



## CONFIDENTIALITY AND DATA PROTECTION POLICY

### Policy:

- That all personal and sensitive organisational information, however received, is treated as confidential with regard to the terms of the Data Protection Act 1998 and the Human Rights Act 1998. This includes:
  - Anything of a personal nature that is not a matter of public record about a resident, client, applicant, staff or committee member.
  - Sensitive organisational information.
- To comply with the law in obtaining, processing and using personal information and in the protection and disclosure of that information, as defined in the Data Protection Act 1998.

The eight Data Protection Principles are that data is:

1. processed fairly and lawfully
  2. obtained and processed for a specific purpose
  3. adequate, relevant and not excessive
  4. accurate and up to date
  5. held for no longer than necessary
  6. processed in accordance with the rights of the data subjects
  7. kept secure from unauthorised processing or disclosure
  8. not transferred outside the EEC area unless the same safeguards apply.
- To comply with the Data Protection Act 1998 in relation to the rights of access to data of Data Subjects.
  - That sensitive personal information will not be disclosed to a third party without the prior, informed consent of the individual concerned other than in exceptional circumstances. These include:
    - To comply with the law or a court order.
    - Where there is a clear health or safety risk or evidence of fraud.
    - In connection with court proceedings or statutory action to enforce compliance with tenancy conditions.
    - Anonymously, for statistical research purposes.
  - Not to gain or seek to gain access to information other than that for which the Group has authority. In general:
    - Staff will have access to the information they need to know to carry out their work and have a duty to respect the confidentiality of that information.

- The purpose and the people likely to have access to sensitive personal information will, where possible, be explained, and informed consent obtained, before such information is recorded.
  - Reference to clients and residents made in committee meetings and reports will, normally, be anonymous rather than by name or address.
- That a breach of this policy will be treated as a serious disciplinary matter.

<b>Performance Standards:</b>
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- Meet the targets set out in the Compliance Audit Review Action Plan
- Compliance with the policy be reviewed, as a minimum, twice a year. A review committee being composed of:
  - The Group's Data Protection Officer
  - The Group's Company Secretary
  - A representative of the Housing Division (Sarsen)
  - A representative of Aster Property Management
  - Quality Services Manager (Testway)