



Weymede Secretary on behalf of WRS  
100 Weymede  
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Dear Residents & Shareholders,

As Summer is hopefully approaching I write to advise of an important legal update in respect of Data Protection. You will no doubt have been inundated with requests from various websites, companies and organisation advising you of their Privacy Notices and how they will look after and use your personal data. Weymede as a Registered Friendly Society is no exception.

Whilst the information that we hold about residents and shareholders is limited and not shared except for specific purposes as detailed below, the committee is keen to assure residents and shareholders that we view our responsibilities seriously and are compliant for the purposes of GDPR – General Data Protection Regulations.

GDPR will come into effect as of May 25<sup>th</sup> 2018 and will affect every type of business and or organisation that processes, collates, and utilises personal information. The main points of the regulation are outlined in this update – further information and the full regulations may be accessed on the Information Commissioners Office website. [www.ico.org.uk](http://www.ico.org.uk)

WRS maintains and logs basic information and details of residents and shareholders, for the purposes detailed in point 2 below. The society does not hold any other personal information in terms of dates of birth, religion, sexuality, telephone numbers, occupation, financial status or ethnic origin. Additionally as Maintenance Charges are paid by Standing Order and not Direct Debit, we do not hold any of your bank details.

WRS does not share names of residents amongst the general population of the estate although residents are able to obviously communicate with each other via the Weymede Forum. Names of residents are only added to the forum and emailing list if we have your consent to do so by way of contacting the committee and requesting to be added.

WRS does not use cookies on its website and likewise does not and has no wish, to pass on or use any residents details for marketing purposes either within the society or externally.

### **The 8 Principles – SCHEDULE 1**

These are a fundamental component of the legislation. They state the acceptable conduct for the lawful management of personal data and will apply to all Data Controllers, in this case WRS. A significant change under GDPR is the ability of the Information Commissioners Office to take enforcement action should a Data Controller be found to be non compliant or in contravention of the 'rules' Whilst it is noted that there may be specific aspects of the processing of personal data that may be exempt from the Principles, it is unlikely that these will affect the society.

1. **Fair and Lawful Processing** – Weymede Residents Society - WRS will adhere to the processing standards for personal and sensitive data and will have consent / explicit consent to process such data.
2. **Process Data for Limited Purposes** – WRS will define for what purpose the data is being collected and used – to monitor the payment and recovery of maintenance charges, to address breaches of the restrictive covenants, to maintain a ledger of shareholders / homeowners and to advise residents of any pertinent matters relating to the management of Weymede.
3. **Ensure that Data is Adequate, Relevant and not Excessive.**
4. **Accurate** – all data and records held by WRS shall be True, Relevant, Accurate and Concise. They will record facts and will not contain irrelevant personal opinion.
5. **Data will not be kept for longer than is necessary .**
6. **Data will be processed in accordance with the rights of Data Subjects and in accordance with the 7 principles.**
7. **Data will be kept secure** – all information belonging to WRS will be safeguarded by the Committee. All and any information will be maintained under secure conditions. Ledgers and records will be password protected for committee members and will apply to all databases contained therein. Access to information and databases will be appropriate to committee role and responsibility and on a ‘need to know’ basis.. Equipment used by committee members will be password protected and paper documents that are no longer needed shall be securely shredded.
8. **Data shall not be transferred outside of the EEA without adequate protection** – any data shall be checked before being transferred outside of the European Economic Area. This is unlikely to affect WRS, it should however be noted that the UK’s exit from the EU will have no impact on the GDPR and all aspects will continue to apply.

### **The 7 Rights of Data Subjects**

1. **The Right to Subject Access** – individuals are allowed to find out what information is held them on IT systems and within some manual paper records – Section 7 DPA
2. **The Right to Prevent Processing** – Data Subjects can request that the Data Controller does not process information relating to him or her that may cause substantial unwarranted damage or distress to them or somebody else. Section 10 DPA. This does not apply in the case of providing evidence in the pursuit of legal jurisdiction or criminal proceedings.
3. **The Right to Prevent Processing for Direct Marketing** – anybody may request that personal information is not used for marketing purposes. WRS does not exchange personal information for marketing purposes.
4. **Rights in Relation to Automated Decision Making** – individuals have the right to object to decisions made by automatic means and where there has been no human involvement.
5. **The Right to Compensation** – individuals may claim compensation from a Data Controller for any damage and distress caused by a breach of the Act. Compensation for distress may claimed only in certain circumstances.
6. **The Right to Rectification, Blocking, Erasure and Destruction** – individuals may apply to a Court for an order to be made to rectify, block or destroy personal details if they are inaccurate or contain expressions of opinion based on inaccurate information.
7. **The Right to ask the Information Commissioners Office to Assess whether the Act has been Contravened** – if an individual believes that their personal information has not been processed in accordance with the DPA they may ask the ICO to make an assessment. If the Act is found to have been breached and the matter cannot be settled informally, then the ICO may serve and enforcement notice on the Data Controller.

## Exemptions under GDPR

Legal guidance from the Information Commissioner has identified 23 areas of exemption these include :

1. Matters of National Security
2. Crime and Taxation – the prevention or detection of crime, the apprehension or prosecution of offenders or the assessment or collection of any tax or duty or of any imposition of a similar nature.
3. Health, Education & Social Work – section 30 of the Act provides that subject to an order by the Secretary of State bringing such provision into force and specifying the description of the data to which the exemption applies
4. Regulatory Activity
5. Special Purposes – defined as one of the following – the purposes of journalism, artistic purposes, literary purposes.
6. Research, History and Statistics – section 33 of the Act provides for various exemptions in respect of the processing or further processing of personal data for research purposes.
7. Information made available to the public by or under enactment
8. Disclosures required by law
9. Disclosures made in connection with legal proceedings
10. Domestic purposes

There are also miscellaneous exemptions including references given by the data controller, negotiations, corporate finance, examination scripts and marks, legal professional privilege.

Weymede is registered with the Information Commissioners Office.

If I can be of any further assistance or should you have any queries please do not hesitate to contact me.

With best wishes

Jane Goodman