEPTEMBER 2022



LANARKSHIRE
HOUSING ASSOCIATION LTD



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DATA PROTECTION POLICY

(*Note Lanarkshire Housing Association hereinafter referred to as LHA)

1.0 POLICY STATEMENT

- 1.1 LHA recognises that the Data Protection Act 2018 is an important piece of legislation to protect the rights of individuals in respect of any personal information that is stored, whether on a computer or in manual systems.
- 1.2 LHA is registered with the Scottish Information Commissioner as a data controller under the Data Protection Act, and procedures are in place to ensure that our practices in handling personal information is professional and complies with this Policy and the relevant statute.
- 1.3 This Policy should be read in conjunction with the Privacy Policy.

2.0 PRINCIPLES

- 2.1 LHA adopts and operates procedures in accordance with the principles for handling data as detailed in the Data Protection Act. Personal data and information held by LHA shall:
 - 1) Be obtained and processed fairly and lawfully
 - 2) Be obtained only for specified and lawful purposes and shall not be used for any other purpose
 - 3) Be adequate, relevant and not excessive in relation to the purpose for which it is obtained or kept
 - 4) Be accurate and up to date
 - 5) Be held no longer than is necessary for the purpose
 - 6) Be processed in accordance with the rights of data subjects under the Data Protection Act
 - 7) Be kept securely

Any Committee or staff members must ensure that any use of personal information follow these principles at all times. Training will be provided on these principles and LHA's procedures for all relevant staff on a regular basis. New staff will have this incorporated into their induction process.

3.0 RESPONSIBILITIES FOR COMPLIANCE

- 3.1 The Management Committee has overall responsibility for data protection within the Association.
- 3.2 The Planning & Research Manager is LHA's nominated Data Protection Officer (DPO). The DPO will assist the Management Committee fulfil its obligations in implementing the requirements of the Act in the following way:
 - Ensuring that our notification to the Scottish Information Commissioner and our entry in the Data Protection register is accurate and up to date
 - Providing advice and support to all departments on all matters relating to compliance with the Act
 - Disseminating information relating to the Act
 - Responding to requests from the individual to access personal information we hold about them
- 3.3 The Chief Executive has specific responsibility for personal information held on employees. Staff will be informed about data protection issues, and their rights to access their own personal data through the staff handbook.
- 3.4 Departmental managers will ensure that personal data processed by their department is included in the LHA's data protection register entry, is kept up to date and complies with the above principles.
- 3.5 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.

4.0 ACCESS RIGHTS

- 4.1 Tenants, employees and other individuals about whom LHA holds personal information will have the right to access the information, unless it is exempt under the Data Protection Act.
- 4.2 LHA will respond to information requests promptly and will provide the requested information in accordance with the requirements of the Privacy Policy.

5.0 ADVICE ON ACCEPTABLE AND APPROPRIATE USE

- 5.1 It should be remembered that use of LHA IT facilities in an inappropriate and unacceptable manner and breach of this Policy may be treated as a disciplinary offence. If users are in any doubt about what constitutes acceptable and appropriate use of the IT facilities, they should seek advice from their line manager.

6.0 CONFIDENTIALITY

- 6.1 This policy complements LHA's Openness and Accountability 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.
- 6.2 All staff will have a password to ensure that information held on computer is only accessible to those who need to know the information to carry out the requirements of their post.