

Data Protection and Information Sharing Protocol

for Tenants & Residents Associations

We all process data in our daily lives. There are certain requirements on organisations that record, hold, and use data. Data sharing protocols set out common rules to be adopted by the organisations involved in data sharing. This protocol provides guidance for TRAs in terms of how they should comply with the Data Protection Act.

The Resident Involvement Team in Housing is here to help if you have any questions, or need any help understanding any of the following guidance. You can contact us on getinvolved@lbhf.gov.uk or call 020 8753 6652.

What is personal data?

If your TRA holds information about individuals either on a computer, or as part of a filing system then they hold personal data.

The Information Commissioner's Office advises that the following two questions are asked to confirm if information is personal data:

- **Can a living individual be identified from the data?**
- **Does the data relate to the identifiable living individual?**

If the answer is yes to both questions, then it is considered personal data.

Personal data is any information relating to an identified or identifiable living person directly or indirectly. This can be by referring to one or more factors specific to physical, physiological, mental, economic, cultural, or social identity.

Personal data can include, but is not limited to:

- Name
- Address
- Telephone number
- Email address
- Date of birth
- Ethnicity
- Sexual orientation
- Medical conditions
- Household earnings
- Views on a specific subject that can be identified back to an individual – just because you do not know the name of an individual does not mean you cannot identify that individual.



What is data sharing?

Data sharing means the disclosure of data from one or more organisations to a third-party organisation, individual or group of people. Data sharing can take the form of:

- an exchange of information;
- one or more organisations providing data to third parties;
- several organisations pooling information and making it available to each other;
- several organisations pooling information and making it available to a third party or parties.

Some data sharing doesn't involve personal data, such as statistics that do not identify individuals. The Data Protection Act (DPA) and this protocol do not apply to this type of information sharing.

When collecting and sharing data, TRAs need to think about the following areas:

- **What** information are they collecting?
TRAs should define what information they need to collect. The easiest way to do this is to create a template with all the necessary fields.
- **Why** are they collecting this information?
Only information which is going to be used for a specific and stated purpose should be collected. Those giving the information should know what the specific purpose is before they give the information and this should not be changed after the information has been given.
- **How** are they going to collect the information?
TRAs should determine if this will be via survey, by email, in a notebook, in a table etc...
- **How long** are they going to hold the information?
Personal information should only be held for as long as it is necessary, based on the specific purpose that it was collected for and the type of information that it is. Some guidelines are shown below in the table.

What sort of personal data might TRAs be collecting?

This list is not exhaustive. There may be other activities you need to consider.

<p>Surveys Petitions Spreadsheets Gardening club sign-up sheets etc</p>	<p>We actively encourage TRAs to consult with the residents they represent to find out if there is support for activities and community improvement schemes. We recommend that TRAs only collect general information to show support for projects. This could be done by a show of hands at a TRA meeting, or by collecting signatures in support of a project or idea. Any spreadsheets should be password protected and only information for a specifically stated purpose should be kept.</p> <p>This information should be stored for a maximum of six years.</p>
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<p>Making funding bids</p>	<p>Funding bids will often need to be signed by the active committee members or fundraisers. They will also need to supply contact details. It is advisable for TRAs to keep a record of their funding bids and return correspondence either in hard copy or electronic form.</p> <p>This information should be stored for a maximum of six years.</p>
<p>Sending a group email</p>	<p>When sending a group email, you should make sure you have permission to share other individuals' email addresses with other people. You can either ask for this for one specific purpose, or ask for advance agreement for sharing their email address. If you are sending emails to people who haven't given their permission, you should blind copy (BCC) them into the email, so their email address is not visible.</p> <p>When we communicate with TRAs we will use a generic email address where possible (eg. TRAname@gmail.com). We will only write to and share resident email addresses where permission has been given. If a resident is a member of another group that we are running, we will use their agreed personal email address to keep in touch with them.</p>
<p>Recording meeting minutes</p>	<p>Sometimes at TRA meetings there may be conversations about a resident, or a property and any actions being taken. Any details that could identify a living individual should not be recorded in the minutes because it is not possible to control the circulation of the meeting minutes. Comments should also not be attributed to an individual and should be noted as "the group discussed..."</p>
<p>Using a phone number on a poster</p>	<p>TRAs who manage halls and hire them out often advertise on their notice boards, or on websites. Committee members should think about which phone numbers are being advertised and seek agreement for any committee members' personal numbers that are listed. One way to address this is for the committee to purchase mobile phones specifically for this purpose.</p>



Registering the TRA	<p>The council asks TRAs to register with us on an annual basis, so that we are getting in touch with the right committee members. We use these contact details to consult with TRAs on things that are planned in their area. We also inform TRAs of up-and-coming meetings, events, and funding opportunities. Residents who are committee members give us their contact details on the understanding that we will contact them for this purpose.</p> <p>Copies of this information should be stored by TRAs for a maximum of six years.</p>
Hall/room hirers information	<p>People who book TRA halls or rooms will need to provide their contact details and potentially bank account details (on cheques). This information should be stored securely in a safe place.</p> <p>This information should be stored for a maximum of six years.</p>

How to decide whether to share data

TRAs should consider the potential benefits and risks to individuals of sharing information. TRAs should also assess the likely results of not sharing the data. Questions to ask could include:

- **What is the proposed information sharing meant to achieve?**
- **What information needs to be shared?** From consultation activities, often it is only the overall results and percentage of respondents that needs to be shared. This does not constitute personal information.
- **Who requires access to the shared personal data?** Other organisations, such as Groundwork or a funding provider, should only have access to your data if they need it for a specific purpose, and if the people who have provided this information have been made aware of this.
- **When should it be shared?** Again, it is good practice to document this, for example, setting out whether the sharing should be an on-going, routine process or whether it should only take place in response to events.
- **How should it be shared?** This involves addressing the security surrounding the sending or accessing of the data and establishing common rules for its security.
- **What risk does the data sharing pose?** For example, is any individual likely to be affected by it? Is any individual likely to object?

Holding information securely

Electronic records and email accounts in the name of the TRA should be held under password protection and the password should only be given to management officers of the committee (Chair, Treasurer, Vice Chair, Secretary).

Hard copy records should be stored securely.

When documents are ready for disposal, this needs to be done securely. Shredding documents is a good method. Please contact the Resident Involvement Team who can arrange for a collection of confidential documents for secure disposal.

Steps to take before you share information

It is good practice to take the following steps in terms of information that the TRA shares with other organisations, or that other organisations share with the TRA:

- Review what personal data your organisation shares with other organisations, making sure you know who has access to it and what it will be used for.
- Review what personal data the TRA receives from other organisations, making sure you know its origin and whether any conditions are attached to its use.
- Assess whether the TRA is proposing to share any personal data that is sensitive and what any impact of doing this may be.

Appendix 1 shows an example of a Data Security Checklist.

Privacy impact assessments (PIAs)

If you are thinking about doing a new activity that involves the collection and use of personal data, it is good practice to complete a Privacy Impact Assessment (PIA). A PIA is a simple process to help identify the potential level of risk when using personal data.

The Resident Involvement Team can provide a template PIA and work with you to complete the document. Please contact Getinvolved@lbhf.gov.uk or call 020 8753 6652 for more information.

Training

The Resident Involvement Team can provide data protection training to TRA members. Please contact Getinvolved@lbhf.gov.uk or call 020 8753 6652 for more information.



Protocol Review

This protocol will be reviewed on an annual basis for its effectiveness and to ensure the purpose still meets the stated aims.

Breaches of Data Protection

Breaches of data protection where personal data is shared when it shouldn't be should be reported to the Resident Involvement Team who may need to work with the TRA to carry out an investigation and review of the processes that were, or weren't followed.

Appendix 1 Data Security Checklist

Physical security	Yes/No	What steps will you take to address?
Are visitors to the office supervised?		
Is paper based information stored securely?		
Are laptops and removable media such as discs and memory sticks locked away when not in use?		
Do you dispose of paper waste securely, for example by shredding?		
Electronic Storage	Yes/No	What steps will you take to address?
Do TRA laptops, tablets and computers have password protection and antivirus software installed?		
Are committee phones stored securely and password protected?		

