DATA PROTECTION POLICY & SUBJECT ACCESS REQUEST PROCEDURE

Approved by Management Committee: 21st February 2024
Responsible for Implementation: Data Protection Officer
Date of Review: February 2027
Data Protection Officer: Alan D'Arcy

1. Overview

1.1 This policy is concerned with Causeway Irish Housing Association's storage, and handling of all personal information.

1.2 The aim of this policy is to ensure that Causeway Irish Housing Association complies with its obligations and legal requirements in accordance with the Data Protection Act 1998 and the General Data Protection Regulation (GDPR) 2018.

1.3 Causeway Irish Housing Association is registered with the Information Commissioner's Office (ICO), registration reference Z5325111, for the purposes of processing personal data under the General Data Protection Regulation (GDPR) 2018.

1.4 Causeway Irish Housing Association has a "legitimate interest" in holding and processing your personal data in order to deliver our services to you and to properly manage our organisation.

1.5 Article 5 of the GDPR requires that personal data 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 data 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 data are processed; personal data may be stored for longer periods insofar as the personal data 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; and
f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures."

1.6 Article 5(2) requires that "the controller shall be responsible for, and be able to demonstrate, compliance with the principles."

2. Policy

2.1 Causeway holds personal information about tenants, committee members, employees, employment applicants, housing applicants, contractors and suppliers, in order to provide an efficient and effective service to tenants and manage housing stock.

2.2 Causeway is subject to the requirements of the Data Protection Act 1998 and the General Data Protection Regulation 2018 and respects the rights of any individual's personal data to privacy and

confidentiality. This policy should be read in conjunction with Causeway's Confidentiality Policy and Records Management Policy.

2.3 All staff must read this policy and complete data protection training as part of their induction.

2.4 Compliance with the Data Protection Act 1998 and the General Data Protection Regulation 2018 is the responsibility of all Causeway staff. Any breach of this policy may lead to disciplinary action and may be a criminal offence. All breaches of data protection must be reported to the Data Controller or Data Protection Officer and escalated as per the Data Breach Escalation Policy.

2.5 All personal data will be securely destroyed or deleted when it is no longer needed.

3. Data Sharing

3.1 To ensure the data Causeway holds is up-to-date and relevant, it is sometimes necessary to share data with external agencies. Personal information is not to be shared without the consent of an individual, unless there are exceptional circumstances. The reason the organisation may share information with or obtain information from other agencies is:

- To ensure information is accurate;
- Improve services;
- Protect or advocate on behalf of vulnerable children and adults at risk;
- Prevent and detect crime;
- Protect public funds;
- Comply with the law.

4. Erasure of Personal Data

4.1 Under Article 17 of the GDPR individuals have the right to have personal data erased. This is also known as the 'right to be forgotten'. The right is not absolute and only applies in certain circumstances.

4.2 Individuals have the right to have their personal data erased if:

- the personal data is no longer necessary for the purpose which you originally collected or processed it for;
- you are relying on consent as your lawful basis for holding the data, and the individual withdraws their consent;
- you are relying on legitimate interests as your basis for processing, the individual objects to the processing of their data, and there is no overriding legitimate interest to continue this processing;
- you are processing the personal data for direct marketing purposes and the individual objects to that processing;
- you have processed the personal data unlawfully (i.e. in breach of the lawfulness requirement of the 1st principle);
- you have to do it to comply with a legal obligation; or
- you have processed the personal data to offer information society services to a child.

4.3 Individuals must make a request for the erasure of personal data to Causeway's Data Protection Officer, either verbally or in writing. Causeway will respond to the request within one month.

4.4 The right to erasure is not absolute and only applies in certain circumstances.

5. Data Subject Access Rights Procedure

5.1 Individuals may request access to their personal data held by Causeway. A request should be in writing or by email and addressed to the Data Protection Officer or any member of staff.

5.2 Once a request is received the Data Protection Officer has one month to respond with the requested information.
5.3 The Data Protection Officer has the right to refuse requests that are unfounded or excessive. In this case the individual will be informed of the reason why the request has been refused and has the right to complain to the ICO.
5.4 Individuals also have the right to request that information is amended or deleted (please see *Erasure of Personal Data*). Such requests should be made to the Data Protection Officer.
5.5 An administrative fee may be charged if the request is manifestly unfounded or excessive or if an individual requests further copies of their data following a request.
5.6 All requests will be actioned at the latest within one calendar month.

6. Associated Policies

- Data Breach Escalation Policy
- Privacy Notice
- Records Management Policy
- Confidentiality Policy