



CITYWEST HOMES

**Reply to:**

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Date: 28 April 2017

Dear Mr Shah,

**Freedom of Information Request 13761– Request for Review**

I am sorry you were dissatisfied with the responses sent to you and needed to ask for a review. I have been asked to review point 3 as requested by you in your e-mail dated 29 March.

**REVIEW POINT 3**

please explain the differences in your replies regarding leaseholders data in Brief Your Market to what Brief Your Market says online (point 9 on the link below) they say: 'We'll help you import your database and automatically remove any duplicate or incomplete addresses. We can import directly from an Excel spreadsheet or from any data management software you use. In addition, if you have a CRM (Customer Relationship Management) system, it can easily interface with BYM through a .net web service.' This is a complete contradiction to your response. Your response says Brief Your Market doesn't have our data, which at best, is misleading.

This means WCC + CWH have migrated our data to Brief Your Market without our authority AND our data is on either a 'CRM' or 'Excel' or both. It appears they have attempted to hide this on two occasions.

Please review your reply and provide the correct information regarding where all the leaseholder data is stored and what third parties the data has been given to without our authority, like Brief Your Market.

Please also explain why you have given out the wrong information twice even after a review."

The internal review of this case has found that:



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In letter dated 20 January, CWH provided you with the following response:

**Your question:** What software and marketing companies like Brief the Market are leaseholders contact details stored on or with, by the Westminster council or any of its subsidiaries like CityWest Homes and CityWest Homes residential?

**CWH response:**

Leaseholder contact details are not provided to or stored by third parties – *Brief Your Market* provide a software application which is used to produce flyers, and provide a fulfilment service to CWH in communicating with our customers.

You received another letter from CWH on 6 February 2017 which provided you with the following response:

**Your question:** All documents or copies of emails regarding permission given to CityWest Homes to send the leaseholder's contact details to companies like Brief Your Market

**CWH response:**

For ease of reference, as previously stated, leaseholder contact details are not provided to or stored by third parties – Brief Your Market provide a software application which is used to produce flyers, and provide a fulfilment service to CWH in communicating with our customers.

**Your question:** All documents or emails relating to this decision not allowing us to do opting in?

**CWH response:**

No specific document covers this request. However in delivering the services required under the management agreement between CWH and WCC, we believe the usage of Brief Your Market as fulfilment service to the leaseholders of CWH-managed properties is a fair and reasonable use of your personal details in accordance with ICO guidelines.

To reiterate, there has been no sharing of personal information between Brief Your Market and CWH – they have been simply used to publish CWR information on a broad

**Review outcome**

The review has found that the information provided to you by Company Secretarial Assistant, Askari Jafri on the 20 January and 6 February was incorrect.

I would like to apologise for this error, and can confirm that the person responsible for providing the information to Mr Jafri is no longer in the business. A thorough investigation is being undertaken to ensure that the correct information is given to our customers.

CityWest Residential, use Brief Your Market as a fulfilment service to send emails and newsletters (designed by CWR) to CityWest Homes leaseholders on their behalf.

Every 4-6 weeks, CityWest Residential provide Brief Your Market with a spreadsheet containing the names, addresses and e-mail addresses (where we have them) for WCC leaseholders. The data is used by



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Brief Your Market to send e-mails and newsletters on behalf of CWR. The data is only used to send information from CWR.

Brief Your Market store the data on a secure platform for 30 days. The data is stored for this time to help deal with queries, that may arise after a mailout has been completed. After the 30 days, the data is archived on a secure data platform to meet the requirements of ISO:27001.

Brief Your Markets are accredited with ISO:27001 an Information Security Management Standard, and under the standard for audit purposes, they are required to store data securely and on a separate platform for the duration of the contract. The data is deleted 28 days after the termination of the contract.

The review regards the way in which this information is being used as fair processing and we refer to the Fair Processing Notice, which sets out how personal data is handled. The information contained within this documents is referenced under section 52A (data sharing) of the Data protection Act.

CWH will only share personal data with those organisations that it is legally able to, and where sharing personal data is necessary we will comply with the Data Protection Act. For example, we may pass your personal data onto the people who provide the service for us, for example a repairs contractor. These providers are obliged to keep your details securely, and use them only to fulfil our request.

We will not use your information for third party marketing purposes, or pass it on to third parties, other than those who hold the data jointly, process the data on our behalf, or because of a legal requirement.

To conclude, the review has found that the information provided to you on both the 20 January and 6 February incorrect. I hope my explanation satisfies your enquiry and reassures you that CWH and CWR consider the use of personal data sharing very carefully, and follow strict guidelines on the handling of personal data.

Should you wish to opt out of Brief Your Market, please contact CWR on 0207 245 2222.



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Should you be dissatisfied with the outcome of this review you have the right to make a complaint to the Information Commissioner (ICO), pursuant to Section 50 of the FOIA. Generally the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Council.

The contact details are:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 01625 545 700

[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

Yours sincerely,

Lilian Eshun-Brown

**Quality Manager**