

Data protection policy

1. Introduction

- 1.1 In order to operate efficiently, ReSI Housing Limited (**ReSI Housing** or the **Company**) has to collect and use information about people. This information may include information about members of the public, current, past and future service users, current, past and future employees, contractors, suppliers and partner organisations.
- 1.2 On January 1, 2021, the United Kingdom's UK General Data Protection Regulation (**UK GDPR**) rules became effective. The UK GDPR absorbs the privacy compliance requirements of the EEA's GDPR and combines them with the requirements of the UK Data Protection Act 2018 (**Data Protection Legislation**).
- 1.3 The objective of this Policy is to ensure that ReSI Housing complies with Data Protection Legislation, discharges all of its legal obligations and make any staff and third parties acting on behalf of ReSI Housing (Including the Fund Manager) aware of the comprehensive requirements of Data Protection Legislation and how ReSI Housing deals with personal data.
- 1.4 For the definition of certain terms used in this Policy please refer to Appendix 1.

2. Purpose

- 2.1. The purpose of this Policy is to ensure that all staff and others who process personal data on behalf of ReSI Housing (including ReSI Housing's managing agents), are doing so in line with Data Protection Legislation, and in particular the key principles, set out in Article 5 UK GDPR, namely that ReSI Housing:
 - 2.1.1. Processes personal data fairly, lawfully and transparently based on the requirements of Article 6 UK GDPR and Article 9 UK GDPR
 - 2.1.2. Processes personal data only in a way which is compatible with the purpose for which it was originally obtained (e.g. employment purposes, housing management, etc)
 - 2.1.3. Ensures the personal data it holds is the minimum necessary
 - 2.1.4. Ensures that the personal data it holds is accurate and kept up to date
 - 2.1.5. Ensures that the personal data it holds is not held for longer than is necessary
 - 2.1.6. Ensures that it keeps data safe and secure

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- 2.2. ReSI Housing will also respect the rules around international data transfers and respond appropriately to attempts by data subjects to exercise their rights under data protection legislation (which are contained in Appendix 2).
- 2.3. ReSI Housing will seek to demonstrate its compliance with and accountability for these requirements through this policy, allied policies, its systems and processes, and through ensuring that staff receive regular and relevant training on data protection issues.

3. Scope

- 3.1. This policy applies to ReSI Housing's employees (if any), Directors, customers and third parties including contractors and managing agents (including the Fund Manager)
- 3.2. The term "*personal data*" is defined as "*information that relates to a living individual who can be identified from the data or other information under the control of ReSI Housing*".
- 3.3. This Policy applies to all Personal Data as defined by the Data Protection Legislation, in both electronic and paper form, held by ReSI Housing, transferred to or exchanged with third parties, or held by third parties on behalf of the ReSI Housing.
- 3.4. Requirements on contractors will be set out in the contractual arrangements with them, or other notices given from time to time.
- 3.5. ReSI Housing and third parties acting on their behalf should be kept up to date and made aware of any new legislative changes.

4. Roles and responsibilities

- 4.1. The Board of ReSI Housing has overall responsibility for ensuring that information is maintained, and sufficient safeguards are in place to protect the personal data that ReSI Housing holds.
- 4.2. ReSI Housing is registered with the Information Commissioner's Office (**ICO**). This means that ReSI Housing is responsible for developing and updating data protection documentation in compliance with relevant legislation and notifying the Board of any alleged breaches of Data Protection Legislation.

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- 4.3. ReSI Housing has appointed a Data Protection Officer (**DPO**), who is responsible for monitoring and advising on compliance.
- 4.4. Gresham House Asset Management Limited, as fund manager to the Company, is responsible for ensuring that any and all employees of ReSI Housing follow the Policy and support the accuracy, completeness and integrity of all records that their team is responsible for and encourage good information security.
- 4.5. Individuals responsible for processing data on behalf of ReSI Housing are required to ensure compliance with data protection procedures in their areas. This includes the requirement to take all reasonable steps to ensure compliance by third parties that process Personal Data for which ReSI Housing is the Data Controller. Individuals responsible for processing personal data must always contact the DPO in the following circumstances:
 - 4.5.1. if they are unsure of the lawful basis which they are relying on to process Personal Data
 - 4.5.2. if they need to rely on consent for processing Personal Data
 - 4.5.3. if they need to prepare privacy notices or other transparency information
 - 4.5.4. if they are unsure about the retention period for the Personal Data being processed by ReSI Housing
 - 4.5.5. if they are unsure about what security or other measures they need to implement to protect Personal Data
 - 4.5.6. if they are unsure on what basis to transfer Personal Data outside the European Economic Area (**EEA**)
 - 4.5.7. if an attempt is made by a Data Subject to invoke any rights
 - 4.5.8. whenever they are engaging in a significant new, or change in, processing activity which is likely to require a DPIA or plan to use Personal Data for purposes other than those for which it was originally collected
 - 4.5.9. If they plan to undertake any activities involving Automated Processing including profiling or Automated Decision-Making
 - 4.5.10. if they need help with any contracts or other areas in relation to sharing Personal Data with third parties (including contractors)
 - 4.5.11. if they are planning to share data with another organisation or person in a way which is novel, potentially repercussive, or otherwise could affect Data Subjects' rights
 - 4.5.12. if they are involved in an incident (including any near miss) which involves or may involve the loss, inadvertent disclosure, or other unauthorised use of personal data.

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- 4.6. All those working for and on behalf of ReSI Housing are responsible for ensuring that they understand and follow this Policy and any other ReSI Housing procedures relating to the processing and use of Personal Data and support the ReSI Housing in complying with Data Protection Legislation.
- 4.7. ReSI Housing or the Fund Manager acting on behalf of ReSI Housing will make regular and ongoing mandatory training available to their relevant staff in order to promote understanding and compliance with Data Protection legislation and ReSI Housing's policies and procedures in this area. Any further training or development needs will be assessed and responded to as necessary.
- 4.8. The DPO will regularly review the systems and processes under its control to ensure it complies with this Policy and check that adequate governance controls and resources are in place to ensure proper use and protection of Personal Data.
- 4.9. Any alleged breach of this policy (including failure to report an incident) may result in an investigation, which may result in action being taken by ReSI Housing, up to and including dismissal; removal from office; or, termination of a contract for services.

5. Our commitment

- 5.1. ReSI Housing is committed to maintaining high standards of security and confidentiality for information in its custody and control. Safeguarding this information is critical to the successful operation of ReSI Housing.
- 5.2. ReSI Housing aims to ensure that, all personal and special category (sensitive) personal data is processed in accordance with Data Protection Legislation including fair and lawful processing, appropriate retention and disposal, and secure storage and transfer, as set out below.
- 5.3. ReSI Housing will ensure that third parties acting on behalf of ReSI Housing are given access to personal information that is appropriate to the duties that they are undertaking and no more.

6. The data protection principles

- 6.1. ReSI Housing will ensure that it, and all those working for and on behalf of ReSI Housing must ensure that it adheres to the principles relating to Processing of Personal Data set out in the Data Protection Legislation. These require Personal Data to be:
 - 6.1.1. Processed lawfully, fairly and in a transparent manner (Lawfulness, fairness and transparency principle)
 - 6.1.2. Collected only for specified, explicit and legitimate purposes, and not further processed in a way which is incompatible with those purposes (Purpose limitation principle)
 - 6.1.3. Adequate, relevant and limited to what is necessary in relation to the purposes for which it is Processed (Data minimisation principle)
 - 6.1.4. Accurate and where necessary kept up to date (Accuracy principle)
 - 6.1.5. Not kept in a form which permits identification of Data Subjects for longer than is necessary for the purposes for which the data is processed (Storage limitation principle)
 - 6.1.6. Processed in a manner that ensures its security using appropriate technical and organisational measures to protect against unauthorised or unlawful Processing and against accidental loss, destruction or damage (Security, integrity and confidentiality principle)
 - 6.1.7. Not transferred to another country without appropriate safeguards being in place (Transfer limitation principle)
 - 6.1.8. Made available to Data Subjects and Data Subjects allowed to exercise certain rights in relation to their Personal Data (Data Subjects' rights and requests)
- 6.2. ReSI Housing is responsible for, and must be able to demonstrate compliance with, the data protection principles listed above (Accountability). This policy sets out below, in general terms, how ReSI Housing approaches these issues.

7. Processing and use of Personal Data

- 7.1. ReSI Housing will maintain a general Record of Processing which sets out the processing activities it undertakes, in accordance with the requirements of Data Protection Legislation.

- 7.2. In general terms, ReSI Housing primarily processes Personal Data about:
 - 7.2.1. Tenants, prospective tenants, homeowners and their families
 - 7.2.2. Those working for and on behalf of ReSI Housing
 - 7.2.3. External stakeholders and third parties engaging with ReSI Housing about the work it does

- 7.3. The lawful bases under the Data Protection Legislation for processing Personal Data by ReSI Housing are generally because:
 - 7.3.1. The processing is undertaken with the consent of the Data Subject;
 - 7.3.2. The Processing is necessary for the performance of a contract with the Data Subject;
 - 7.3.3. The processing is necessary to comply with ReSI Housing's legal obligations;
 - 7.3.4. The processing is necessary for the performance of a task carried out in the public interest (in particular, the provision and operation of social housing crime prevention or detection activities);
 - 7.3.5. The processing is necessary for the purposes of legitimate interests pursued by ReSI Housing or the entities with whom it shares information.

- 7.4. Certain activities undertaken by ReSI Housing may not be covered by the above legitimising conditions. In such circumstances, ReSI Housing will record the alternative legitimising conditions under which it processes the Personal Data.

- 7.5. ReSI Housing processes certain Special Category Personal Data. For example, it may hold occupational health data about employees, or information about a customer's disability in connection with its housing management functions: In such cases ReSI Housing must ensure that:
 - 7.5.1. The processing is undertaken with the explicit consent of the Data Subject or pursuant to any other appropriate condition under Article 9 of the UK GDPR.
 - 7.5.2. The processing is necessary for the purposes of performing or exercising obligations or rights of ReSI Housing or the Data Subject for the purposes of employment.
 - 7.5.3. The data is monitored and kept under review to ensure compliance with ReSI Housing's Equality and Diversity policy.

8. Transparency

- 8.1. General information about how ReSI Housing processes Personal Data (referred to as “fair processing information”) will be available through privacy notices and other public-facing material. ReSI Housing will also communicate fair processing information through correspondence with Data Subjects and information available to staff and third parties acting on behalf of ReSI Housing.

- 8.2. ReSI Housing will ordinarily seek to provide fair processing information to Data Subjects at the time that the information is obtained, or otherwise within 30 days. In certain circumstances it may not be possible or appropriate to provide fair processing information within that timeframe, for instance because the data has been obtained as part of crime prevention or detection activities.

9. Purpose limitation

- 9.1. ReSI Housing will ensure that it collects data only for specified, explicit and legitimate purposes. ReSI Housing will not further process data in any manner incompatible with those purposes.

- 9.2. Where ReSI Housing intends to use data for another, different or incompatible purposes from that relied upon when it was first obtained by ReSI Housing, ReSI Housing will ensure that it has assessed the privacy implications of the proposals and informs the Data Subject of the new purposes and that there is an appropriate legal basis for those purposes.

10. Data minimisation

- 10.1. ReSI Housing will ensure that the Personal Data it processes are adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed.

- 10.2. All Personal Data processed by ReSI Housing must be handled through the corporate systems made available by ReSI Housing for its use, for instance Qube Property Management system.

- 10.3. Superfluous copies of information must be deleted or securely destroyed as soon as they are no longer necessary.

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- 10.4. ReSI Housing staff or those acting on behalf of ReSI Housing must only process Personal Data as required for the discharge of their role. They must not process Personal Data they hold for any reason unrelated to their duties. ReSI Housing may monitor or audit the use of data from time to time through technical or other means to ensure that this happens.

11. Accuracy

- 11.1. ReSI Housing will ensure that as far as reasonably practicable the Personal Data it holds is accurate and, where necessary, kept up to date.
- 11.2. Staff, contractors and those acting on behalf of ReSI Housing are responsible for checking the accuracy of any Personal Data at the point of collection and at regular intervals afterwards. All reasonable steps to destroy or update inaccurate or out of date Personal Data must be taken; advice should be sought from the Data Protection Officer if questions arise.

12. Storage limitation, retention and destruction

- 12.1. ReSI Housing will ensure that Personal Data is not kept in an identifiable form for longer than is necessary for the purposes for which the data is processed.
- 12.2. ReSI Housing has put in place a procedure to ensure Personal Data is deleted after a reasonable time for the purposes for which it was being held, unless a law requires such data to be kept for a minimum time.
- 12.3. ReSI Housing staff and third parties acting on their behalf are responsible for complying with the retention periods set out in ReSI Housing's Data Retention Policy and schedule and made available to Data Subjects as part of the fair processing information ReSI Housing provides.

13. Security, integrity and confidentiality

- 13.1. ReSI Housing will develop, implement and maintain appropriate safeguards to protect the Personal Data it processes against accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed.

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- 13.2. ReSI Housing will keep under review, and regularly evaluate and test the effectiveness of those safeguards to ensure security of its Processing of Personal Data.
- 13.3. ReSI Housing staff, contractors and third parties acting on their behalf must comply with ReSI Housing's business processes which sets out the measures that must be taken to protect the Confidentiality, Integrity and Availability of all Personal Data from the point of collection to the point of destruction. In this context:
 - 13.3.1. **Confidentiality** means only people who have a need to know and are authorised to use the Personal Data can access it
 - 13.3.2. **Integrity** means that personal Data is accurate and suitable for the purpose for which it is processed
 - 13.3.3. **Availability** means that authorised users are able to access the Personal Data when they need it for authorised purposes
- 13.4. It is policy that everyone who is responsible for processing personal data will receive a data protection training as soon as practical and a refresher training periodically as required by legislation changes.
- 13.5. For data security purposes anyone working from home or remotely must not send customer or confidential information to their home email address, anyone found doing so maybe subject to disciplinary action.
- 13.6. Paper files containing personal information must be stored in lockable cabinets. When in use confidentiality of the file must not be compromised. Files must not be left lying open where other people can see them. Files must not be left out overnight or left unattended on desks but locked away in a secure location.
- 13.7. Where customer information needs to be taken from a ReSI Housing Office, the responsible individual must take particular care. If travelling by car, information must not be left where it is visible but ideally locked in the boot and covered over. At night information must be securely locked in an office or the staff member's home. Customer or staff information must not be left in a car overnight.
- 13.8. Anyone using memory sticks and laptops will be responsible for keeping them secure at all times. Such devices will be encrypted by ReSI Housing's IT department.

14. Security incidents

14.1. Anyone involved in or witness to an information security incident (or suspected incident) must inform a ReSI Housing manager of the incident as soon as is practically possible after its occurrence, and also report it to dataprotection@resicm.com. Incidents may be notified by any employee of ReSI Housing, a panel member, a supplier or anyone working for or on behalf of ReSI Housing.

14.2. Information security incidents must be reported and managed in accordance with the Personal Data Breach Procedure. The steps to be taken are:

14.2.1. To isolate the problem and secure the breach, avoiding the loss of any other data;

14.2.2. To undertake an initial investigation of the incident to establish the facts of the incident and the information which may need to be provided as part of the report to the ICO (and to data subjects)

14.2.3. To notify ReSI Housing's insurers and lawyers, if necessary;

14.2.4. To seek to recover the data;

14.2.5. To notify the ICO if necessary, initially within 72 hours;

14.2.6. To promptly notify the data subjects (if the incident is likely to result in a high risk to the data subjects' rights and freedoms);

14.2.7. To undertake further investigations, if necessary, and to put in place an action plan to seek to avoid a similar incident happening again in the future.

14.3. The above steps may need to take place in a different order or be amended to address the particular incident.

14.4. The Managing Director on advice from the Data Protection Officer, will decide whether an incident should be reported to the Information Commissioner and/or to affected Data Subjects.

15. Transfer limitation

15.1. ReSI Housing may only transfer data outside of the UK if one of the following conditions applies:

15.1.1. the UK has issued regulations confirming that the country to which ReSI Housing transfers Personal Data ensures an adequate level of protection for the Data Subject's rights and freedoms;

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- 15.1.2. appropriate safeguards are in place such as binding corporate rules, standard contractual clauses approved for use in the UK, an approved code of conduct or a certification mechanism, a copy of which can be obtained from the DPO;
- 15.1.3. the Data Subject has provided Explicit Consent to the proposed transfer after being informed of any potential risks; or
- 15.1.4. the transfer is necessary for one of the other reasons set out in the UK GDPR including:
 - the performance of a contract between us and the Data Subject;
 - reasons of public interest;
 - to establish, exercise or defend legal claims;
 - to protect the vital interests of the Data Subject where the Data Subject is physically
 - legally incapable of giving Consent; and
 - in some limited cases, for our legitimate interest.

16. Data subject's right and requests²

- 16.1. Anyone wishing to exercise their right to request access to Personal Data that is being held about them by ReSI Housing may make the request in writing to ReSI Housing via its website or by emailing dataprotection@resicm.com.
- 16.2. Any Data Subject request received must be sent at the earliest possible time to the Data Protection Officer and be handled in accordance with ReSI Housing's Subject Access Request Policy.

17. Record keeping

- 17.1. All ReSI Housing departments must keep and maintain accurate corporate records reflecting ReSI Housing's Processing.

18. Privacy by design

- 18.1. ReSI Housing will implement appropriate technical and organisational measures like anonymizing of personal data, in an effective manner, to ensure compliance with data privacy by design principles.

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18.2. Managers are responsible for assessing what privacy by design measures can be implemented on all programs, systems and processes that process Personal Data by taking into account the following:

18.2.1. the cost of implementation

18.2.2. the nature, scope, context and purposes of processing

18.2.3. the risks of varying likelihood and severity for rights and freedoms of Data Subjects posed by the Processing

19. Data protection impact assessment

19.1. ReSI Housing will consider the need for, and where appropriate go on to conduct, Data Protection Impact Assessments (**DPIAs**) in respect of its Processing.

19.2. ReSI Housing will conduct a DPIA (and discuss the findings with the Data Protection Officer) where it is undertaking a new processing activity and where the Processing is likely to result in a high risk to the rights and freedoms of natural persons.

19.3. Managing Director and Heads of Departments will ensure a DPIA is carried out when proposing major system or business change programmes, or conducting reviews of such programmes, which involve the:

19.3.1. Use of new technologies (programs, systems or processes), or changing technologies (programs, systems or processes)

19.3.2. Automated processing including profiling and automated decision making

19.3.3. Large scale processing of Special Category or other sensitive Personal Data

19.3.4. Large scale, systematic monitoring of a publicly accessible area

19.4. The record of the DPIA must be filed with the Data Protection Officer.

20. Automated processing and decision making

20.1. Generally, ReSI Housing does not engage in automated processing/profiling, or automated decision-making. Some business services are supported by rule-based logic for the benefit and convenience of its registrants, for instance web-based registration automatic renewal systems that its registrants can use.

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- 20.2. Where ReSI Housing does engage in automated decision making/profiling, ReSI Housing will take steps to inform the Data Subject of the logic involved in the decision making or profiling, the significance and consequences and give the Data Subject the right to request human intervention, express their point of view or challenge the decision. Where possible ReSI Housing will do this prior to the decision being taken.
- 20.3. A DPIA must be carried out before any Automated Processing (including profiling) or Automated Decision-Making activities are undertaken.

21. Data Processors

- 21.1. ReSI Housing may contract with other organisations to process Personal Data on its behalf (**Data Processors**).
- 21.2. Decisions to engage a Data Processor(s) must be taken following due diligence on the proposed processor, to establish that the processor can provide sufficient guarantees to implement appropriate technical and organisational measures in such a manner that processing will meet the requirements of the Data Protection Legislation.
- 21.3. The appointment of a data processor must include the contractual requirements specified in Data Protection Legislation. The Data Protection Officer may be asked to advise on contractual arrangements with Data Processors.

22. Use of monitoring and surveillance technology

- 22.1. Any deployment of audio recording, video recording, CCTV or other monitoring and surveillance technologies will be in compliance with legal obligations and may need to involve the use of a DPIA.
- 22.2. ReSI Housing will consider, as part of decisions about CCTV deployment:
 - 22.2.1. What risk the CCTV is designed to guard against, and whether that risk could be better be managed in other ways (for instance, warning signage, better lighting/physical security measures);
 - 22.2.2. The choice of camera location and camera system parameters (resolution, pan/tilt/zoom, FPS, security);
 - 22.2.3. Signage to advise of CCTV

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- 22.2.4. Any particular privacy issues that might be caused by the location of the camera (for instance, pointing towards private dwellings etc.);
 - 22.2.5. Who will have access to the camera system;
 - 22.2.6. How long the footage will be retained;
 - 22.2.7. How the efficacy of the CCTV system will be reviewed.
- 22.3. Regard shall be had to the ICO's code of practice on CCTV when making decisions about surveillance systems.

23. Data sharing

- 23.1. There are a number of occasions where it will be necessary for ReSI Housing to share personal data collected with other organisations. Primarily personal data is shared and/ or disclosed to its managing agent(s), who deliver the housing management function of behalf of ReSI Housing. Personal information is also shared with Local Authority partners when providing housing to referrals from their local housing lists. This policy seeks to ensure that its processes for sharing are legal, that the accuracy of the data will be maintained and that appropriate security measures are in place prior to any sharing of information.
- 23.2. ReSI Housing routinely shares data with its managing agent to provide the housing management function, where the managing agent will often work as a data processor. There are however exceptions in delivering the service where the managing agent are data controllers in their own right and are responsible for any data breaches and associated liabilities. ReSI Housing remains a data controller throughout the contract to deliver the services and has overall control over the purpose for which, and the manner in which, personal data is processed and carry out data protection responsibility for it.
- 23.3. In some circumstances, it may be appropriate to disclose information held by ReSI Housing to specific third parties for example to prevent a criminal offence from being committed, or to prevent the continuation of a criminal offence. Such decisions should be taken in conjunction with advice from the Compliance Officer and decisions should be documented.

24. Equality and diversity

24.1. ReSI Housing is committed to respecting equality and diversity in all aspects of its work and will not tolerate any form of discrimination either direct or indirect. ReSI Housing recognises that requesting and collecting special category data may cause some concerns to the data subject, particularly for some protected characteristics groups. This may lead to fear or perception of the possibility of unfair or discriminatory treatment.

24.2. To alleviate such fears or perceptions, ReSI Housing will inform customers and colleagues:

24.2.1. why special category data is collected and how it is to be used (e.g. for workforce development and service development purposes)

24.2.2. with whom, if anyone, it will be shared

24.2.3. that completion of employment related equalities monitoring forms or customer related profiling forms are voluntary, and that they are anonymized

24.2.4. about how special category data is stored and who has access to it

24.2.5. rights of the data subject including the right to check the information ReSI Housing has about them and to have any incorrect information deleted

25. Changes to the data protection policy

25.1. No change to this policy will be made without the authority of the ReSI Housing's Board.

26. Monitoring and review

26.1. The ReSI Housing Managing Director working under the leadership and control of the Board, and with the support of the Data Protection Officer will be responsible for ensuring compliance with this policy. Regular reports will be provided to the Board on and any breaches of information security will be reported to the Board without delay;

26.2. This policy will be reviewed periodically and at least every two years by the Board and the Data Protection Officer.

Last reviewed 16 November 2023

Appendix 1 - definitions

Data Protection Legislation contains a number of terms used in this policy and the definitions are set out below:

Personal data - is any information relating to a living individual who can be identified:

- from that information;
- or from the information and other information in the possession of, or which may come into the possession of, the data controller.

It includes opinions about an individual and indications of the intentions of any person towards that individual.

Processing - is what is done with information or data. It includes how information is obtained, recorded, held, organised, altered, disclosed, transmitted, combined with other information, and destroyed.

Data controller - means the organisation which collects/holds the data and which is responsible for determining the purpose and manner in which personal data is processed. The data controller is responsible for compliance with the Data Protection Legislation but may not always be the organisation which processes that data. ReSI Housing is a data controller for the purposes of UK GDPR.

Data subject - is the living individual who is the focus of or described by the personal data.

Data processor - is a third party engaged to process data on behalf of the data controller. If the data controller uses a data processor it must comply with specific provisions in the DPA.

Special category (sensitive) personal data - means data given special status under Data Protection Legislation:

- the racial or ethnic origin of the data subject;
- their political opinions;
- their religious beliefs or beliefs of a similar nature;
- any trade union membership;
- their physical or mental health or condition;
- their sexual orientation, or other aspects of their sex life; or
- data about the commission or alleged commission by them of any offence, and any proceedings for any offence committed or alleged to have been committed, the outcome of those proceedings, including the sentence of any court, is also tightly regulated. ReSI Housing will also take particular care with data subjects' financial information.

Appendix 2 - UK GDPR: rights for individuals

1. The right to be informed (about the collection and use of their personal data)

2. The right of access

In addition to their rights under this policy all of ReSI Housing's employees and customers and anyone else in respect of whom personal data is processed have a right to ask ReSI Housing, under the UK GDPR, for personal information held about them and this section details the information they are entitled to see under the UK GDPR. Within one month of a request a data subject is entitled to:

- be told whether personal data, of which he or she is the subject, is held in ReSI Housing's records, or otherwise processed by ReSI Housing;
- be given a description of the personal data, the purpose for which the data is being or may be processed and the persons or classes of persons to whom the data has been or may be disclosed;
- have communicated to them in an intelligible form the information constituting the personal data held about them and any available detail as to the source of that information; and
- be told the period for which the data will be stored or, if not possible, how it will be decided when it will be destroyed;
- be informed of their right to erasure of personal data; the right to object to processing; the right to rectification of data; to restriction on processing; and the right to object to processing;
- be informed of their right to complain to the ICO; and
- know of the existence of any automated decision-making, including profiling, and in those cases, meaningful information about the logic involved, as well as the significance and the consequences of such processing for the data subject.

ReSI Housing reserves the right to refuse the data subject access to their personal data if an exception from the Data Protection Legislation applies. The following are non-limited examples of the exceptions:

- it would identify another individual in which case their consent should be sought and disclosure should only be made without their consent if it cannot reasonably be obtained and it is reasonable in all the circumstances to make disclosure;
- it is legally privileged correspondence.

3. The right of rectification

A data subject may challenge the information held by ReSI Housing if they feel it to be incorrect and can provide evidence to support this.

The right of rectification under the UK GDPR (Article 16) entitles the data subject to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

4. The right to erasure (the right to ask to be forgotten)

The right to erasure is also known as 'the right to be forgotten'. This enables a data subject to request the deletion or removal of personal data where there is no compelling reason for its continued processing by ReSI Housing.

The right to erasure does not provide an absolute 'right to be forgotten'. Individuals only have a right to erasure where:

- the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed;
- where the individual withdraws consent;
- where the individual objects to the processing and there is no overriding legitimate interest for continuing the processing;
- the personal data was unlawfully processed (i.e. otherwise in breach of Data Protection Legislation);
- the personal data has to be erased in order to comply with a legal obligation; or
- the personal data is processed in relation to the offer of information society services to a child.

ReSI Housing can refuse to deal with a request to erase where the personal data is processed for the following reasons:

- to exercise the right of freedom of expression and information;
- to enable functions designed to protect the public to be achieved e.g. government or regulatory functions;
- to comply with a legal obligation or for the performance of a public interest task or exercise of official authority;
- for public health purposes in the public interest;

- archiving purposes in the public interest, scientific research historical research or statistical purposes;
- the exercise or defence of legal claims; or
- where the organisation has an overriding legitimate interest for continuing with the processing.

5. The right to restrict processing

A data subject has the right to require a controller to stop processing his/her personal data. When processing is restricted, ReSI Housing are allowed to store the personal data, but not further process it.

ReSI Housing will be required to restrict the processing of personal data in the following circumstances:

- Where an individual challenges the accuracy of the personal data, ReSI Housing must restrict processing until they have verified its accuracy
- Where an individual has objected to the processing (where it was necessary for the purpose of legitimate interests), and ReSI Housing are considering whether its legitimate grounds override those of the individual
- When processing is unlawful and the individual requests restriction instead of erasure.
- If ReSI Housing has disclosed the personal data in question to third parties, ReSI Housing must inform them about the restriction on the processing of the personal data, unless it is impossible or involves disproportionate effort to do so.

ReSI Housing must inform individuals when it decides to remove the restriction giving the reasons why.

6. The right to data portability

The right to data portability gives individuals the right to receive personal data they have provided to a controller in a structured, commonly used and machine-readable format. It also gives them the right to request that a controller transmits this data directly to another controller.

The right to data portability only applies when:

- ReSI Housing's lawful basis for processing this information is consent or for the performance of a contract; and
- ReSI Housing is carrying out the processing by automated means (i.e. excluding paper files).

ReSI Housing reserves the right to refuse the data subject the right to data portability if an exception from the Data Protection Legislation applies.

7. The right to object

Individuals have the right to object to processing based on legitimate interests or the performance of a task in the public tasks/exercise of official authority; direct marketing (including profiling); and processing for purposes of scientific/historical research and statistics.

The only category relevant to ReSI Housing is where it processes personal data for the purposes of its legitimate interests. In that case, where an individual object, ReSI Housing must stop processing the personal data unless:

- ReSI Housing can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual; or
- the processing is for the establishment, exercise or defence of legal claims.

8. Rights in relation to automated decision making and profiling

The UK GDPR has provisions on:

- automated individual decision-making (making a decision solely by automated means without any human involvement); and
- profiling (automated processing of personal data to evaluate certain things about an individual). Profiling can be part of an automated decision-making process.

Article 22 of the UK GDPR has additional rules to protect individuals if ReSI Housing is carrying out solely automated decision-making that has legal or similarly significant effects on them. ReSI Housing does not carry out any solely automated decision-making.