



Data Protection Policy

1. Introduction

- 1.1 This Policy sets out Salvation Army Homes' commitment to protecting personal data and how we implement that commitment with regards to the collection and use of personal data in line with the legal requirements contained in the UK General Data Protection Regulation ('UK GDPR').
- 1.2 Salvation Army Homes are committed to ensuring that we comply with the protection principles and the other requirements of UK GDPR.

2. Scope

- 2.1 This policy applies to all employees as well as relief workers, agency workers, board members, volunteers, those on work experience, contractors and third parties who have access to personal data. They must be aware and comply with this policy alongside related policies and procedures.
- 2.2 It includes all personal data collected, held and processed by the Association, or on our behalf, that may be held in any system or format, whether electronic or hardcopy. These individuals can include residents, members of the public, board members, employees, former employees, job applicants, volunteers, contractors. This list is not exhaustive.
- 2.3 Salvation Army Homes, as a registered provider of social housing, is required to adhere to all relevant law as directed by the Regulator of Social Housing. This includes UK GDPR as defined in this policy.

3. Key Definitions

Data Controller - the person or organisation which, alone or jointly with others, is responsible for deciding which personal data is required and the purposes and means of the processing of personal data.

Data Protection Officer (DPO) - the person with responsibility for Data Protection compliance.

Data Sharing Agreement (DSA) – any agreement between Salvation Army Homes and a third party confirming that processing of personal data safeguards are in place.

Data Subject - the identified or identifiable individual whose personal data is held or processed, e.g. residents, employees, contractors.

EEA - currently the 27 countries in the European Union plus Iceland, Norway, and Liechtenstein.

Information Commissioners Office (ICO) – is the supervisory body for Data Protection in the UK.

Personal Data - any information relating to an identified or identifiable living person ('data subject'); an identifiable living person is one who can be identified, directly or indirectly, in particular by reference to an identity such as a name, an identification number, location data, an online identifier to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identify of that living person.

Processing - any use that is made of personal data, including collecting, storing, amending, disclosing or destroying it.

Special Category Data – sensitive information about an individual including racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a person's sex life or sexual orientation.

Criminal Records Data- information about an individual's criminal convictions and offences, and information relating to criminal allegations and proceedings.

4. Principles

4.1 The UK GDPR safeguards individuals' rights and freedoms having established seven main data protection principles for processing personal data. Salvation Army Homes (the Data Controller) will comply with these principles regarding the collection, processing, storing and sharing of information.

4.2 (1) Lawfulness, fairness and transparency

Lawfulness and fairness:

Salvation Army Homes will only collect and process personal and special category data where we have a legitimate and lawful basis to do so, which satisfies one or more of the conditions set out in Article 6 of the UK GDPR. The relevant conditions for Salvation Army Homes' activities are:

- Processing is connected to the legitimate interests pursued by Salvation Army Homes, or a third party, except where such interests are overridden by the fundamental rights and freedoms of an individual which require the protection of personal data, in particular where the data subject is a child.
- The data subject has given their explicit consent for their personal data to be processed. Consent must be freely given, the data subject clearly understanding the purpose of the consent and is unassumed. Consent Agreements will be kept. Individuals have the right to withdraw consent at any time unless there is a lawful reason to retain it.

- Processing is necessary for Salvation Army Homes to be able to deliver on the obligations of a contract (i.e. a tenancy agreement or an employment contract), or in order to take steps prior to entering into a contract.
- Processing is necessary for compliance with a legal obligation to which Salvation Army Homes is subject (i.e. complying with a Police investigation, reporting benefit / tax / tenancy fraud).
- Processing is necessary to protect the vital interests of the individual or another natural person.

Special Category Data

Salvation Army Homes will only collect and process special categories of personal data, or criminal records, where one of the conditions as set out in Article 9 of the UK GDPR is also satisfied. The conditions relevant to Salvation Army Homes are:

- Explicit consent
- Employment, social security and social protection (if authorised by law)
- Vital interests
- Made public by the data subject
- Legal claims or judicial acts
- Reasons of substantial public interest (with a basis in law)
- Health or social care (with a basis in law)

Transparency:

Employees and residents have a right to view personal information about themselves. The published Privacy Notice provides information about how Salvation Army Homes collects, stores and processes personal data, including special category data and criminal records. We have a separate Employee Privacy Notice and Recruitment Privacy Notice.

4.3 (2) Purpose Limitation

Salvation Army Homes will only collect personal data where there is an explicit and legitimate purpose for us to do so and will not use the data collected for any additional purposes that would be incompatible without seeking prior consent from the data subject. Our published Privacy Notices provide transparent information on our purposes and legal basis for processing personal data.

4.4 (3) Data Minimisation

Salvation Army Homes will only collect personal data which is adequate and limited to what is necessary in relation to the purposes for which it is processed. We will not collect data that is not relevant.

4.5 (4) Accuracy

Salvation Army Homes will ensure personal data is accurate and, where necessary, kept up to date. If we are made aware the personal data we hold is inaccurate, and the data subject is unable to self-service, we will erase or rectify the data within the required timeframe.

4.6 (5) Storage Limitation

Personal and special category data will not be kept for longer than necessary in relation to the purpose for which the data was collected and such data will be securely disposed. Where Salvation Army Homes retains personal data to meet processing and legal obligations, the retention periods are covered in the Data Retention and Storage Procedure and NHF Retention Schedule.

4.7 (6) Security, Integrity and Confidentiality

Salvation Army Homes has internal policies and procedural controls in place to protect personal data against loss, accidental destruction, misuse or disclosure. We will regularly review all technical systems and processes under our control to ensure adequate controls and measures are in place. The [ICT Security Policy](#) provides more detail.

4.8 (7) Accountability

Salvation Army Homes (the Data Controller) will demonstrate compliance with GDPR through a robust framework to include adopting and implementing data protection policies and procedures, maintaining records of processing activities (ROPA), carrying out regular audits, and monitoring, maintaining and increasing data protection awareness across the association.

5. Data Subject Rights

5.1 Data Subjects have rights when it comes to how their Personal data is handled.

Data Subject Rights	Definition
Right to be informed:	Salvation Army Homes must inform data subjects about the collection, use, retention, and sharing of their personal data, as outlined in our Privacy Notice, Employee Privacy Notice, and Recruitment Privacy.
Right of Access (Subject Access Request):	Data subjects have the right to access and receive a copy of their personal data. Data subjects include all of Salvation Army Homes' employees and residents and anyone else in respect of whom personal data is processed. A request may be verbal or written including on social media. The Subject Access Request Procedure details how to process a SAR and the timelines in which to do so.
Right to refuse:	Salvation Army Homes reserves the right to refuse a data subject access to personal data where lawful exemptions may apply.
Right to rectification:	Data subjects have the right to have inaccurate personal data rectified. Where appropriate an individual may also request to have incomplete

	personal data completed. Rectification shall be completed without undue delay.
Right to Erasure (also known as “the right to be forgotten”):	Data subjects may request the erasure of personal data if there is no valid reason to retain it. This right applies only to data held at the time of the request and is limited to specific circumstances. Salvation Army Homes may refuse erasure if there is a legitimate interest in retaining the data. Where data has been shared or made public, relevant third parties will be notified of its erasure.
Right to restrict processing:	Data subjects have the right to request the restriction of their personal data. When this occurs, Salvation Army Homes may store the data but must not further process it. We will be required to restrict the processing of personal data in certain circumstances as detailed in the Privacy Notice. If data has been shared with third parties, they must be informed of the restriction unless doing so is impractical. Individuals will be notified when the restriction is lifted, along with the reasons why.
Right to data portability:	Data subjects have the right to obtain and re-use personal data they have provided for their own purposes across different services. The right to data portability only applies when the lawful basis for processing this information is consent or for the performance of a contract; and the processing is being carried out by automated means (i.e. excluding paper files).
Right to object:	Data subjects have the right to object to the processing of all or parts of their personal data at any time. We must stop processing unless we can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual; or the processing is for the establishment, exercise or defence of legal claims.
Rights to automated decision-making including profiling:	A data subject has the right not to be subject to a decision based solely on automated processing, including profiling, if the decision significantly affects that individual. They have the right to request human intervention unless: <ul style="list-style-type: none"> • The individual has explicitly consented. • Processing is required by law.

	<ul style="list-style-type: none">• Processing is necessary for the performance of or entering into a contract. <p>To safeguard individuals Salvation Army Homes will not make any potentially damaging decisions without human involvement.</p>
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6. Data Sharing

- 6.1 Salvation Army Homes may share data with third parties (i.e. contractors, suppliers) to deliver our services or to fulfil our legal obligations. We may also share data in unexpected or emergency situations.
- 6.2 When engaging with third parties they will be required to enter into a Data Sharing Agreement (DSA) or a supplier contract detailing their obligations to confidentiality and protecting personal data. The DSA/Contract terms will include, but not be limited to, what data will be shared, the agreed purpose and the controls and security measures that will be implemented.
- 6.3 Individuals will have been informed about sharing personal information through our Privacy Notice or have given consent. The Privacy Notice also details exemptions to consent.

7. Data Protection by Design and Default

- 7.1 Salvation Army Homes will ensure data protection measures are integrated into the development of any new or enhanced developments of systems or processes from the outset.
- 7.2 Data Protection Impact Assessments, either a pre-screening check, or a full assessment, will be carried out by the business, with support from the data protection team if required, to ensure only necessary personal data is processed. This will include evaluating high risk processing.

8. Breaches

- 8.1 In the event a personal data protection breach occurs, either accidentally or via malicious action, Salvation Army Homes are obliged to investigate.
- 8.2 Salvation Army Homes will take a risk-based approach to determine the level of oversight and interrogation required to manage any third-party data protection breaches that occur.
- 8.3 Any data protection breach that is likely to result in a risk to the rights and freedoms of individuals will be reported to the ICO within 72 hours of becoming aware of the breach by the DPO.
- 8.4 The [Data Breach Procedure](#) provides more detail.

9. Data Protection Complaints

- 9.1 Individuals have the right to escalate complaints to the ICO if they are dissatisfied with the action and responses from the Data Protection Office. Individuals are informed of this right through the Privacy Notice and the Data Protection Complaints process as displayed on the website.

10. International Data Transfers

- 10.1 Salvation Army Homes does not currently transfer personal data to countries outside the UK or EEA. Should this change appropriate safeguards will be implemented as detailed in our Privacy Notice.

11. Responsibilities

- 11.1 Salvation Army Homes' nominated DPO is the Business Assurance Manager. All enquiries regarding data protection must be passed to the DPO and supporting team. They may be contacted via email: DPO@saha.org.uk.
- 11.2 It is the responsibility of the Board to review, adopt and approve this policy.
- 11.3 All employees have a responsibility to respect confidentiality and ensure the personal data they have access to is kept securely and not disclosed to any unauthorised third parties.
- 11.4 Employees will have access to the Data Protection Policy and will receive training about their responsibilities as part of the induction process. Individuals must complete all mandatory data privacy related training on an annual basis.
- 11.5 All employees are responsible for implementing this policy and will receive additional training to help them understand their duties and how to comply with them. Failure to comply with this policy may result in disciplinary action.

12. Data Protection and Equality Impact

- 12.1 In developing this policy we have carried out assessments to ensure that we have considered:

- Equality, Diversity and Inclusion
- Privacy and Data Protection

To request a copy of these full assessments, please contact the Business Assurance Team at business.assurance@salvationarmyhomes.org.uk.

13. Further information

- 13.1 If you have any questions regarding this policy, please contact your line manager or the Business Assurance Team at: business.assurance@salvationarmyhomes.org.uk, who will direct your query to the relevant Policy owner.

Legislative and Regulatory Framework

The following legislation, regulatory standards and documents can be relied upon to inform this policy.

Legal Framework	Regulatory Standard	Other documents
Article 9 of the UK GDPR or Schedule 1 of the Data Protection Act 2018 UK General Data Protection Regulation (EU) 2016/679 ("the GDPR") UK Data Protection Act 2018 (DPA 2018). Privacy and Electronic Communications Regulations 2003 (PECR).		Data Protection Procedure SAR Procedure Data Retention Procedure Information Sharing Procedure Hybrid Working Policy ICT Security Policy CCTV Policy and Procedure Employee Social Media Policy Disclosure and Barring Checks Policy Privacy Notice Employee Privacy Notice Recruitment Privacy Notice

Document History Log

Lead Reviewer	Date			Version	Approval	
	Created:	Revised:	Expiry		By	Date
DPO	Aug 2021		Sept 2024	1.2	Board	23/09/21
DPO	<i>Minor change to reflect Hybrid Working Policy</i>	July 2022	Sept 2024	1.3	N/A	N/A
DPO	<i>Minor change following C3C review</i>	Nov 2023	Sept 2024	1.3	N/A	N/A
BAA	<i>Rebranding</i>	April 2024	Sept 2024	1.4	N/A	N/A
DPO		Sept 2024	Nov 2027	1.5	SMT EMT Board	Oct 2024 29/10/24 28/11/2024
DPO	Amalgamation of HR DP Policy, including IA recommendations & move to annual review – Nov 2025		Feb 2027	1.6	SMT EMT Board	03/12/2025 17/12/2025 26/02/2026

Equality Impact Assessment Summary			
Protected characteristic	Impact (Positive, negative, neutral)	Protected characteristic	Impact (Positive, negative, neutral)
Age	Neutral	Disability	Neutral
Sex	Neutral	Race	Neutral
Religion of belief	Neutral	Sexual orientation	Neutral
Gender reassignment	Neutral	Pregnancy / maternity	Neutral
Marriage / civil partnership	Neutral		