



SUBJECT ACCESS REQUEST GUIDELINES FOR CUSTOMERS AND STAFF

As a registered social landlord & employer, Monmouthshire Housing Association (“MHA”) hold personal information about our customers and staff. Please see our Privacy Notices on our website to see what type of information we hold. A copy of the Staff Privacy Notice is available upon request.

We are committed to handling your personal information in an open and transparent way and comply with all relevant legislation.

What is a Subject Access Request?

You have a right to access or receive copies of the personal information that a organization holds on you. However, some exemptions may apply, if this is the case this will be fully explained to you, including the reason why.

You are also entitled to know information including but not limited to:

- 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?

The Data Protection Act 2018 defines personal data as ‘any information relating to an identified or identifiable living individual’. So, the definition of personal data should be construed as having a two-part test to complete:

- The information must relate to an individual; and
- The information must identify or be capable of identifying that 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. We also hold personal information on residents, other household members, family members, advocates, professionals, perpetrators and members of the public.

MHA may also hold sensitive personal information, sometimes referred to as special category personal information which contains specific information about your:

- race or ethnicity,
- political opinions,
- religious or other beliefs,
- trade union membership,
- health (mental or physical),
- sex life,
- sexual orientation,
- genetic data
- biometric data
- offences or alleged offences

Can I request all the information MHA holds about me?

Yes in theory, 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 feels 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. In the event that MHA asks you for clarification of your request, the response deadline is paused until the clarification is received. MHA shall provide the requested information to you by carrying out a reasonable and proportionate search.

We will ask you to provide more details to help us deal with the request. We may ask:

- If you are looking for information relating to a specific date range
- Whether you are looking for information relating to a specific topic or context of the information e.g. is it relating to a complaint, a rent account, a disciplinary case
- Whether there is a specific type of electronic record you are looking for e.g. 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 to 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 references to third parties
- The personal data is used for purposes related to crime and taxation
- The personal data is legally privileged including confidential communications between MHA and its lawyers where the dominant purpose was the giving or receiving of legal advice.

The Information Commissioner's Office ("ICO") provides more guidance on what information should not be shared. The ICO are an independent authority for data protection and information rights law. The ICO are responsible for enforcing data protection laws in the UK.

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 legislation.

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 can be made verbally or in writing, via email, post or social media. It does not have to be addressed to a specific person or contact point. You can for example choose to make a request via the Customer Service Team or email your request to:

gdpr@monmouthshirehousing.co.uk



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 may need to verify the identity of any data subject making a request. They will keep a record of all key decisions, contact, and actions relating to the Subject Access Request. They will acknowledge receipt of the request via letter or email.

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 send the information electronically using a secure file sharing platform (Egress). The requestor will receive an email with a link to securely access and download the information. Alternatively, the requestor can collect the information up in person from HQ to receive a paper copy (proof of identification will be required on collection).

The Subject Access Request will be dealt with within one calendar month of receiving the request, unless the request requires an extensive effort to provide all the information requested, in which case we may take 3 calendar months from initial verification of the Subject Access Request. We will inform you should we be using the extended deadline of 3 calendar months. 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. Here is the link to our online Complaints enquiry form on our website:

[Contact Us - Monmouthshire Housing Association](#)

MHA will acknowledge receipt of the complaint within 30 days, take appropriate steps to address it, and inform the you of the outcome.

If you are still unsatisfied following MHA's response you can contact the Information Commissioner's Office. For further information on your rights, you can visit the ICO Right of access webpage. If you would like more information about how Monmouthshire use your personal data, you may find a copy of our Full Privacy Notice at: [MHA-Privacy-Notice-July-23.pdf](#). A paper copy is available upon request.