



As a registered social landlord, MHA are required to hold a lot of information about our customers and staff. Please see our Privacy Notice on our website to see what type of information we hold.

We are committed to handling your personal information in an open and transparent way and comply with the Data Protection Act at all times.

What is a Subject Access Request?

Under the Data Protection Act, you have certain rights. One of these is a right to gain access to or receive copies of the personal information that a company or organisation holds on you.

You are also entitled to know:

- Whether or not any of your personal information is being used by the company or organisation and for what purpose;
- You can ask for a description of the personal information, the reasons it is being processed, and whether it will be given to any other organisations or people;
- You can be given details of the source of the data (where this is available).
- If a decision has been made by a system or a computer (automated decision) you can ask for the reasoning behind the decision

What is personal information?

Personal information is any piece of information that relates to you as an individual.

If you are a customer this information may include your name, address, contact details, employment information, benefits entitlement, details about who lives with you in our home, complaints you've made during your tenancy or complaints that have been made about you.

If you are a member of staff, this will again include your name, address, contact details, salary and also training records, and information about your performance or capability.

There is also another category of personal information, which is called Sensitive Personal Information. This is specific information about your:

- race or ethnicity,
- political opinions,
- religious or other beliefs,
- trade union membership,

- health (mental or physical),
- sexual life,
- offences or alleged offences

Can I request all the information MHA holds about me?

Yes in theory, and MHA will go to extensive effort to find the information that you are requesting. However if you ask for all the information an organisation holds on you then this could be considered an unreasonable request due to the effort and resources that would be required to deal with the request. For example:

“I would like a copy of all the information MHA hold on me since I became a tenant 40 years ago”

“I would like a copy of all the emails containing my name”

Where MHA feel that the request is unreasonable we will get back to you as soon as possible and ask you to provide us with more information, that will help us find the information you are after. We will not ask you to narrow the scope of your request or tell us why you want it, but we will ask you to provide more details to help us deal with the request. Our questions may include:

- Date range
- Specific topic or context of the information eg is it relating to a complaint, a rent account, a disciplinary case
- Type of electronic record you are looking for eg e-mails, notes from our housing system, call recording, CCTV footage

Is there any information that MHA can't share with me?

Yes, in some instances we will be unable to share some or all of the information you have requested.

The main reasons that would prevent us from sharing requested information are:

- Sharing would mean disclosing personal information about another individual or individuals. Sometimes it will be possible redact names or specific information from documents to enable sharing. But other times it will be impossible to hide another individual's identity by redacting certain information.
- Sharing would mean disclosing confidential information
- The personal data is used for purposes related to crime and taxation

The ICO's Subject Access Code of Practice and the Data Protection Act provides more guidance on what information should not be shared.

Each subject access request will be considered on a case by case basis and any decision not to share information with you or to redact information will be thoroughly considered in accordance with relevant guidelines and the Data Protection Act.

If a decision is made not to share information or to redact certain information, where possible, the reasons will be explained to you and as much information as possible will be provided about the information that has been redacted.

How can I make a Subject Access Request?

Subject Access Requests must be made in writing and can be received via post, e-mail or fax. They do not have to be in a specific format or on a form.

A fee of £10 must be paid before MHA will start to deal with the request. You can pay this by cheque or over the phone.

How will MHA deal with my Subject Access Request?

Once a Subject Access Request is received, the Risk and Business Assurance Team will log the request centrally and coordinate the response. They will keep a record of all key decisions, contact, and actions relating to the Subject Access Request.

They will send you a letter within 5 working days, or e-mail within 3 working days acknowledging the request and outlining the next steps. As explained above, sometimes the request will be straightforward but sometimes we will need to contact you to ask for more information to help us deal with the request. We will also confirm with you how you would like to receive the information eg electronically, on paper or if you would like to come in to see the documents.

The subject access request will be dealt with within 40 days of receiving the £10 or from receiving enough information to be able to deal with the request.

Once the information has been collated, we will provide you with the information in the way that you have requested.

Can an individual complain about the information they've received?

Yes. If you are unhappy with the information you have received you can complain to MHA. If you are still unsatisfied following MHA's response you can contact the Information Commissioner's Office.