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Warning Flags Policy

1.0 Aim / Purpose of the Policy

- 1.1 In order to comply with the Health and Safety at Work legislation and the Data Protection Act 1988, Coastline Housing will use warning flags to alert staff and contractors to situations where by they may be at risk.
- 1.2 The Data Protection Act 1998 covers the use of Hazard Warning Markers in Schedule 2 in so far that it is necessary for compliance with any legal obligation, such as Sections 2 to 4 of The Health and Safety at Work Act 1974. Where sensitive personal information is used, such as alleged or convicted offences, the use of a Hazard Warning Marker needs to be justified against the criteria within Schedule 3 of the Act, i.e.
- It is necessary for the purpose of exercising or performing any right or obligation which is conferred or imposed by law, or
 - It is necessary in order to protect the vital interests of the data subject or another person.
- 1.3 Other provisions of the Data Protection Act 1998 are:
- All Warning Flags should be reviewed on a 6 Monthly basis, determining whether the warning flag is still appropriate, with any decisions fully recorded;
 - Personal data shall not be kept for longer than is necessary;
 - Only those members of staff who are likely to come into contact with an individual who has a Warning Flag on their record should have access to that information; and
 - The sharing of Warning Flag information with other organisations must be justifiable and defendable. This is also the case when receiving Warning Marker information from a third party for use by the Company.
- 1.4 The Health and Safety at Work Act 1974 places a duty on the employer to take reasonable steps to ensure the health, safety and welfare of all its employees and any other persons who may be affected by its undertaking. Therefore, a reasonable balance must be reached between the right to privacy on one side and the duty to protect others on the other side.

2.0 Background / Introduction

- 2.1 Coastline will ensure that the use of Warning Flags complies with all relevant legislation.
- 2.2 Warning Flags will commonly mean that two members of staff are required to carry out home visits to flagged individuals, or in extreme cases, that home visits are not appropriate without assistance from the Police.
- 2.3 The Warning Flag alerts are as follows:
- Drug or alcohol issues
 - Mental health issues

- Violent aggressive person
- Verbally aggressive person
- Vulnerability, female required
- Vulnerability, male required

The Warning Flag is a means of identifying potential issues to protect staff and contractors. The flag may relate to the customer or household members at the property.

- 2.4 The use of Warning Flags should be reasonable and proportionate; therefore any request for the implementation of a Warning Flag must follow the Warning Flag Procedure, completing the relevant request form. This is then reviewed by the Tenancy Manager and signed off by a relevant Senior Manager.
- 2.5 Customers and clients are entitled to request access to their personal information held by the Company. The Data Access Request Procedure explains the process by which customers and clients can request information
- 2.6 Customers behaving in a manner which requires a 'Warning Flag' may also be in breach of their tenancy and as such legal remedies including injunctions and possession may be sought.
- 3.0 Cross reference / working in partnership / inks to other Policies**
- 3.1 There is a procedure to support this document on Sharepoint and a CRM Workflow for the Warning Flag process