



More than just a Landlord

Data Protection - Subject Access Policy

The Villages Housing Association Limited

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1 Definitions

1.1 "Data Controller"

Means The Villages Housing Association Limited being the party which determines the purpose and manner of the processing of personal data.

1.2 "Data Subject"

Means an individual who is the subject of personal data

1.3 "Personal Data"

Means any information relating to an identified or identifiable living individual who can be identified from those data or from those data and other information which is in the possession of or is likely to come into the possession of the Data Controller.

2 General

A data subject is entitled to be informed by the data controller whether personal data (of which that individual is the data subject) are being processed. If the answer to the question is yes, the data controller must give the data subject a description of the following matters: -

- ✓ the personal data of which that individual is the data subject
- ✓ the purpose for the processing and
- ✓ the recipients to whom the data are disclosed (the term recipients" is defined widely to include data processors and agents, as well as employees of the data controller)

A data subject is entitled to have communicated to them in an intelligible form the information constituting the personal data and the source of those data.

Subject access procedures must be in place to enable us to respond to a subject information request within the specified period of time and to provide the specified information. We must respond to the subject information request within 40 days of having received the request or within 40 days of having received the information necessary to enable us to proceed with the request. The 40-day period will not start to run until the individual has paid the fee.

3 Conditions for giving subject access

We do not have to give subject access unless: -

1. The request for access is received in writing
2. The fee has been paid by the individual
3. Enough information is provided to identify the individual and the location of the information.
4. We are not obliged to comply with a request if doing so would disclose information relating to another individual unless: -

- ✓ The other individual has consented or
- ✓ It is reasonable in all the circumstances to comply with the request without obtaining consent. When deciding whether it is reasonable to disclose the information a data controller must consider: -
 - whether the data controller owes a duty of confidentiality to that other individual
 - whether steps have been taken to obtain his consent
 - whether the other individual is capable of giving consent
 - any express refusal of consent

This will not exempt us from disclosing that part of the information which does not disclose the identity of the other person (e.g. by blocking out names).

Where we have previously complied with a request, we are not obliged to comply with a subsequent request unless a reasonable interval has elapsed. For these purposes, we must consider the nature of the data, the purposes for the processing and the frequency with which data are altered.

Information must be supplied by reference to the data in question at the time when the request is received, However, we may taken account of any changes made between the time of receipt and the time of supply if those changes would have been made regardless of the receipt of the request.