Data Protection Policy

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Approval Level	Board
Resident Input	N/A
Policy Review Due	April 2029
EIA Date	February 2026
Linked strategies/policies	Special Category & Criminal Offence Data Policy Information Sharing Policy Information Rights Policy Information Security Policy Data Protection Impact Assessment Procedure Subject Access Request Procedure Social Tenants Access to Information Requirements Procedure Records Retention Guidance Data Quality Framework
Version	1
Date of Approval	November 2026

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1. What this policy is for

1.1 This policy sets out how we comply with the data protection laws, including:

- taking reasonable steps to ensure personal data is accurate, complete and up to date
- keeping records of our processes and decisions when using personal data
- securely deleting or anonymising personal data that we no longer need in accordance with Southway Wythenshawe Homes' retention schedule.
- investigating breaches and conducting lessons learned exercises to improve performance, responding to regulatory action if required.

2. Who this policy applies to

Colleagues at Southway Wythenshawe Homes and all of its subsidiaries	Colleagues process our customers' personal data to manage their homes and provide services. 'Colleagues' means anyone working for us in any capacity, including employees, trainees, interns, agency workers, volunteers, board members, and external committee members.
Customers	Customers provide their personal data for us to process and have information rights we must help them to exercise.

2.1 The term 'colleagues' does not extend to our partners, suppliers and contractors, who have similar responsibilities to look after the personal data we share with them. These responsibilities, enforced by written agreements, are set out in our Information Sharing Policy.

2.2 Colleagues should read this policy alongside:

- The strategies and policies listed on the cover sheet

- Data processing schedules in our contracts with third parties
- Colleague employment contracts and similar agreements
- Any other contractual obligations that govern the way we protect information.

2.3 This is not a privacy notice. You can find your appropriate Privacy Notice on our intranet (for colleagues) or internet (for customers).

2.4 Customers should read section 4 of this policy to understand how we communicate their information rights.

3. Regulation and Legal Requirements

3.1 This policy supports compliance with the

- UK General Data Protection Regulation (UK GDPR),
- Data Protection Act (DPA) 2018, and
- Privacy and Electronic Communications Regulations (PECR).

3.2 We refer to these laws here as 'the data protection laws'. These laws govern how we store and handle personal data about living individuals. They are regulated by the Information Commissioner's Office (ICO), which we refer to here as 'the Information Commission'.

3.3 As a data controller, Southway Wythenshawe Homes must comply with the data protection laws. We are registered with the Information Commission and follow its guidance to protect information rights.

4. What we will do

Policy statement

4.1 Southway Wythenshawe Homes will protect the information rights of customers and colleagues. This policy explains how we comply with data protection laws in everyday work.

4.2 Compliance means:

- Applying the data protection principles when processing personal information, and having a lawful basis to use it
- Respecting individuals' rights under the law.

4.3 We follow the principle of privacy by design (also known as 'data protection by design and default'). We will:

- Take a "privacy first" approach when creating new systems or processes
- Build privacy by design into our strategies, policies, and procedures
- Consider data protection and information rights in papers for Executive Board, Group Board and committees.

The data protection principles

4.4 The UK GDPR sets out seven key principles:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability.

4.5 These principles lie at the heart of Southway Wythenshawe Homes' approach to processing personal data.

Lawful bases for processing

4.6 Southway Wythenshawe Homes must rely on one or more of these lawful bases to process personal data:

- Consent (see below)
- Contract with customers
- Legal obligation
- Vital interests
- Legitimate interests (where a balancing exercise indicates that these interests outweigh individual rights)
- Recognised legitimate interest (where we need to use this interest for a pre-approved purpose).

4.7 For special category data, an additional lawful basis is required. See the Special Category & Criminal Offence Data Policy. Always seek advice from the Data Protection Officer (DPO) or Deputy DPO before processing sensitive data.

Consent

4.8 When Southway Wythenshawe Homes relies on consent as the lawful basis for processing personal data, we must ensure:

- Consent is freely given, specific, informed, and unambiguous
- We can demonstrate that consent was obtained
- Customers are informed about their right to withdraw consent
- Withdrawal of consent is as easy as giving it and does not affect other rights.

4.9 For children under 13 using online services, consent is obtained from the person with parental responsibility.

4.10 The Information Asset Administrator (IAA) for the affected business area will instruct the relevant Process Manager to stop processing when consent is withdrawn.

4.11 Consent may be invalid if these conditions are not met or if there is an imbalance of power. We will usually seek consent only when no other lawful basis applies.

Record of Processing Activities

4.12 Southway Wythenshawe Homes will keep a record of its processing activities (ROPA), including the legal bases for processing.

4.13 The ROPA will be updated at least annually, or when there is a significant change to processing such as:

- a new activity that requires data to be processed, or
- a change in the legal basis for processing data.

4.14 All IAAs who are responsible for activities where personal data is processed will update the ROPA with the support of their Process Manager and the relevant governance team.

4.15 There is supporting guidance on the intranet for selecting appropriate lawful bases and seeking and recording consent appropriately.

Marketing and electronic communications

4.16 Southway Wythenshawe Homes will ensure that it is compliant with the Privacy and Electronic Communications Regulations (PECR), which covers:

- Marketing by electronic means, including marketing calls, texts and emails;

- The use of cookies or similar technologies that track information about people accessing a website or other electronic service;
- Security of public electronic communications services; and
- Privacy of customers using communications networks or services including traffic and location data, itemised billing, line identification services and directory listings.

Individual rights and fair processing

4.17 Individuals have the right to:

- Be informed about how their data is used
- Access their data (known as a Subject Access Request)
- Correct inaccurate data
- Request deletion of data (where appropriate)
- Restrict processing in certain cases
- Receive data in a portable format
- Object to processing, including marketing and profiling.

4.18 Southway Wythenshawe Homes protects our customers' information rights by respecting choice and strengthening control. Colleagues should read the Information Rights Policy to understand their role in supporting these rights. Customers can find out how to exercise these rights on our website.

4.19 We will provide clear privacy statements wherever data is collected. We will provide customers with specific needs with information in a suitable format to ensure that their consent is informed. The DPO, or a Deputy DPO in their absence, can advise on this.

Role of the Data Protection Officer

4.20 Southway Wythenshawe Homes has a Data Protection Officer (DPO). The tasks and responsibilities of the DPO are replicated in the postholder's role profile.

4.21 We will take account of the DPO's advice and the information they provide on our data protection obligations. If a decision is taken not to follow advice given by the DPO, the reasons for this will be recorded.

4.22 The DPO will be easily accessible to our Board, Executive, colleagues, customers, members of the public and the Information Commission.

4.23 The DPO will ensure that there are effective arrangements in place if they are absent. A suitably trained data protection practitioner will act as Deputy DPO in most instances.

4.24 We will ensure that the DPO

- can operate independently and is not dismissed or penalised for performing their tasks;
- is provided with adequate resources (systems and data, time, budget and, where appropriate, a team) to enable them to meet their UK GDPR obligations, and to maintain their expert level of knowledge; and
- is not asked to carry out other tasks or duties that result in a conflict of interests with their DPO role.

Related policies and guidance

4.25 All related information policies listed in the cover sheet are available on The Information Place or on the intranet, depending on business area. This policy is available for customers on our website.

4.26 For advice or help with this policy, colleagues should contact the DPO, or a Deputy DPO in their absence, or read supporting guidance on the intranet. Customers can contact us through the usual channels.

5. Equality, Diversity and Inclusion

5.1 An Equality Impact Assessment (EIA) was completed February 2026. The actions from this are:

Action	Policy Change
Ensure privacy notice is suitable for individuals with learning difficulties or other disabilities (for instance if they are blind or colour-blind).	4.18 – Ensure that accessibility requirements for this notice are captured as part of Southway Wythenshawe Homes's website.

6. Who is responsible

6.1 To enable Southway Wythenshawe Homes to meet its responsibilities as a data controller, specific individuals or groups have roles which they must carry out to comply with data protection laws. These roles include:

Role	Responsibility
Board	• Review and approve this policy • Ensure resources and processes enable compliance
Audit & Risk Committee	• Review the organisation's information risk profile • Review reports from the DPO and Strategic Information Group • Ask for second- and third-line assurance from internal or external auditors • Report concerns to the Board
Executive Board	• Ensure compliance with the data protection principles (see section 4) • Recruit and support Data Ambassadors • Include privacy by design in projects • Review reports on high level information risk

Data Protection Officer (or Deputy DPO)	• Monitor and advise on compliance with the data protection laws • Provide training and awareness • Advise on data protection impact assessments • Act as Southway Wythenshawe Homes' contact point with the Information Commission • Investigate data protection complaints and breaches
(Information) Governance Team	• Provide advice, guidance, and training • Publish and maintain this policy and ensure privacy notices are available and up to date • Oversee, coordinate and respond to data risk assessments, information rights requests, and information security investigations • Work with Technology colleagues to conduct data protection and cyber security audits • Support process managers and Data Ambassadors/Champions to manage data risks in their processing activities • Highlight high-risk issues to Information Asset Owners/Administrators and escalate at data clinics
Managers and Leaders (including Information Asset Owners/Administrators and Process Managers)	• Make colleagues aware of this policy • Ensure mandatory training is completed • Ensure all processing activities have a valid lawful basis (see section 4) • Manage data processing risks when new processing activities or projects begin • Complete data protection impact assessments and information sharing agreements for high-risk activities, including CCTV monitoring • Request support to create and review privacy statements • Own or manage information assets and update the record of processing activities • Take responsibility for identifying, notifying and supporting information security incidents and rights requests • Attend data clinics and support reviews of processing activities
Data Ambassador / Champion Group	• Promote good practice in their teams • Share information across the network • Support transformation projects and help teams keep their data accurate • Monitor and report on data held in their area • Challenge inappropriate data use • Attend network meetings

All Colleagues	• Read relevant policies and guidance and complete job-essential training • Use training, tools and support to apply the data protection principles in their work • Report incidents and rights requests • Do not remove or copy personal data when they leave the organisation.

7. Monitoring and Reporting

7.1 Southway Wythenshawe Homes will monitor performance against a range of data and information compliance measures, including, but not limited to:

- Information rights requests
- Information security incidents, such as cyber incidents, data breaches or near misses
- Data Protection Impact Assessments (DPIAs)
- Job essential training completion, including GDPR and cyber awareness
- Agreements in place for data processing and information sharing
- Data quality.

7.2 The Data Protection Policy, and related information policies as required, will be kept under review in case any future changes to the data protection laws have a significant effect on colleague roles and responsibilities.

7.3 The Data Protection Policy will be reviewed every three years. Group Board will receive an annual update on how the policy is being implemented.

7.4 The next review date for this policy is shown on the cover sheet.

8. Glossary

Word	Definition
Data Ambassador / Champion	A colleague who works with personal data in their role. They help their team solve data protection issues
Data Breach / Information Security Incident	An information security incident happens when data has been lost, stolen, or misused. The incident is a data breach if the data belong to our customers
Data Protection Act (DPA) 2018 / UK General Data Protection Regulation (UK GDPR)	Two UK laws that work together to make sure we use people's information lawfully and fairly. They protect their information rights
Data Protection Impact Assessment (DPIA)	A process we follow when a new project, system or way of working could create a high risk to people's privacy or rights
Data Protection Officer (DPO) / Deputy DPO	Colleagues responsible for making sure we handle personal data legally and safely.
Information Asset Owner (IAO) / Administrator (IAO)	A member of our Leadership Team who is accountable or responsible for how information is used in their business area
Information Asset Register	A list of all the important information we hold. It shows where it's kept, who is responsible for it, and how it is protected
Information Sharing Agreement	A written agreement we use to share data securely and safely with another organisation

Privacy and Electronic Communications Regulations (PECR)	A European-wide law that sits alongside the UK GDPR to govern marketing, cookies, and the security of digital communications
Privacy Notice	A statement that explains to customers and colleagues how their personal data is collected, used and protected
Profiling	Using computerised tools to make predictions about groups of people based on their personal data, to decide how to provide services to them
Records of Processing Activities (ROPA)	A list of all the personal information we use in our processes, and what we do with it
Special Category and Criminal Offence Data	Special Category Data is very sensitive personal Information. It includes details like someone's beliefs, health, sexuality, or biometrics. Criminal Offence data covers information about criminal convictions or alleged offences
Subject Access Request (SAR)	A request made to us under the UK GDPR for a copy of an individual's personal data.