



DATA PROTECTION POLICY

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1. REVISION/REVIEW SHEET

Issue	Brief Description of Reason for Change	Document Owner	Date Issued
0	New documents	Marie Wilde	March 2010
1	Expand contents of document and change its title from Confidentiality Policy	Geraint G Jones	December 2011
2	Review and minor updates	Geraint G Jones	August 2017
3	Review and update in line with DPA 2018 regulations (<i>policy changed from ITpol03 to QPpol10</i>)	Geraint G Jones/Aled Davies	September 2018
4	Review to refer to Adra and to include reference subsidiary companies	Aled Davies	September 2019
5	Review and minor updates	Aled Davies	January 2021
6	Review and minor updates	Aled Davies	January 2025

1. Purpose

- 1.1 Adra (Tai) Cyf is a Registered Society under the Community Benefit Societies Act 2014, registered with charitable rules and is a Registered Social Landlord (RSL). Adra is regulated and registered with the Welsh Assembly Government.
- 1.2 This policy seeks to ensure that effective rules are adopted for the efficient management and administration of Adra, both now and in the future. This policy seeks to protect and promote the rights of individuals and Adra in relation to the holding of personal and confidential information. It identifies information that is to be treated as confidential, and the procedures for collecting, storing, handling, destruction and disclosing such information.

2. Scope

- 2.1 This policy applies to Board members and all Adra staff members, both on permanent and fixed term contracts, and to any consultants or other persons handling personal data on behalf of Adra.
- 2.2 This policy applies to all personal data that Adra processes regardless of the media on which that data is stored or whether it relates to past or present employees, workers, customers, clients or supplier contacts, shareholders, website users or any other data subject
- 2.3 This Policy shall apply to **Adra (Tai) Cyf** (the Parent) and any of its subsidiaries (including **Medra Cyf**)

3. Responsibilities

- 3.1 Responsibility for the review and update of this policy lies with Adra's Data Protection Officer. Responsibility for ensuring the policy is communicated and adhered to by staff or other persons rests with line managers.
- 3.2 Staff and others to which this policy applies, are responsible for reading, understanding and complying with this policy.

4. Policy Detail

- 4.1 In order to operate effectively, Adra gathers, holds and processes personal and confidential information about its employees, Board members, tenants, housing applicants, employment applicants and suppliers. This information will be processed in accordance with the Data Protection Act 2018 (DPA 2018) and in compliance with the Welsh Government's Regulatory Framework.

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- 4.2 Adra, acting as a custodian of personal data, recognises its legal duty as a data controller to ensure that this data is handled properly and confidentially at all times, irrespective of whether it is held on paper or by electronic means. This covers the entire lifecycle of the data, including:
- The obtaining of personal data;
 - The storage and security of personal data;
 - The use of personal data; and
 - The disposal/destruction of personal data.
- 4.3 Adra regards the lawful and correct treatment of personal information as vital to its successful operations and to maintaining confidence between Adra and those with whom it carries out business.
- 4.4 Adra will comply with DPA 2018 in processing personal data and will provide readily accessible, clear and accurate information and advice for residents.
- 4.5 Adra will ensure that any requests for access to personal data are handled within the timescales set out in DPA 2018 ensuring that either the data subject or their authorised representative has the legitimate right to access information under DPA 2018, and that the information provided is clear and as unambiguous as possible.
- 4.6 Adra will ensure that data subjects have appropriate access, upon received requests, to details regarding personal information relating to them.
- 4.7 Personal data is defined as any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- 4.8 Sensitive personal data is defined as personal data consisting of information of:
- Racial or ethnic origin;
 - Political opinion;
 - Religious or other philosophical beliefs;
 - Trade union membership;
 - Genetic data;
 - Biometric data (where this is used for identification purposes);
 - health data;
 - Sexual life; or
 - Sexual orientation
 - Criminal proceedings or convictions.

5. Personal Data Protection Principles

5.1 Adra adheres to the principles relating to processing of personal data set out in the DPA 2018 which require personal data to be:

- (a) processed lawfully, fairly and in a transparent manner in relation to individuals ('lawfulness, fairness and transparency');
- (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 ('purpose limitation');
- (c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');
- (d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the purposes for which it is processed, is erased or rectified without delay ('accuracy');
- (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 is 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 DPA 2018 in order to safeguard the rights and freedoms of individuals ('storage limitation');
- (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 ('integrity and confidentiality').

6. Data Subjects Rights and Requests

6.1 This policy is designed to ensure that the data subject have rights when it comes to how we handle their personal data. These include rights to:

1. The right to be informed;
2. The right of access;
3. The right to rectification;
4. The right to erasure;
5. The right to restrict processing;
6. The right to data portability;
7. The right to object;
8. Rights in relation to automated decision making and profiling;

7. Lawfulness, fairness and transparency

- 7.1 Adra will only collect, process and share personal data fairly and lawfully and for specified purposes.
- 7.2 Adra will maintain a register of personal data that we capture, hold and process and the legal basis for processing that data.
- 7.3 Where required, Adra will request and document consent for capturing, holding and processing data
- 7.4 Adra have adopted a privacy by design approach to ensure that the data protection principles are considered upfront in everything that we do so as to ensure safeguards are embedded into our data processing systems.

8. Holding and handling information

- 8.1 Confidential information relating to employees is held by the Human Resources department, the Finance department, Governance department and the IT department within Adra's computer systems and cloud storage system.
- 8.2 Confidential information relating to tenants, housing applicants, employment applicants and suppliers is held on Adra's computer systems, cloud storage system, email system, and files in the relevant departments.
- 8.3 Individuals will be made aware of the purposes for which Adra is processing their personal information and the parties to whom Adra is likely to disclose it.
- 8.4 Adra will ensure that the rights of people about whom the information is held can be fully exercised under DPA 2018. These include:
 - The right to be informed that processing is being undertaken;
 - The right of access to one's personal information within the statutory 30 days;
 - The right to prevent processing of one's personal information in certain circumstances; and
 - The right to correct, rectify, block or erase one's personal information regarded as wrong information.
- 8.5 Adra will not retain information for longer than is necessary.
- 8.6 All managers and staff within Adra's Directorates will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful access, loss or disclosure and, in particular, will ensure that:

- Paper files and other records or documents containing personal/sensitive data are kept in a secure environment;
 - Personal data held on computer systems is protected by the use of secure passwords, multiple factor authentication; and
 - Individual passwords should be such that they are not easily compromised.
- 8.7 Where applicable, all contractors, consultants, partners or individuals or organisations working on behalf of Adra and handling personal data provided to them by Adra must:
- Ensure that they and all of their staff who have access to personal data processed on behalf of Adra are aware of this policy and are aware of their duties and responsibilities under DPA 2018. Breach of any provision of DPA 2018 in relation to 'Adra data' is likely to be deemed as being a potential breach of contract between Adra and that individual, company, partner or firm;
 - Allow data protection audits by Adra of data held on its behalf (if requested); and
 - Indemnify Adra against any prosecutions, claims, proceedings, actions or payments of compensation or costs which was caused by their mishandling of Adra's personal data.
- 8.8 Staff handling personal information and in particular sensitive personal data will ensure that this information remains confidential.
- 8.9 Information relating to applications made by prospective employees will be held for a period of time not exceeding one year from the date of the closing date set out in the advertisement. After this period, the application forms of candidates not selected for employment will be destroyed. Anonymous information may be retained, including equal opportunities statistics of candidates for each position advertised.
- 8.10 Information relating to tenants and housing applicants will be held as long as necessary in order to perform the functions of Adra.
- 8.11 Employment application forms will contain a paragraph outlining how the personal information provided on the application form will be used and seeking consent from the applicant. Tenants and housing applicants will be informed in writing of the uses and purposes of processing the data provided on the application forms to Adra.
- 8.12 Personal data should only be stored on mobile devices where this is absolutely necessary. Where it is necessary to store information on mobile devices the following conditions must apply:
- Devices must be owned by Adra;
 - Password authentication must be applied;

- Where possible personal data should be encrypted;
- Only the minimum amount of personal data necessary for the current purpose should be stored on mobile devices and should be deleted when no longer required; and
- Measures must be taken to maximise the physical security of the mobile device.
- If information is stored on a memory stick, it must be encrypted.

8.13 Adra will not hold or transfer data outside the European Economic Area.

9. Disclosure of information

9.1 The personal information that Adra collects and processes is documented in Adra's Privacy policies.

9.2 The sharing of personal information should always be by secure methods.

Where a data breach occurs, Adra has a policy in place for reviewing, documenting and (if required) reporting the breach.

9.3

Disposal of information

10. Where personal and confidential information is no longer required, it will be securely destroyed in accordance with the requirements of DPA 2018.

10.1

Training and responsibility

11. Adra will ensure that there is someone with specific responsibility for gathering and disseminating information about issues relating to information security, DPA 2018, and other related legislation. This person will be known as Adra's Data Protection officer.

11.1

It is the responsibility of all staff and Board members to maintain confidentiality when dealing with personal data.

11.2

Breaches of DPA 2018 and this policy will be treated seriously.

11.3

All staff will be made aware of this policy by way of awareness events, and for new staff, included in their induction.

11.4

Adra will periodically train staff on DPA 2018, it is the managers and their staff's responsibility to attend such training and to inform the Data Protection Officer should further training be required.

11.5

It is the responsibility of all staff to inform a senior manager when they are made aware of a breach of DPA 2018. The senior manager is responsible for reporting the breach to the Data Protection Officer and taking appropriate action when made aware of a breach in accordance with Adra's Data Breach policy.

11.6

11.7 The Chief Executive is responsible for ensuring that Board members comply with this policy.

Complaints

12. If a person has cause to believe that Adra has breached DPA 2018 or has failed to meet its
12.1 commitments within this policy, they should complain using Adra’s Complaints Policy.

Appeals

13. Any applicant dissatisfied with any decision taken in respect of this policy has recourse to
13.1 Adra’s Complaints Policy.

Equality and Diversity

14. Adra is aware of its obligations as an employer under the Equality Act and there are no
14.1 diversity implications to this policy.

Review

15. Relevant files and records will be monitored on an ongoing basis, to ensure that they
15.1 comply with this policy.

15.2 This policy will be reviewed every three years to ensure that it is effective and complies with current good practice. A review will be carried out sooner should there be any changes to statutory requirements or serious breach of the policy or DPA 2018. This policy has been updated in accordance with the Data Protection Act 2018.