

## **Abertay Housing Association GDPR Fair Processing Notice (How we use your personal information)**

Abertay Housing Association Limited, a Scottish Charity (Scottish Charity Number SC030152), a registered society under the Co-operative and Community Benefit Societies Act 2014 with Registered Number 2517R(S) and having its Registered Office at 147 Fintry Drive, Dundee, DD4 9HE (“we/us/the Association”) is committed to protecting the privacy and security of your personal information.

This notice explains what information we collect about you, when we collect it and how we use this in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation, together with any domestic laws subsequently enacted (“Data Protection Legislation”). During the course of our activities we will process personal data (which may be held on paper, electronically, or otherwise) about you, and we recognise the need to treat it in an appropriate and lawful manner. The purpose of this notice is to make you aware of how we will handle your information. We have separate Privacy Notices for our Employees and Members of our Management Committee.

It is important that you read and retain this notice, together with any other notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information and what your rights are under the Data Protection Legislation.

### **Who are we?**

We are Abertay Housing Association. We are a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under the Data Protection Legislation to notify you of the information contained in this notice.

We take the issue of security and data protection very seriously and strictly adhere to the Data Protection Legislation. We have a Data Protection Lead who can be contacted at [queries@abertayha.co.uk](mailto:queries@abertayha.co.uk) or 01382 903545 or 147 Fintry Drive, Dundee, DD4 9HE. Any questions relating to this notice and our privacy practices should be sent to [queries@abertayha.co.uk](mailto:queries@abertayha.co.uk) or 01382 903545 or 147 Fintry Drive, Dundee, DD4 9HE.

The Association’s Data Protection Officer is RGDP LLP who can be contacted at [info@rgdp.co.uk](mailto:info@rgdp.co.uk)

### **How do we collect information from you?**

We collect information about you:

- when you apply for housing with us, become a tenant, request services / repairs, enter into a factoring agreement with ourselves howsoever arising or otherwise provide us with your personal details;
- when you apply to become a member;
- when you contact us, by whatever means, whether to report any tenancy / factor related issues, make a complaint or otherwise;
- when we contact you, by whatever means, whether to investigate any tenancy / factor related issues, make a complaint or otherwise;
- from your arrangements to make payment to us (such as bank details, payment card numbers, employment details, benefit entitlement and any other income and expenditure related information); and
- from your responses to satisfaction surveys.

## **What information do we collect?**

We collect the following information about you:

- Name;
- Address;
- Telephone number;
- E-mail address;
- Date of Birth;
- Gender;
- Ethnicity;
- Disability information;
- National Insurance Number;
- Next of Kin;
- Bank details;
- Employment details;
- Dependents details, including name, address, date of birth, National Insurance number, gender, disabilities, economic status, relationship to tenant, telephone number, e-mail address;
- Photographs and associated Permission forms;
- CCTV images;
- Sound recording data;
- Account information;
- Information provided or collected in investigating a complaint;
- Information provided or collected in investigating an anti social behaviour issue;
- Information provided or collected to assist with tenancy sustainment; and
- Information provided or collected to inform our decision as to whether a two person visit is required.

## **What information do we receive from third parties?**

We receive the following information from third parties:

- Benefits information, including awards of Housing Benefit / Universal Credit
- Payments made by you to us;
- Complaints or other communications regarding behaviour or other alleged breaches of the terms of your contract with us, including information obtained from Police Scotland;
- Reports as to the conduct or condition of your tenancy, including references from previous tenancies, and complaints of anti-social behaviour;
- Application information through the Common Housing Register;
- Updated information received by our contractors; and
- Information in relation to health and wellbeing following responses to alarm call outs from our alarm contractors, Scottish Fire and Rescue Service and the relevant Local Authority.

## **How will we use your information?**

We need your information and will use your information:

- to undertake and perform our obligations and duties to you in accordance with the terms of our contract with you;
- to enable us to supply you with the services and information which you have requested;
- to enable us to respond to your repair request, housing application and complaints made;
- to contact you for your views on our products and services;
- to contact you in order to send you details of any changes to our services or supplies which may affect you;
- to perform our public task in relation to provision of secure tenancies and for the alleviation of homelessness;
- to analyse the information we collect so that we can administer, support and improve and develop our business and the services we offer; and

- for all other purposes consistent with the proper performance of our operations and business.

### **When you visit our website**

We may collect personal information about you, if you:

- pay your rent;
- pay your factoring bill;
- report a repair to us;
- make a complaint to us; or
- complete and submit a “contact us” form.

We may use this personal information to:

- provide you with the services that you have requested from us;
- communicate with you, including in response to any of your enquiries;
- improve our services and respond to changing needs;
- process your rent payments;
- carry out repairs to your property;
- handle and resolve complaints made by, or, against you;
- keep the personal information that we hold about you accurate and up-to-date (if you provide any new personal information to us via the website); and
- signpost you to organisations that can offer benefits and debt advice and support.

### **Visiting our premises**

When you visit one of our premises, we may record your name in our signing-in register. Your image may be captured by our CCTV cameras. Notices are available where the cameras are in operation.

### **If you are a business contact**

We may collect your business contact details such as your name, business address and business e-mail and your company’s bank account details. If you are a sole trader this may be your personal details which will be treated in accordance with this notice.

### **If you apply for a job with us**

We will ask for your contact details, previous employment history and qualifications. We may collect details of ethnicity and disability – for equalities monitoring and so that we can make any appropriate adjustments to accommodate you through the recruitment process.

### **Lawful Processing**

Data protection law requires us to rely on one or more lawful grounds to process your personal information. We consider the following grounds to be relevant:

#### *Performance of a contract*

Where we are entering into a contract with you or performing our obligations under it, like when you have a Tenancy or Factoring Agreement with us.

#### *Performance of a task in the public interest*

Where we provide housing services in relation to:

- (a) the prevention and alleviation of homelessness,
- (b) the management of housing accommodation where we have granted a Scottish secure tenancy.

#### *Legal obligation*

Where necessary so that we can comply with a legal or regulatory obligation to which we are subject, for example where we are ordered by a court or regulatory authority like HMRC.

#### *Vital interests*

Where it is necessary to protect life or health (for example in the case of medical emergency suffered by an individual on our premises) or a safeguarding issue which requires us to share your information with the emergency services.

### *Specific consent*

Where you have provided specific consent to us using your personal information in a certain way, such as to send you email, text and/or telephone marketing.

### *Legitimate interests*

Where it is reasonably necessary to achieve our or others' legitimate interests (as long as what the information is used for is fair and does not duly impact your rights).

We consider our legitimate interests to be for running Abertay Housing Association. For example to:

- provide our services;
- run our business, for example, processing financial transactions for payment of our suppliers and to invoice our contractors
- recruit staff
- protect our staff and customers and assist with the prevention and detection of crime
- monitor who we deal with to protect the Association against fraud, money laundering and other risks;
- enhance, modify, personalise or otherwise improve our services /communications for the benefit of our customers; and
- better understand how people interact with our website.

When we legitimately process your personal information in this way, we consider and balance any potential impact on you (both positive and negative), and your rights under data protection laws. We will not use your personal information where our interests are overridden by the impact on you, for example, where use would be excessively intrusive (unless, for instance, we are otherwise required or permitted to by law).

When we use sensitive personal information, such as health information, we require an additional legal basis to do so under data protection laws, so will either do so on the basis of your explicit consent or another route available to us at law (for example, if we need to process it for employment, social security or social protection purposes, your vital interests, or, in some cases, if it is in the public interest for us to do so).

### **Who do we disclose your information to?**

The information provided to us will be treated confidentially. When we use a third-party (a data processor) to process personal data, we enter into a written data sharing agreement with the processor to ensure that they fulfil the obligations of the data protection law. We may disclose information to other third parties who act for us for the purposes set out in this notice or for purposes approved by you, including the following:

- If we enter into a joint venture with or merge with another business entity, information may be disclosed to our new business partners or owners;
- If we instruct repairs or maintenance works, information will be disclosed to any contractor;
- If we are investigating a complaint, information may be disclosed to Police Scotland, local authority departments, Scottish Fire & Rescue Service and others involved in any complaint, whether investigating the complaint or otherwise;
- If we are updating tenancy details, including the status of your tenancy, information may be disclosed to third parties such as utility companies and the local authority;
- We may share details with our Data Protection Team, Legal Advisors or other professionals who assist us in the running of our business;
- If we are investigating payments made or otherwise, information may be disclosed to payment processors, the local authority and the Department of Work & Pensions;
- If we are conducting a survey of our products and/ or service, information may be disclosed to third parties assisting in the compilation and analysis of the survey results;

- If you are using an advice or advocacy service (such as a solicitor, advice agency or the welfare benefits advisor) we will share relevant information with them where it is necessary to progress your case;
- When required to do so for legal or regulatory reasons, for example to the Health and Safety Executive and Scottish Public Services Ombudsman.

Unless required to do so by law, we will not otherwise share, sell or distribute any of the information provided to us without your consent.

### **Where will we store your information?**

Your information will only be stored within the UK and EEA.

### **Security**

When you give us information we take steps to make sure that your personal information is kept secure and safe in accordance with our Privacy and Data Protection Policy.

### **How long will we keep your information?**

We review our data retention periods regularly and will only hold your personal data for as long as is necessary for the relevant activity, or as required by law (we may be legally required to hold some types of information), or as set out in any relevant contract we have with you.

Data retention guidelines on the information we hold are available. We will generally keep your information for the minimum periods set out in the guidelines after which this will be destroyed if it is no longer required for the reasons it was obtained.

### **What are your rights?**

Under certain circumstances, the law gives you the right to request:

- A copy of your personal information and to check that we are holding and using it in accordance with legal requirements;
- Correction of any incomplete or inaccurate personal information that we hold and use about you;
- Deletion of your personal information where there is no good reason for us continuing to hold and use it. You also have the right to ask us to do this where you object to us holding and using your personal information (details below);
- Temporarily suspend the use of your personal information, for example, if you want us to check that it is correct or the reason for processing it;
- The transfer of your personal information to another organisation;
- You can also object to us holding and using your personal information where our legal basis is a legitimate interest (either our legitimate interests or those of a third party), including the right to object to direct marketing.

If you would like to exercise any of your rights above please contact us at [queries@abertayha.co.uk](mailto:queries@abertayha.co.uk). We will respond without delay and within one month of your request in writing.

You will not have to pay a fee to access your information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for information is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

You also have the right to complain to the Information Commissioner's Office in relation to our use of your information. The Information Commissioner's contact details are noted below: The Information Commissioner's Office Wycliffe House, Water Lane, Wilmslow,

Cheshire, SK9 5AF Telephone: 0303 123 1113 Website: <https://ico.org.uk/make-a-complaint/>

The accuracy of your information is important to us - please help us keep our records updated by informing us of any changes to your email address and other contact details.