# GDPR & Data Protection Confidentiality Policy Form 1b (Prison Housing Advice Service)

The General Data Protection Regulations hereinafter known as the (regulations) came into force on 25.5.18, replacing relevant provisions the Data Protection Act 2018 (the DPA) and further amendments as required. Data is stored in the UK. In the event any data is received and stored from people out with the UK we will comply with the relevant legislation and protections of that Country (e.g. EU, rest of the world). We will never transfer data out with the UK to any GDPR adequate countries or inadequate countries. AHAC is Cyber Essentials Accredited and AdvicePro is Information Security Code of Practice ISO27001 compliant. Better Futures data is hosted in ISO 27001-certified UK data centres and managed by CDPSoft. This should be read with Policy and Procedures 31 and 34 available on our website.

Service Users are referred to Ayr Housing Aid Centre SCIO (AHAC's) GDPR & Data Protection Policy 31 and our Privacy Statement (Service Users) which can be found on our website - https://ayrhousingaidcentre.com/gdpr/. Alternatively ask your Caseworker for information or contact our Data Protection Officer on 01292 288111. We require to gather information from you which allows us to progress your case, including personal data defined in the regulations.

Personal data: - as any information relating to an identified or identifiable natural person (a data subject/you); the full definition can be viewed in our Privacy Statement (Service Users) on our website.

**1. Data Protection Principles are:**

All personal data shall be:

a) processed lawfully, fairly, and in a transparent manner in relation to the data subject;

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, in accordance with Article 89(1) not be considered to be incompatible with the initial purposes;

c) adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed;

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 they are processed, is erased or rectified without delay;

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 in accordance with Article 89(1) subject to implementation of the appropriate technical and organisational measures required by the Regulation in order to safeguard the rights and freedoms of the data subject;

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.

**2. Lawful, Fair and Transparent Data Processing**

The Regulation seeks to ensure that personal data is processed lawfully, fairly, and transparently, without adversely affecting the rights of the data subject. The Regulation states that processing of personal data shall be lawful if at least one of the following applies:

g) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;

(b) processing is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract;

(c) processing is necessary for compliance with a legal obligation to which the controller is subject;

(d) processing is necessary to protect the vital interests of the data subject or of another natural person;

(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

(f) processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child or a vulnerable adult

I have been advised that I can have access to information held by making a request to the Data Protection Officer. I can request that data can be changed/ erased. I understand I may have to wait for the provision of the information and that third party information supplied to AHAC concerning me will not be given to me without the third-party consent. AHAC will seek to provide the relevant information as soon as possible or within 1 month. I am aware of the information AHAC gathers along with statistics held online used for Research, Projections, Service Improvement, Funding and Annual Reports which is held in the longer term anonymously.

## 3. Exceptions

AHAC shall only pass information to the relevant authorities if there are concerns for safety of a child or vulnerable adult. This includes any allegations or charges brought against the Service (Policies and Procedures 18 and 19 Protection of Children and Vulnerable Adults).

## 4. Consent for Specific Purposes

AHAC shall not share your personal information without your expressed consent. Please choose whether you want your case to be part of these processes. When audited by the National Standards a selection of case files are audited by external Auditors to ensure accuracy and quality. The external Auditors comply with the relevant GDPR, DP and are bound by Confidentiality. **Below is a list of specific consents you are free to opt in or out of (delete as necessary).**

As part of the process of opening a case your information will be held internally and on an online system.

I **do / do not** authorise and instruct any third party to release any necessary information and/or papers held by them concerning my case to Ayr Housing Aid Centre SCIO as they are acting on my behalf. I authorise and instruct Ayr Housing Aid Centre SCIO to seek and hold necessary information relevant to my case.

I **do / do not** consent to my file being part of an audit **(for quality monitoring)**

I **do / do not** consent to my info being held on signpost or other referral systems **(referral to other agencies)**

I **do / do not** consent to my details being passed to the Council so they can contact me for the purpose of Service User Feedback **(for quality monitoring)**

I confirm Ayr Housing Aid Centre SCIO has advised me of the lawful purpose/purposes they are holding my personal data internally and on electronic online systems. I am aware of my rights safeguarded under the Regulations.

I am aware if I have any issues regarding the personal data held by AHAC I can discuss this with our Data Protection Officer on 01292 288111 and/or I can access AHAC's Service User Privacy Statement on the website.

Signed: _____ Date: _____

Print Full Name: _____

Signed: _____ (Caseworker) Date: _____

**Worker signs above if case was opened by indirect means and Service User has verbally consented to above options (delete part 4 consents as appropriate)**