

# Independent Living Privacy Policy

Originator:	Policy and Strategy Team
Executive Management Team Approval Date:	October 2018
Review date:	October 2021

1	Introduction
1.1	OVH aims to provide the highest standards of housing management. As part of this aim, OVH staff will respect the rights of all customers to enjoy privacy in their homes and in all dealings with OVH.
1.2	OVH realise that particular needs to be taken into account to respect customers' rights to privacy in situations where there are shared services and facilities, such as those found in properties where independent living services are delivered. Whilst the general principals of respecting customers' rights to privacy apply to all OVH customers, this Policy is particularly is relevant to customers living in and staff providing services to independent living housing.
1.3	<p>The application of this Policy ensures compliance with the outcomes of the Regulatory Framework for Social Housing in England, adopted by the Regulator for Social Housing (RSH) as outlined below:</p> <ul style="list-style-type: none"> <li>• Provide choices, information and communication that is appropriate to the diverse needs of their customers in the delivery of all standards</li> <li>• Treat all customers with fairness and respect</li> <li>• Demonstrate that they understand the different needs of their customers, including in relation to the equality strands and customers with additional support needs</li> <li>• Registered providers shall offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock</li> </ul>
1.4	<p>The policy meets the following OVH corporate aims:</p> <ul style="list-style-type: none"> <li>• To provide the environment to deliver business success</li> <li>• To provide homes that meet demand in safe and sustainable neighbourhoods</li> <li>• To provide excellent services that meet or exceed customers' and stakeholders' expectation</li> <li>• To make a positive impact in the communities in which we operate</li> </ul>

<p>1.5</p> <p>1.5.1</p> <p>1.6</p> <p>1.6.1</p> <p>1.6.2</p> <p>1.6.3</p> <p>1.7</p>	<p><b>Access and Communication</b></p> <p>OVH is committed to ensuring that our services are accessible to everyone. We will seek alternative methods of access and service delivery where barriers, perceived or real may exist, that may make it difficult for people to work for us or use our services.</p> <p><b>Equality, Diversity and Human Rights</b></p> <p>OVH is committed to ensuring that no person or group of persons will be treated less favourably than another person or group of persons and will carry out our duty with positive regard for the following core strands of equality; Age, Disability, Gender, Race, Transgender, Sexual Orientation, Marriage and Civil Partnership, Pregnancy and Maternity, Religion and/or Belief.</p> <p>OVH also recognise that some people experience disadvantage due to their socio economic circumstances, employment status, class, appearance, responsibility for dependants, unrelated criminal activities, being HIV positive or with AIDS, or any other matter, which causes a person to be treated with injustice.</p> <p>OVH will also ensure that all services and actions are delivered within the context of current Human Rights legislation. Staff and others with whom we work, will adhere to the central principles of the Human Rights Act (1998).</p> <p>This Policy has links to and should be read in conjunction with the following OVH Policies:</p> <ul style="list-style-type: none"> <li>• OVH Safeguarding Adults Policy</li> <li>• OVH Safeguarding Children Policy</li> <li>• General Data Protection Regulation (GDPR)</li> <li>• OVH Data Protection Policy 2018</li> <li>• OVH Information Management Policy</li> <li>• OVH Visitors to Schemes and Guest Room Policy</li> <li>• OVH Repairs and Maintenance Policy</li> </ul>
<p><b>2</b></p> <p>2.1</p> <p>2.2</p> <p>2.3</p>	<p><b>Statement of Intent</b></p> <p>OVH will comply with all relevant legislation, regulation and contractual obligations in determining and confirming the right of customers to privacy in the delivery of services</p> <p>OVH will take all reasonable and practical steps to ensure customers are able to discuss confidential matters and enjoy their tenancy rights in a way that ensures privacy, confidentiality and dignity are maintained at all times.</p> <p>OVH will maintain confidentiality in all information relating to individuals and their visitors and will only share information according to:</p> <ul style="list-style-type: none"> <li>• The provisions set out in the OVH Information Management Policy in line with the General Data Protection Regulation (GDPR) and Data Protection Act 2018</li> <li>• Any joint working or information sharing protocols developed as part of effective assessment and support provision</li> </ul>

	<ul style="list-style-type: none"> <li>When information comes to light that indicates the safety of individuals or communities may be at risk</li> </ul>
2.4	OVH staff will not initiate discussions that could take place in private in front of other customers or visitors including family unless the customer has clearly identified that they are happy for this to happen.
2.5	Staff will ensure discussions on housing action plans and other related incidents are carried out in a place where privacy and confidentiality is possible subject to customers' right to request a meeting or activities be carried out in a more public place.
2.6	Where activities are carried out in public e.g. accompanying a customer to a meeting then staff will take all possible precautions to ensure personal matters are not discussed in a way that breaches confidentiality or risks removing customers' dignity or right to privacy.
2.7	OVH respects the rights of individuals to make their own decisions and will empower them to do so as part of its approach to encouraging independent living. In all situations there will be an assumption of capacity unless circumstances or information indicate otherwise (defined by the Mental Capacity Act 2005 as being <i>unable to make a decision for him/herself because of an impairment of or a functioning of the mind or brain</i> ). When this situation occurs professional advice will be sought and an advocate used as appropriate.
2.8	If OVH staff become aware of any safeguarding concerns during the conduct of their duties they will make referrals in line with the provisions set out in the OVH Safeguarding Policies.

<b>3</b>	<b>Policy</b>
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3.1	For all customers that choose to live in its properties, OVH issues a tenancy agreement that outlines their rights and responsibilities for themselves or visitors to the self-contained elements of accommodation, any communal or shared areas and associated grounds or outside spaces.
3.2	OVH will advise all staff who work in purpose built retirement living accommodation, or visit independent living customers in accommodation with shared parts, to take extra care when having confidential conversations with customers and to ensure their right to privacy is protected.
3.3	OVH will also ensure the right to privacy relates to the facilities available in the self-contained parts of accommodation and the areas with shared facilities as set out below.
3.4	Within the self-contained parts of accommodation, OVH will provide facilities to ensure customers and their visitors can carry out personal activities and bodily functions in private and will only have to share facilities for sleeping, bathing, cooking or toileting where they choose to do so.
3.5	In Retirement Living accommodation where guest rooms are provided, the same facilities for sleeping, bathing and toileting will be provided, however, guests would be expected to use the facilities of the person they are visiting for cooking / eating (see the OVH Guest Room Policy for further details).

3.6	Within Retirement living accommodation OVH will also provide shared cooking facilities with the intention of increasing socialisation and enhancing the community spirit within schemes, although, this along with communal W.C.s are not intended to replace the facilities within the self-contained areas of accommodation.	
<b>4</b>	<b>Implementation</b>	
4.1	All staff have a responsibility to respect the privacy of customers they may be dealing with during the course of their duties.	
4.2	The scope of the Privacy Policy is, however, largely aimed at OVH staff who have responsibilities for delivering services to customers in independent living housing. This is due to the vulnerable nature of this client group and the sensitive and personal information that is held about these customers, for example personalised housing action plans.	
<b>5</b>	<b>Performance</b>	
5.1	There is currently no performance measure linked directly to privacy. Any complaints or reports of behaviour or actions that breach people's right to or expectations or privacy will be recorded through usual channels and relevant performance monitored accordingly.	
<b>6</b>	<b>Consultation</b>	
6.1	All staff have been consulted about the development of this Policy.	
6.2	The Tenants Policy Review Group were consulted in the development of this Policy on 09/10/2018.	
<b>7</b>	<b>Review</b>	
7.1	The Policy will be reviewed every three years (from the date of EMT approval) or more frequently in response to changes in legislation or regulation that affects the privacy issues in supported housing or as a result of system audits.	
<b>8</b>	<b>Equality Impact Assessment</b>	
8.1	Was a full Equality Impact Assessment (EIA) required?	No
8.2	When was EIA conducted and by who?	Equality Impact Assessment Relevance Test conducted by Independent Living Manager and Policy and Strategy Manager in 2015
8.3	Results of EIA	The EIA did not reveal any differential impact on any of the protected characteristics.

<b>9</b>			
<b>Scheme of Delegation</b>			
9.1	Responsible committee for approving and monitoring implementation of the policy and any amendments to it	Executive Management Team	
9.2	Responsible officer for formulating policy and reporting to committee on its effective implementation	Operations Director- Support Services	
9.3	Responsible officer for formulating, reviewing and monitoring implementation of procedures	Operations Director- Support Services	
<b>10</b>			
<b>Amendment Log</b>			
Date of revision:	Reason for revision:	Consultation record:	Record of amendments:
13 October 2015	In line with Review Schedule	See Section 6 above	<ul style="list-style-type: none"> <li>• Change of job titles throughout from 'Supported Housing Officers' to 'Independent Living Officer' to reflect staff restructure</li> <li>• Change of reference for 'Category 2 Schemes' to 'Retirement Housing Scheme</li> <li>• Corporate objectives have been replaced to take into account the updated Corporate Strategy</li> </ul>
16 October 2018	In line with Review Schedule	See Section 6 above	<ul style="list-style-type: none"> <li>• The term 'tenant' has been changed to 'customer' throughout the Policy</li> <li>• The whole Policy has been amended in line with current OVH business practices</li> </ul>