



improving housing through partnership

HFI Policy

Disclosing customer personal information

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Approved by: Senior Area Housing Manager
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1.0 Introduction

- 1.1 This policy outlines how Homes for Islington (HFI) will deal with requests from customers for access to their personal information either during a telephone call or when a request is received to view paper or electronic files.
- 1.2 HFI will not disclose information about a tenant or leaseholder to any third party without their permission. The only exception to this will be in accordance with the exceptions laid down in the Data Protection Act 1998.
- 1.3 Where a request is received to view or receive a copy of paper or electronic files under the Data Protection Act 1998, HFI will ensure the information requested is made available to the customer within the statutory 40 calendar day deadline.

2.0 Scope, definitions and related policies

- 2.1 This policy document will be followed by HFI when:
 - Dealing with any telephone enquiry where the identity of the caller is required, and/or
 - A HFI tenant or leaseholder asks to see copies of any personal information relating to them held by HFI. This second request is referred to as a “subject access request”.
- 2.2 This policy is linked to two related procedures:
 - [HFI Guidance note - Caller identity checks](#)
 - [HFI Procedure – Access to personal information](#)
 - [Information exchange protocol](#)
 - [Adult Social Services/HFI protocol](#)

3.0 Legal and regulatory framework

- 3.1 Any personal data HFI collects and uses is treated in accordance with the Data Protection Act 1998. We will only collect and use personal data for the purpose(s) pertinent to its collection and use, and this will be stated at all times upon collection.

3.2 Homes for Islington will endeavour to ensure customers personal data is protected and processed in accordance with the Principles and Rights of the Data Protection Act 1998.

3.3 The Data Protection Act 1998 can be accessed online at www.opsi.gov.uk/acts/acts1998/19980029.htm

4.0 Equality and Diversity

4.1 HFI will ensure this policy and the related procedures are carried out fairly and equally.

5.0 Responsibility

5.1 All front line staff answering telephone calls direct from HFI tenants and leaseholders are responsible for ensuring they are satisfied with the identity of the caller and, where applicable, their authority to act on behalf of an HFI tenant or leaseholder, before disclosing any personal customer information.

5.2 Before any file is made available for inspection, a Team Leader or Customer Services Manager will check to ensure that no third party information is being disclosed.

5.3 Any resident who is dissatisfied with the results of any disclosure request or who believes our policy has not been followed may contact the Manager of the service to discuss further and resolve. If this is not successful the resident may register a complaint. See Homes for Islington's **Complaints, comments and compliments** leaflet.

5.4 If a resident is still dissatisfied after contacting the manager or registering a complaint they can seek legal advice or contact the Data Protection Commissioner's office. More information is available online at www.ico.gov.uk

6.0 Disclosing personal information on the telephone

6.1 HFI staff will use a checking system to ensure they are satisfied that the caller is who they say they are.

6.2 A tenant or leaseholder may request in writing to their area office or the Home Ownership team that a close relative or carer is permitted to contact HFI on their behalf and receive confidential information.

6.3 A tenant or leaseholder may provide proof of power of attorney permitting Homes for Islington to disclose to that person confidential information.

6.4 If staff are not satisfied that the caller is the tenant or leaseholder, and there is no record of power of attorney or express permission by the tenant or leaseholder to disclose information to a close relative or carer, personal information will not be disclosed.

7.0 Accessing personal information held on file

- 7.1 All service users have a right, subject to an administrative fee of £10 to access any personal material held about them and receive a copy.
- 7.2 Access must be requested in writing along with a cheque for £10 made payable to Homes for Islington before any information is disclosed.
- 7.3 Any request from a solicitor, or other third party, acting on a resident's behalf will require the signed consent of the resident.
- 7.4 Upon receipt of the request and payment of the administration fee, HFI has 40 days to collate and check the information requested, as permitted in the Data Protection Act 1998.
- 7.5 When a request is made HFI will initially ascertain what information is being requested and make every effort to co-ordinate disclosure of all information at the most appropriate point of access.
- 7.6 HFI must remove any third party information before disclosing the contents of a file to protect the third party an example of third party information would be a complaint made against them by a neighbour (generally the name of the complainant would be removed but where the remaining information would still enable identification of the complainant the whole of the complaint would be removed). This is a requirement of the Data Protection Act 1998.
- 7.7 A specific appointment will be offered if the resident wishes to read the file in the office (the copy provided to the resident must have third party information removed and the identity of the resident must be confirmed). The file cannot be taken out of the office.

8.0 Disclosure of information without permission

- 8.1 There may be situations when information is disclosed to the local authority or other agency without express permission to address or prevent antisocial behaviour, or where failure to disclose could result in harm or distress to the tenant or leaseholder or the wider community.
- 8.2 Disclosure in these circumstances will be carried out in compliance with the requirements of the exceptions laid out in the Data Protection Act 1998.