

Please describe the information you seek together with any other relevant information that you think may help us to identify the information you require.

(Continue on a separate sheet if required)

Please sign and date this information request:

Signature:

Date:

Please return the completed form to your local Housing Executive office, or to 'The Records Manager', NIHE, 2 Adelaide Street, Belfast, BT2 8PB

Please make sure you enclose the following with this application;

- evidence of your identity
- evidence of the Data Subject's identity (if different from above)
- authorisation from the Data Subject to act on their behalf (if applicable)
- payment of the £10 Subject Access fee

However, if the information requested contains reference to a third party, the Housing Executive will decide whether it is reasonable to do so before releasing the information. Certain categories of information are also exempt from the Subject Access provisions of the Data Protection Act and cannot be disclosed.

Can I have the decision reviewed?

Yes, the Housing Executive has a two-stage Internal Review procedure and if you are dissatisfied with the Housing Executive's decision in response to your request, you can ask to have the decision reviewed. A senior officer will carry out the review by considering all of the information requested.

If you are dissatisfied with the outcome of the Internal Review you may request a Further Review which will be carried out by a senior officer who will be independent of the original decision and the Internal Review.

If you remain dissatisfied with the outcome of the Further Review you may raise your complaint with the Information Commissioner.

How long should it take to obtain the information?

The Housing Executive must respond to your written request within 40 days of receipt provided you have given sufficient particulars to facilitate processing your request.

Are there any costs involved?

The Act entitles the Housing Executive to charge a maximum fee of £10 for responding to a Subject Access Request. Payment of the £10 fee should accompany your request and the preferred method of payment is by cheque made payable to 'The Housing Executive'. We will be unable to process your request until payment has been received.

Disclaimer

This leaflet offers basic guidance on your rights under the Act and is not intended to provide an authoritative interpretation of the law relating to Data Protection; only the Courts can do that. If you need advice or guidance on this complex issue you should contact your local Citizens Advice Bureau or the Office of the Information Commissioner (address and telephone below).

Useful Contacts

Citizens Advice Bureau:
<http://www.citizensadvice.org.uk/>

Information Commissioner:
<http://www.ico.gov.uk/>
Tel: 030 3123 1113

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

www.nihe.gov.uk
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Housing
Executive

The Data Protection Act



YOUR RIGHTS

What is the Data Protection Act?

The Data Protection Act 1998 (the Act) came into force on 1st March 2000 and allows you, as a Housing Executive customer, certain rights to access information held about you by the Housing Executive. The Act establishes rules for processing personal information and now applies to most paper records including housing, grants, Housing Benefit etc as well as those held on computer.

The Housing Executive is obliged to comply with the Act and, therefore, must ensure that handling of all personal information is managed in accordance with the **Data Protection Principles** (see below).

Purposes of processing

The Housing Executive currently processes personal information for the purposes of its statutory functions which include our role:

- as landlord
- as grants authority
- under the Statutory House Sales Scheme
- as homeless authority
- as Housing Benefit authority
- as HMO regulator

In addition, the Housing Executive processes various personal information for general purposes:

- staff administration
- advertising
- marketing
- public relations
- accounts and records
- grant and loan administration

- consultancy and advisory services
- crime prevention and prosecution of offenders
- legal services
- property management
- research

Categories of recipients

The Housing Executive discloses personal information for processing purposes to a number of recipients:

- its staff
- agents and contractors
- other social landlords
- other public authorities
- public representatives
- its legal advisers

What rights do I have in relation to the Act?

You have a number of rights:

- the right of Subject Access i.e. to find out what information is held about you on computer and on most paper records
- the right of rectification, blocking, erasure and destruction of information by application to the Court
- the right to prevent processing in some cases where the processing of the data is likely to cause substantial unwarranted damage and/or distress to you or anyone else
- the right to prevent your information being used for direct marketing purposes
- the right to compensation for damage and/or distress caused by any breach of the Act
- rights in relation to automated decision making

What are the relevant Data Protection principles?

Personal data held about you:

- must be fairly and lawfully processed
- processed for limited purposes and not in any way incompatible with those purposes
- adequate, relevant and not excessive
- Accurate and kept up to date
- not kept for longer than is necessary
- processed in line with your rights
- secure

How do I request access to information held about me?

Complete the Subject Access Request Form attached, providing sufficient information to enable staff to locate the specific personal data.

Return the signed and completed form to your local Housing Executive office together with:

- evidence of identification for example: Driving License/Medical Card/a benefit form/ Passport
- payment of the £10 Subject Access Fee

Will I be able to access all information held about me?

The Data Protection Act 1998 gives all individuals who are the subject of personal data ('Data Subjects') a general right of access to personal data which relates to them. Personal data can be contained on manual file or computer.

The Data Subject is not entitled to a copy of the information held if the supply of such a copy is not possible or would involve "disproportionate effort".

Subject Access Request Form - Data Protection Act 1998 Request for access to personal information

Details of person requesting the information:

Full Name:

Address:

Telephone Number:

Email address:

Are you the Data Subject (is the information about you)?

Yes: If the information is about you, please supply evidence of your identity, e.g. something bearing your signature such as copy driving license or passport.

No: Are you acting on behalf of the Data Subject (you must have their written authority)? If so, that written authority must be sent to us. (Please complete question 3)

Details of the Data Subject (If different from the person requesting the information)

Full name:

Address:

Telephone Number:

Email Address: