

Data Protection Policy

DP-25 v5.0

1. Introduction



The UK Data Protection Act 2018 (DPA)/UK General Data Protection Regulations (GDPR) 2018 and Data Use and Access Act (DUAA) 2025 defines UK law on the processing of data of identifiable living people. These are the main pieces of legislation that governs the protection of personal data in the UK.

- 1.1 Personal data is defined in the UK DPA 18 as:

‘Any information relating to an identified or identifiable natural person (living data subject); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person’.

- 1.2 Where the term ‘DPA’ is used in this policy it encompasses both the UK GDPR 2018 and the DUAA 2025.
- 1.3 Nuplace Ltd is committed to protecting the privacy of individuals and handles all personal information in a manner that complies with the UK DPA 18. It is the personal responsibility of all employees (whether temporary or permanent), directors, contractors, agents and anyone else processing information on behalf of Nuplace Ltd to comply with this policy.

As a provider and manager of rented homes, Nuplace processes personal information relating to customers, applicants, tenants, contractors, suppliers and employees. Nuplace is committed to ensuring that such information is handled lawfully, securely and transparently.

- 1.4 Any deliberate breach of this policy could amount to a criminal offence under one or more pieces of legislation, for example the Computer Misuse Act 1990 and the DPA 18. All breaches under any associated legislation will be investigated and appropriate action taken.

- 1.5 This policy explains Nuplace Ltd's expectations when personal information is being processed and should be read in conjunction with any associated information security and information governance policies adopted by Nuplace Ltd.

2. DPA 2018 - Principles

- 2.1 The DPA 18 is supported by a set of 6 principles which **must** be adhered to whenever personal information is processed. Processing includes obtaining, recording, using, holding, disclosing and deleting personal information.

- 2.2 The DPA 18 principles state that personal information must:

Be processed fairly, lawfully and transparently	Be obtained for a specified, explicit and legitimate purpose	Be adequate, relevant and limited to what is necessary
Be accurate and where necessary up to date	Not be kept longer than is necessary	Be handled ensuring appropriate security

- 2.3 There is a further principle known as the Accountability Principle. This requires Nuplace Ltd to be able to demonstrate compliance with the UK GDPR, Data Protection Act 2018 and Data (Use and Access) Act 2025. Nuplace Ltd's Data Protection Officer undertakes an annual review to support compliance with this principle. See Section 12 for further information.

3. Access and use of personal information

- 3.1 Access to, and use of, personal information held by Nuplace Ltd is only permitted by employees (whether temporary or permanent), directors, contractors, agents and anyone else processing information on behalf of Nuplace Ltd for the purpose of carrying out their authorised duties and responsibilities. Access to, or use of, personal information for any other purpose is prohibited. Deliberate unauthorised access to, use of, copying, destruction, alteration of, or interference with personal information is strictly forbidden.

4. Collecting Personal Information

- 4.1 When personal information is collected, for example through a questionnaire, survey or application form, the individual concerned (the "data subject") must be informed. This is known as a Privacy Notice. Privacy Notices must explain how personal information will be collected, used, stored, shared and retained by Nuplace Ltd. Advice on the content of Privacy Notices can be obtained from Nuplace Ltd's Data Protection Officer.
- 4.2 Personal information collected must be adequate, relevant and limited to what is necessary for the purpose for which it is collected. A person's name and other identifying information should not be collected where anonymous information would

be sufficient. Privacy by design should always be considered when processing personal data, including data minimisation and, where appropriate, anonymisation.

- 4.3 If the information is collected for one purpose, it cannot then be used for a different and unconnected purpose without the data subject's consent unless there is another lawful basis for using the information (see section 5 below). It must be made clear to the 'data subject' all the purposes that their information may be used for **at the time the information is collected**.

5. Lawful Basis for Processing

- 5.1 When Nuplace processes personal information, it must have a lawful basis for doing so. The DPA 18 provides a list of 'conditions' to meet when processing personal or 'special category' personal information. This is contained within Article 6 and Article 9 of the regulations (**see Appendix 1**).
- 5.2 The DPA 18 defines 'special category' personal information as information relating to:
- race and ethnic origin
 - political opinion
 - religious or philosophical beliefs
 - trade union membership
 - processing of genetic/biometric data to uniquely identify a person
 - physical or mental health or medical condition;
 - sexual life
- 5.3 Whenever the Nuplace processes personal information, it must be able to satisfy at least one of the conditions in Article 6 of the DPA 18/GDPR and when it processes 'special category' personal information; it must be able to satisfy at least one of the conditions in Article 9 of the DPA 18/GDPR as well.
- 5.4 Nuplace can process personal information if it has the data subject's consent (this needs to be 'explicit' when it processes sensitive personal information). In order for consent to be valid it must be 'fully informed' which means the person giving consent must understand what they are consenting to and what the consequences are if they give or refuse consent. Consent must not be obtained through coercion or under duress and should be recorded.

6. Disclosing Personal Information

- 6.1 Personal information must not be given to anyone internally or externally, unless the person giving the information is fully satisfied that the enquirer or recipient is authorised in all respects and is legally entitled to the information.
- 6.2 If personal information is given to another organisation or person outside of the Nuplace, the disclosing person must identify the lawful basis for the disclosure (see section 4 above) and record their reasoning for using this basis. This record as a minimum should include;
- a description of the information given;

- what steps have been taken to only share the minimum amount of personal data
- the name of the person and organisation the information was given to;
- the date;
- the reason for the information being given; and
- the lawful basis.

- 6.3 If an information sharing agreement or protocol exists, this should be adhered to when providing personal information to others. The agreement/protocol will provide the legal basis for disclosure.
- 6.4 In response to any lawful request, only the minimum amount of personal information should be given. The person giving the information should make sure that the information is adequate for the purpose, relevant and not excessive.
- 6.5 When personal information is given either externally or internally, it must be communicated in a secure manner. For external communications use TLS enabled email or the Secure Communications System (SCS), special delivery or courier, etc. For internal communications either hand deliver or, if you must share by email, then you should take steps to ensure that you email the information to the correct recipient.

7. Accuracy and Relevance

- 7.1 It is the responsibility of those who receive personal information to make sure, so far as is possible, that it is accurate and up to date. Personal information should be checked at regular intervals, to make sure that it is still accurate and up to date. If the information is found to be inaccurate, steps must be taken to put it right. Individuals who input or update information must also make sure that it is adequate, relevant, clear and professionally worded.
- 7.2 'Data subjects' have a right to access personal information held about them and have errors corrected. More information about a 'data subject's' rights can be found in Section 9 of this policy.

8. Retention and Disposal of Information

- 8.1 Nuplace holds a large amount of personal information. The DPA 18 requires that we do not keep personal information for any longer than is necessary. Personal information should be checked at regular intervals and deleted or destroyed securely when it is no longer needed, provided there is no legal or other reason for holding it.
- 8.2 Records must be retained and disposed of in accordance with Nuplace Ltd's approved retention schedule and any applicable legal or regulatory requirements.-

9. Individuals Rights

- 9.1 Individuals have a number of rights under DPA 18. These include:
- **The right to be informed** – See section 4 - Collecting Personal Information

- **The right to access** – A person can ask for a copy of personal information held about them (this is known as a Subject Access Request - SAR);
- **The right to rectification** – Personal data can be rectified if it is inaccurate or incomplete
- **The right to erasure** – Person can ask for the deletion or removal of personal data where there is no reason for its continued processing
- **The right to restrict processing** – Person has the right to block or suppress processing of their personal data
- **The right of data portability** – Allows a person to obtain and reuse their personal data for their own purposes
- **The right to object** – A person can object to an organisation processing their personal data for direct marketing, on the basis of legitimate interests or for scientific/historical research and statistics
- **Rights related to automated decision making/profiling** – A person can ask for human intervention in an automated process

9.2 If any Nuplace service receives such a request on any of the above matters they should seek advice from the Data Protection Officer or nominated Data Protection Lead.

9.3 Nuplace has one calendar month in which to respond to a subject access request (SAR) – that is a request for information that Nuplace holds on an individual - provided the applicant has put their request in writing by completing a subject access request form and suitable proof of identification has been supplied. An extension of a further 1-2 months will be applied where a request is deemed complex. The Data Protection Officer co-ordinates the processing of all SAR requests and individual service areas **must not** send information directly to the individual in response to a SAR - **see Appendix 2** for a copy of the SAR form.

10. Right to Complain

- 10.1 The DUAA 25 requires Nuplace to have a complaints process in place where a data subject can make a complaint to Nuplace about its processing of their personal data.
- 10.2 A data subject can make a complaint by completing the template on Appendix 3. Nuplace will acknowledge receipt of the complaint with 30 days and process the complaint without undue delay.
- 10.3 Nuplace will keep the data subject informed of progress made in respect to investigating their complaint.
- 10.4 Once Nuplace completes its investigation, it will provide the complainant with the outcome of its investigation.
- 10.4 If following this complaints process the complainant remains dissatisfied, you have the right to refer the matter to the Information Commission. Please note the Information Commission require the data subject to go through Nuplace data protection complaint process prior to contacting them with the referral.

11. Reporting Security Incidents

- 10.1 Nuplace has a responsibility to monitor all incidents that occur within the organisation that may breach the security and/or the confidentiality of its information. All incidents need to be identified, reported, investigated and monitored. It is only by adopting this approach that Nuplace can learn from its mistakes and prevent losses recurring.
- 10.2 Specific procedures have been developed for the reporting of all information security incidents. It is designed to make sure that all relevant information is communicated correctly so that timely corrective action can be taken. The documents below need to be read, understood and followed:
- [Information Security Breach Procedure](#)
 - [HR Guidance for investigation a data breach](#)
- 10.3 All employees (permanent, temporary) and contractors must be aware of the procedures and obligations in place for reporting the different types of incidents which may have an impact on the security of Nuplace's information. It is the responsibility of contract managers to ensure that contractors are aware of their responsibilities under this policy.

12. Data Protection Officer

Nuplace Ltd has appointed a Data Protection Officer (or Data Protection Lead) to oversee compliance with data protection legislation and act as a point of contact for the Information Commissioner's Office.

- 12.1 The Data Protection Officer has a number of legal duties that they must fulfil including:
- Inform and advise Nuplace of its obligations in respect to data protection
 - Monitor compliance with data protection legislation including awareness raising and training of staff
 - Provide advice on data protection impact assessments
 - Be a contact for the Information Commission
- 11.3 Nuplace current designated Data Protection Officer is Rob Montgomery. They can be contacted at IG@telford.gov.uk

13. Accountability

- 13.1 The DPA 18 requires Nuplace to have appropriate measures and records in place to demonstrate compliance with the Act.

Nuplace maintains appropriate policies, procedures, records and governance arrangements to demonstrate compliance with data protection legislation.

- Having appropriate policies in place
- Following data protection by design and default
- Using data processing agreements in contracts

- Maintaining records of processing activities
- Implementing technical and organisational security
- Managing data breaches
- Completing data protection impact assessments
- Having an appropriately skilled and knowledgeable Data Protection Officer

Article 6 Conditions – Personal Data

Nuplace **must** be able to satisfy at least one of these requirements in order to process personal data.

- (a) the data subject has given consent to the processing of their personal data for one or more specific purposes;
- (b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- (c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- (d) processing is necessary in order to protect the vital interests of the data subject;
- (e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- (f) processing is necessary for the purposes of the legitimate interests pursued by a controller, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child. **This shall not apply to processing carried out by public authorities in the performance of their tasks.**

Article 9 Conditions – Special Category Data

Nuplace **must** also satisfy at least one of these requirements if processing 'special category data' (see section 5.2 above for a reminder of what is special category data).

- (a) the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;
- (b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;
- (c) processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- (d) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political,

philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;

- (e) processing relates to personal data which are manifestly made public by the data subject;
- (f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- (g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject;
- (h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3;
- (i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;
- (j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.



Telford & Wrekin
Co-operative Council

Protect, care and invest
to create a better borough

UK Data Protection Act 2018 – UK General Data Protection Regulations 2018 – Data Use and Access Act 2025 Data Subject Right of Access to Personal Data

SUBJECT ACCESS REQUEST FORM

Before completing this form, please note the following:

We should respond to your request within one calendar month unless it is deemed complex where up to an additional 2 month extension period will be applied as allowed by the Act. However, this period does not start until:

- a) We are satisfied about your identity
- b) You have provided enough detail to enable us to locate the information you are seeking
- c) You have provided clarification to any queries from Nuplace in respect to your request

Nuplace cannot provide you with any personal information about other individuals, including family members, unless you have the relevant power of attorney or you have parental responsibility for your child.

By law, Nuplace only has to undertake a reasonable and proportionate search for the information you have requested. If Nuplace believes your request is unreasonable and disproportionate it will inform you of this detailing the reasons for coming to this decision.

Please complete the following section of this form providing as much information as possible to help us deal with your request.



1.	Provide details of the person about whom Nuplace is holding data (the Data Subject).	
	Full Name (Print) _____ Date of Birth _____	
2.	Please provide current address of data subject.	Please provide previous address of data subject (if less than 3 years at current address).
	Address: _____ _____ _____ _____ Post Code: _____	Address: _____ _____ _____ _____ Post Code: _____
3.	Are you requesting information about yourself (data subject referred to in question 1)? If YES then go to question X, if NO please complete the following:	
	Full Name (Print) _____ Present Address _____ _____ _____ Post Code _____ Telephone Number _____ Email Address _____ What is your relationship with the data subject and give a brief explanation why you are requesting this information rather than the data subject? _____	

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NOTE: If you are acting on behalf of the data subject you will need to enclose their written authority including a signature or other legal documentation (e.g. power of attorney) to confirm this request. You also need to enclose evidence of your identity and that of the data subject (see section 5 for details of acceptable identity).

4.	Please provide a clear description of the information that you are requesting, see table below. If you provide specific details of what information you want, e.g. name of a document relevant to a time period rather than just the whole of your file you may receive a quicker response.		
	Description of Information	Nuplace Service Holding This Information	Time Period for Information Requested

5.	Please provide two pieces of evidence of your identity (one containing a photo). Acceptable types of documents used to verify your identity are detailed below.
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Driving Licence	Passport	National ID Card	Medical Card	Utility Bill
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NOTE: All information in respect to your request will be sent to you via secure email unless you make alternative arrangements with Nuplace. We may require further evidence of your identity if you collect your information from Darby House.

Declaration

To be completed by all applicants. Please note that any attempt to mislead Nuplace may lead to prosecution.

I (insert name) _____

certify that the information given on this application form and any attachments therein is accurate and true

I understand that it is necessary for Nuplace to confirm my identity and it may be necessary to obtain more information in order to locate the correct information requested.

Signature _____

Date _____

Return of this form

If you are posting your documents or hand delivering them then our address is detailed below:

Nuplace Ltd
Legal Services
Darby House
Telford
Shropshire
TF3 4JA

Alternatively, our email address is: info@nupalce.co.uk

Data Protection Act 2018/Data Use and Access Act 2025 Data Protection Complaint Form

Nuplace has a data protection complaints process that allows individuals to complain to Nuplace about its processing of their personal data.

Nuplace will acknowledge your complaint within 30 days of receipt and will keep you informed of the progress of investigating the complaint. Nuplace will look to respond to your complaint without undue delay.

Please complete the following sections of this form providing as much information as possible to help us deal with your request.

Full Name		Date	
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Nuplace Department/Officer related to your complaint (if known)	
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Please describe the nature of your complaint in as much detail as possible

What do you want to happen as a result of this complaint.