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1. Policy Objectives

- 1.1 This policy sets out Peabody's approach to collecting, recording and maintaining information about residents' language, diversity and disability needs. This information is vital in ensuring that all residents can understand and have full access to Trust services. This policy applies to Peabody's general needs residents.
- 1.2 This information enables Peabody to provide services that are tailored to residents' needs. It also enables Peabody to monitor service delivery to ensure that Trust staff, policies and processes are non-discriminatory and sensitive to cultural diversity and the needs of different communities and religions.
- 1.3 The aims of this policy are to:
 - set out what personal information Peabody will record taking into account regulatory expectations and best practice and the reasons for holding this information;
 - set out how personal information will be used to ensure services are tailored to meet residents' needs;
 - identify the mechanism for collecting and maintaining this information from both existing residents and new applicants to Peabody;
 - ensure residents can access further help and support where a need has been identified (see [Vulnerable Residents Policy](#));
 - make information which affects how a resident may need or receive a service available to relevant staff; and
 - ensure that all information is regularly reviewed and managed in accordance with the Data Protection Act.

2. Relevant Legal and Regulatory Information

Data Protection Act 1998

- 2.1 Under the terms of the Data Protection Act (DPA) 1998 personal information about residents is likely to be 'sensitive personal data'. The Act states that the collection, recording, use and sharing of such information is defined as "processing". The DPA requires that, for sensitive personal data to be processed, at least one of the conditions set out in Schedules 2 and 3 of the Act must apply. The conditions which are most likely to apply to the collection of this information are:
- where the resident (data subject) has given his/her consent to the processing of the information
 - where the processing of the information is in the legitimate interests of Peabody or a third party to whom, the data are disclosed
 - to protect the vital interests of the resident in a life or death situation
 - where it is necessary for Peabody to processing the information in order to comply with a legal obligation (such as one under health and safety legislation, to protect its staff from harm)
- 2.2 Whilst all of the conditions provided by the DPA are equally valid in law, it is considered that the most robust basis for processing information (from both the legal and ethical viewpoints) is where explicit consent is obtained from the data subject. Therefore, Peabody will ensure that this information is only recorded where explicit consent has been given by the resident.
- 2.3 Peabody is required by the DPA to provide residents with "fair processing information". This fair processing information will identify Peabody as the data controller, describe the information that is held by Peabody, the purpose for which it is held, identify any third parties with whom the information is likely to be shared and advise residents of their rights in respect of the information (as set out in the DPA). This fair processing information will be provided on the form that is used for that purpose.

Regulatory Code 3.5

- 2.4 The Regulatory Code states that housing associations must provide good quality housing services for residents and prospective residents:
- by being responsive to the individual characteristics and circumstances of residents; and
 - by providing high standards of customer care.
- 2.5 The guidance states that vulnerable and marginalised residents are provided with appropriate responsive housing services. Support and other care arrangements (including liaison with other agencies) are in place, where appropriate.

Diversity Key Line of Enquiry 31.2

- 2.6 KLOE 31 sets out the Audit Commission's expectations for an organisation delivering an excellent service which addresses the different needs that customers have. These expectations include the following.
- Having a clear understanding of its customer base, and local demographics using appropriate sources of information, including input from local partners.
 - Knowing the breakdown of residents by age, ethnicity, disability, gender, sexual orientation and faith, where residents are comfortable about disclosing this information, and other factors which are relevant.
 - Prioritising resources accordingly and adapting services appropriately.
 - Having a comprehensive database which sets out the preferred method of communication for each resident, and which have been agreed with them. This addresses issues of language, literacy, hearing and visual impairment and other forms of support in communication. This information should be highlighted on computer systems for the benefit of all staff and provided to contractors where appropriate.
 - Having an integrated computer alert system that alerts service providers to the needs of residents, and also enables staff to make judgements appropriate to the residents' needs.

3. Key Definitions

None

4. Policy

Resident Information

- 4.1 The information that Peabody aims to record about residents falls into the following three categories.
- Personal information.
 - Information about contact and communication.
 - Information about emergency and alternative contacts.
- 4.2 Peabody aims to record the following personal information.
- Gender
 - Ethnicity
 - Religion
 - Sexual Orientation
 - Disability in relation to hearing, sight or speech impairments.
 - Disability in relation to mobility and wheelchair use.
- Peabody may collect and record other personal information to assist in providing landlord services.
- 4.3 Peabody will record the following information about contact and communication.
- Preferred first language for written communication.
 - Preferred first language for verbal communication.
 - Preferred method of contact including use of any alternative formats, for example, large print or audio.
- 4.4 Peabody will record the following information about emergency and alternative contacts.
- Contact details of anyone who acts as an advocate on behalf of the resident including who this person is, for example, a family member or social worker.
 - Contact details in the event of an emergency including who this person is.
- 4.5 This information will be recorded for every general needs resident (including joint tenants). Information about disability will also be recorded for all household members as this may have an impact on how a service is provided.

Collecting the Information

- 4.6 Information will be collected through direct mailing to residents. This will ensure appropriate consent is given to record all personal data, this being on the basis of the fair processing information provided by Peabody. This will be supported by targeted follow up visits where necessary.
- 4.7 Information may also be flagged through day to day contact with residents. Where a member of staff flags the need for further investigation, a targeted visit will be carried out to confirm the information and get consent from the resident.

Recording the Information

- 4.8 All personal data will be securely held on Peabody's Customer Relationship Management system. Paper records will be retained for evidence of written consent where personal sensitive data has been given.

Accessing and Using the Information

- 4.9 Information which is relevant to how a service is delivered will be made available to all staff and contractors who are involved in providing that service.

- 4.10 Peabody will normally use this information in the following way but the uses to which information is put will be subject to any restrictions which residents confirm to Peabody when giving consent, except the DPA 1998 provides for the use of information despite residents' restrictions:

Information category	Information	Examples of how information will be used
Personal Information	Disability in relation to hearing, sight or speech impairments	Disability will be taken into account when a resident is requesting or receiving a service, for example, repair requests or access arrangements.
	Disability in relation to mobility and wheelchair use	
Contact and Communication (See Peabody's Communication Needs Policy)	Preferred method of communication	Staff and contractors will use this method when contacting residents (with the exception of legal notices, rent statements and Peabody Times)
	Preferred first language for written communication	
	Preferred first language for verbal communication	
Alternative and Emergency Contacts	Emergency contact details	Staff and contractors will contact the person named in an emergency, for example, immediate access is needed to the property and the resident cannot be contacted.
	Contact details for an advocate	Staff and contractors will contact the person named as an advocate as well as the resident or instead of the resident depending on the resident's preference.

- 4.11 The advice of the Policy Team or Company Secretary should be sought if there is any doubt as to the legitimacy of certain uses for recorded information about particular residents or more generally.
- 4.12 All information which is recorded will also be used for monitoring purposes to ensure that services are provided in a non-discriminatory way and to profile estates to develop and tailor services more appropriately.
- 4.13 This information may also be used to confirm or verify a resident's identity to ensure information is only provided to the tenant or an authorised person and to identify illegal occupancy. ([See Non Tenants Policy](#))

Maintaining the Information

- 4.14 This information will be checked every two years with a direct mailing to every resident. Information will also be audited as part of day to day service delivery and will be updated in the event that a resident advises Peabody of changes to the information recorded. Where a resident asks Peabody to cease holding and using certain information, Peabody will normally comply unless there are grounds under the DPA 1998 to continue the processing, and the advice of the Policy Team or Company Secretary should be sought in such situations.

5. Monitoring

- 5.1 Information collected under this policy will be used by other service areas to monitor service delivery and identify trends for service development including reporting on performance by household profile, for example, lettings by ethnicity and age.

6. Relevant Procedures

None.

7. Relevant Policies

[Vulnerable Residents Policy](#)

[Non Tenants Policy](#)

[Privacy and Confidentiality Policy](#)

[Communication Needs Policy](#)

8. Relevant Letters / Forms

[Resident Information Survey](#)

[Housing Application Form](#)