

# Access to Information Policy & Procedures

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## Scottish Social Housing Charter Relevant Standard Outcomes

STANDARD	OUTCOME
<p><b>Section:- The customer/landlord relationship</b></p> <p>1. Equalities</p> <p>Social landlords perform all aspects of their housing services so that:</p> <ul style="list-style-type: none"> <li><i>every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services</i></li> </ul> <p>2. Communication</p> <p>Social landlords manage their businesses so that:</p> <ul style="list-style-type: none"> <li><i>tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.</i></li> </ul> <p>3. Participation</p> <p>Social landlords manage their businesses so that:</p> <ul style="list-style-type: none"> <li><i>tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.</i></li> </ul>	<p>This <b>outcome</b> describes what social landlords, by complying with equalities legislation, should achieve for all tenants and other customers regardless of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, or sexual orientation. It includes landlords' responsibility for finding ways of understanding the rights and needs of different customers and delivering services that recognise and meet these.</p> <p>This <b>outcome</b> covers all aspects of landlords' communication with tenants and other customers. This could include making use of new technologies such as web-based tenancy management systems and smart-phone applications. It is not just about how clearly and effectively a landlord gives information to those who want it. It also covers making it easy for tenants and other customers to make complaints and provide feedback on services, using that information to improve services and performance, and letting people know what they have done in response to complaints and feedback. It does not require landlords to provide legally protected, personal or commercial information.</p> <p>This <b>outcome</b> describes what landlords should achieve by meeting their statutory duties on tenant participation. It covers how social landlords gather and take account of the views and priorities of their tenants, other customers, and bodies representing them such as registered tenant organisations; how they shape their services to reflect these views; and how they help tenants, other customs and bodies representing them</p>

	such as registered tenant organisations to become more capable of involvement – this could include supporting them to scrutinise landlord services.
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**Scottish Housing Regulator Regulatory Framework**

<b>STANDARD</b>	<b>GUIDANCE</b>
<p><b>2</b> The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.</p>	<p><b>2.1</b> The RSL gives tenants, service users and other stakeholders information that meets their needs about the RSL, its services, its performance and its future plans.</p> <p><b>2.2</b> The governing body recognises it is accountable to its tenants, and has a wider public accountability to the taxpayer as a recipient of public funds, and actively manages its accountabilities. It is open about what it does, publishes information about its activities and, wherever possible, agrees to requests for information about the work of the governing body and the RSL.</p>

# **ACCESS TO INFORMATION POLICY & PROCEDURES**

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# ACCESS TO INFORMATION POLICY & PROCEDURES

## 1. INTRODUCTION

- 1.1 Lochalsh and Skye Housing Association is committed to promoting and actively developing a culture of openness, transparency and accountability in respect of all its activities. The Association is also committed to developing and continuously improving accessibility for our members, tenants, sharing owners, service users, stakeholders, employees, former employees and others who may require information about the Association, our plans, services and performance and any personal data we hold.
- 1.2 This policy has been established to ensure that the Association can meet these commitments whilst also ensuring that we comply with the Data Protection Act 1998 as amended; the General Data Protection Regulations (EU) 2016/679; the Privacy and Electronic Communications (EC Directive) Regulations 2003 and any amendments thereto and the Data Protection Act 2018, in addition to any identified need to maintain commercial confidentiality where appropriate.
- 1.3 For the purposes of this policy, information **held** by the Association includes not only information created by us and our agents, but also information in our possession which originated from outside organisations or from individuals and their agents.

## 2. INFORMATION TO BE PROVIDED

- 2.1 In general, the Association will provide any information regarding its governance, services, policies and procedures and performance unless the release of the information would breach the Data Protection Act, the General Data Protection Regulations and other associated legislation and regulations or commercial confidentiality considerations. Specific information to be provided includes the following:-

### 2.1.1 Governance and Accountability

- Our Rules
- Our aims and objectives
- Becoming a member of the Association Information Pack
- Becoming a member of the Management Committee Information Pack
- Our current Management Committee Members
- Management Committee Members Disclosures of Interests
- Staff Members
- Annual General Meeting Minutes
- Management Committee Minutes
- Association Contact Details

### 2.1.2 Performance Information

- Annual Report
- Annual Peer Group Report
- Annual Performance Information
- Annual Accounts
- Annual Return to Financial Conduct Authority
- Annual Return on the Charter Report
- Complaint Handling

### 2.1.3 Policies and Procedures

- All approved key documents

### 2.1.4 Tenant Information

- Tenant Handbook
- Right to Information and Consultation
- Right to Compensation
- Right to Repair
- Tenant Satisfaction Survey Information

### 2.1.5 General Information

- Details of the Services we provide and how to apply for these
- Newsletters
- Customer Services Charter
- Our property portfolio
- Rents and Charges
- Bribery Act Statement

### 2.1.6 Subject Access Requests

- Tenants/applicants/customers/employees/former employees have the right to access their information and their personal data which we hold and process.
- They can make the request verbally or in writing including by email.
- We will not charge a fee but if considered to be excessive or a repeat request we reserve the right to charge a fee. We may require to verify the requester's identity.
- We have one month in which to respond to a subject access request.
- Tenants/applicants/customers/employees/former employees in addition have the right to rectify the information/personal data we hold on them, have it erased where appropriate, may have the right to object to the processing of their data in certain circumstances and may have the right to have their data transferred

- 2.2 The Association will consult with and gather information from service users on the information that they consider should be provided and in what formats and timescales as appropriate. We will also record the level of information requests from service users.

### **3. INFORMATION FORMATS AND AVAILABILITY**

- 3.1 In accordance with the Association's policies and procedures, as much information as possible will be made available on-line on the Association's web pages in formats which are easy to read and efficient to access and download if required. It will also be made available on social media formats where possible.
- 3.2 Paper-based information will be made available in the Association's offices and particular publications (Housing Application Packs, Newsletters and Annual Reports) will be distributed to other local outlets to improve their availability throughout the area. Local outlets will also be used to advertise the availability of Association services through poster advertising.
- 3.3 Newsletters and Annual Reports will be mailed to all members, tenants, sharing owners and stakeholders on publication.
- 3.4 All information produced by the Association should be in plain English and easily understood. Graphics will be used where appropriate to enhance understanding of the information.
- 3.5 The Association will advertise the availability on request of information in other formats, eg on tape, in Braille, large print and community languages.
- 3.6 Requests from tenants/applicants/customers/employees./former employees for copies of information about them held by the Association will be processed strictly in accordance with the Association's Privacy Policy and Procedures.

### **4. CONFIDENTIALITY**

- 4.1 The Association is subject to the Data Protection Act 1998, the General Data Protection Regulations (EU) 2016/679, the Data Protection Act 2018 and the Privacy and Electronic Communications (EC Directive) Regulations 2003 and any amendments thereto but is not subject to the requirements of the Freedom of Information (Scotland) Act 2003 which provides a right of access by the public to information held by public authorities.
- 4.2 However, in order to achieve best practice, the Association will act in a manner consistent with the principles of the freedom of information legislation. Therefore, there will be a presumption that the Association will comply with all reasonable requests for information unless the provision of the information would result in a breach of confidentiality (including commercial confidentiality) or a breach of the General Data Protection Regulations.



- 4.3 It is not possible to produce a definitive list of all items considered confidential. The Association's Privacy Policy contains explicit advice on what data falls within the requirements of the Data Protection Act, the General Data Protection Regulations and associated amending legislation and regulations and how and in what circumstances this data can or cannot be released to third parties. In general, the personal confidentiality of tenants, residents, employees, former employees and members of the public must be respected. This means that names, addresses, details of family composition or economic status (or any other means of identification) of individuals must not be disclosed in Committee reports or minutes or in any other way divulged to a third party other than staff members with a "need to know" requirement.
- 4.4 All data records (both paper and electronic) must be maintained securely to preserve confidentiality in accordance with the Association's Privacy Policy.
- 4.5 Any breach of confidentiality whether deliberate or inadvertent will be treated seriously and acted upon rigorously. Breaches of confidentiality may result in the Association's disciplinary procedures being used and staff or Committee members being warned or dismissed and may also require to be reported to the Information Commissioner's Office.

## **5. TIMESCALES FOR THE PROVISION OF INFORMATION**

- 5.1 By maximising the availability of published information on our web pages and the continued publication of printed matter for display in our offices, it is anticipated that the vast majority of information requests can be dealt with immediately on request.
- 5.2 Information which is not readily available in the foregoing formats will be provided within 5 working days of request unless the request concerns additional or complex information which may require to be obtained from a variety of sources in which case the request will be acknowledged within 5 working days and responded to within 10 working days. The provisions of the General Data Protection Regulations require that for data access requests we have one month within which to respond.
- 5.3 Actual timescales for responding to information requests will be monitored for service improvement purposes.

## **6. COST OF THE PROVISION OF INFORMATION**

- 6.1 The costs associated with the provision of information will be monitored through the Association's usual budgetary procedures. No charge will be made for the provision of any of the information detailed in this policy provided that the information request is reasonable. Unusual requests (eg multiple copies of documents) may require to be referred to the Management

Committee to consider whether the request has budgetary implications and a charge should be attached to the request.

7. **REVIEW**

- 7.1 This document will be reviewed by the Management Committee or Sub-Committee set up for that purpose in accordance with the requirements of the Association's Register of Policies and Procedures.
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