

Fair Processing Notice for Applicants and Residents

1. Introduction

The Finchley Charities collects and uses residents' personal data for a variety of reasons and this notice explains what information we collect, when and why we collect it, and how we use it.

Personal data refers to any information about an individual from which they can be identified whether directly or indirectly; the **processing** of personal data is defined as the collection, recording, storage, consultation, erasure or destruction of data.

2. Policy Context

The Finchley Charities (hereinafter "we" or "us") is committed to protecting the rights of individuals with respect to the processing of their personal data.

In doing so, we adhere to the Data Protection Act 2018 (DPA), the General Data Protection Regulation (EU) 2016/679 (GDPR) and to any domestic laws subsequently enacted.

We are registered as a **data controller** with the Information Commissioner's Office (ICO) under registration number **Z5827503** and we are the data controller of any personal data that you – the **data subject** – provide to us.

3. Data Protection Officer (DPO)

The Central Services & Compliance Manager is assigned as our **Data Protection Officer (DPO)** and any questions relating to this notice and our privacy practices should be directed to them by phone, email or in writing at:

41a Wilmot Close
London
N2 8HP

Tel: 020 8346 9464

Email: info@thefinchleycharities.org

4. Lawful Basis for Processing Residents' Personal Data

Article 6, Part 1, of the GDPR outlines three conditions under which personal data can be processed and, following an assessment by the Data Protection Officer, we have adopted three of these conditions as a lawful basis for processing residents' personal data:

6 (1) b *“Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.”*

We have to comply with the terms of residents' Letter of Appointment. We therefore need to process personal data in order to fulfil the responsibilities to residents as defined in the Letter of Appointment.

6 (1) d *“Processing is necessary in order to protect the vital interests of the data subject or of another natural person.”*

In the event of an emergency, we may need to pass on medical details to paramedics / hospital staff.

6 (1) f *“Processing is necessary for the purposes of the legitimate interests pursued by the controller...”*

Our main purpose is to provide sheltered housing to residents. In doing so, we need to process their personal data – a legitimate interest.

5. Special Category Data

What was known as **sensitive personal data** under the DPA is now defined as **special category data** under GDPR and includes categories such as health and medical conditions, ethnicity, sexual orientation, politics, religion, trade union membership, sex life, genetics and biometrics.

We will process special category data under the same conditions outlined in Section 4 above and will also satisfy two conditions of Article 9, Part 2 of the GDPR:

9 (2) c *“Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent.”*

9 (2) d *“Processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body... and on condition that the processing relates solely to the members or to former members of the body or to*

persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects.”

6. Personal Data Collected

In the course of our activities as a sheltered housing provider we collect and process the following personal data and special category data for residents:

- (a) Full name and address, phone number/s and email address.
- (b) Date of birth.
- (c) NI number.
- (d) Gender.
- (e) Nationality.
- (f) Marital status.
- (g) Name, address and contact details of 1st next of kin and 2nd next of kin (or primary contacts).
- (h) Bank account details.
- (i) Details of home ownership, income and savings at the point of application.
- (j) Ethnicity.
- (k) Religion.
- (l) Current medication, including dosage amount.
- (m) GP and contact details.
- (n) Current health and medical conditions / allergies.
- (o) Past operations / hospital admissions / previous health and medical conditions.
- (p) Economic status eg. employed, retired.
- (q) Criminal convictions.
- (r) References.

We collect and use the above personal data for the following reasons:

- i. To pass on any medical conditions / allergies to paramedics / hospital staff in the event of an emergency.
- ii. To contact next of kin / primary contacts in the event of an emergency.
- iii. To maintain resident support contact sheets.
- iv. To process Maintenance Contribution payments via your bank.

- v. To allow our approved contractors access to your property for repairs and maintenance etc.
- vi. To provide anonymous statistics to our regulators.
- vii. To liaise with health and social care professionals involved in your care.

7. Sharing of Personal Data

Residents' personal data may be processed by approved third parties in order to carry out the activities listed in Section 6. We engage and/or share information with the following third parties, all of whom are bound by DPA and GDPR legislation:

- Out-of-hours response service provider.
- Housing database provider.
- IT provider.
- Accountancy service provider (to process Maintenance Contribution payments).
- Approved building contractors.

Your information will only be processed within the UK and EEA.

8. Security of Personal Data

Personal data is stored as both hard copy and electronically and the security of residents' data is very important to us. All hard copies are stored in locked cabinets in locked offices, accessible only to staff and designated Trustees of The Finchley Charities.

All personal data held electronically is stored on a computer server accessible only to staff of The Finchley Charities, our IT provider and housing database provider. Our computer server is accessible via devices protected by strong passwords which are changed regularly. No personal data is stored on the local hard drive of any device or on any external storage device.

9. Subject Access Request

You have the right during and after your residency with us to request access to the personal data we hold about you – this is referred to as a **subject access request**. This request should be made by email or in writing to the Data Protection Officer.

You may also ask us to correct, delete, or remove information that is irrelevant or inaccurate. If we can agree to that request, it will be actioned. If we cannot, we will explain our reasons to you in writing.

10. Retention of Personal Data

Residents' personal data is held in line with our Data Retention Policy, as outlined in our Data Protection Policy, available to all residents on request and on our website.

11. Information Commissioner's Office

If you are not happy with the way in which we have processed your personal data then you have the right to complain to the Information Commissioner's Office (ICO) at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

Website: <https://ico.org.uk/concerns/>