



# Cloch Housing Association

## Privacy Notice - Customers

<b>Policy Name</b>	Privacy Notice - Customers
<b>Policy Category</b>	Corporate & Governance
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<b>Approved by</b>	Board or F&CS Sub-Committee
<b>Responsibility of</b>	Corporate Services
<b>Date Adopted</b>	15/09/2020
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<b>This Review</b>	3 September 2024
<b>Next Review</b>	September 2027
<b>Equalities Impact Assessment Required</b>	No
<b>Link to other policies</b>	No
<b>Consultation</b>	No
<b>Need for Procedure</b>	No

## Privacy Notice – Cloch Housing Association

At Cloch Housing Association, we're committed to protecting and respecting your privacy. This privacy notice explains when and why we collect personal information about you, how we use it, the conditions under which we may disclose it to others, how we keep it safe and secure and your rights and choices in relation to your information.

We have a separate Privacy Notice for our employees available on request.

Any questions regarding this privacy notice and our privacy practices should be sent to our Data Protection Lead, the Corporate Services Manager, 19 Bogle Street, Greenock, PA15 1 ER; **e-mail: [office@clochhousing.org.uk](mailto:office@clochhousing.org.uk)**. Alternatively, you can telephone 01475 783637.

You also have the right to complain to the Information Commissioner's Office in relation to our use of your information. The Information Commissioner can be contacted at <https://ico.org.uk/>

- Who are we?
- How do we collect information from you?
  - *Information you give us directly*
  - *Information you give us indirectly*
- What type of information is collected from you? Why do we need it and how will it be used?
  - *If you are our tenant, shared owner, or have a Factoring agreement with us*
  - *If you are a member of our Board*
  - *If you apply for a job with us*
  - *If you are a business contact*
  - *When you visit our website*
  - *When you visit our premises*
- Who has access to your information?
- Lawful Processing
- Your Rights
- How long is your information kept for?
- Keeping your information safe
- Keeping your information up to date
- Using our Website
  - *Use of Cookies (Link to Cookies Policy)*
  - *Links to other websites*
- Changes to this privacy notice
- Review of this privacy notice

## **Who are we?**

Cloch Housing Association is a social landlord and factor having their Registered Office at 19 Bogle Street, Greenock, PA15 1ER

Cloch Housing Association takes the issue of security and data protection very seriously, including compliance with the UK General Data Protection Regulation, the UK Data Protection Act 2018 and the Privacy and Electronic Communications Regulations.

We are a registered Data Controller with the Information Commissioner. Our registration number is Z1221458.

Our 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 obtain information about you in the following ways:

*Information you give us directly*

We collect information from 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;
- 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);
- during office appointments or visits to your home;
- when you use our website, through the use of Cookies on our website;
- when you enter information on our Web Portal or attend a online virtual meeting in platforms such as Zoom and Teams;
- from your use of any of our other online services, whether to report any tenancy/ factor related issues, make a complaint or otherwise;

If you apply for a job with us, we collect information about you from your job application. If you are successful in joining our team, we will also collect information from you in relation to your employment.

We will also collect contact details from our business partners, suppliers and contractors when we begin our business relationship with you.

### *Information you give us indirectly*

- Your information may be shared with us by third parties, which might include subcontractors acting on our behalf who provide us with technical, payment or repairs services and our business partners.
- We may collect your image and audio from our CCTV cameras which are located in our premises.
- When you visit our website we place cookies on your device to run the website. For more information about Cookies and how we use them please see our Cookies policy.
- When you interact with us on social media platforms such as Facebook and Twitter we may obtain information about you (for example, when you like or post on our Facebook page). The information we receive will depend on the privacy preferences you have set on those types of platforms. You should check any privacy policy/notice provided to you where you give your data to a third party, for example, when you post to our Facebook page.

### **What type of information is collected from you? Why do we need it and how will it be used?**

The personal information we collect, store and use depends on your relationship with us. We may collect the following information about you:

*If you are our tenant, shared owner or have a Factoring agreement with us:*

- Your name, address (previous addresses), data of birth, national insurance number, email address, phone number(s)
- Your shareholding membership number, if you have one
- your date of entry, date of termination and rent charge
- details of other occupants in the property and their relationship to you (their name, relationship, date of birth)
- Any medical information you have given us to support your application for rehousing
- Your emergency contact's name, address and phone number(s) and relationship to you
- Your employer and details of your employment
- Protected characteristics data, as defined by Equality Act 2010 (Age, Disability, Gender reassignment, Marriage and civil partnership, Pregnancy and maternity, Race, Religion or belief, Sex and Sexual orientation)
- Health and medical details

- How much rent you pay and any arrears you might have
- Details of any claim you might have with Inverclyde Council's Housing Benefit Department and/or Discretionary Housing Payments
- Details, including your National Insurance Number, of any claim you might have or Universal Credit with the Department of Work and Pensions
- Details of any repairs requested and any access arrangements you have provided regarding this
- Details of any incident(s) which may have occurred which may pose a risk to our staff
- Details of any legal action we have taken relating to when a condition of your tenancy has been breached
- Any complaint made by you

We may receive the following information from third parties:

- Inverclyde Common Housing Register (ICHR): all the personal information you entered on your application;
- Previous landlords; name and address;
- Benefits information, including awards of Housing Benefit, Discretionary Housing Benefit and Universal Credit;
- Homeless referrals are made by Inverclyde Council so we will receive all the personal information that comes with the referral;
- Payments made by you to us in respect of rent, rechargeable repairs, service charges, factoring fees and membership fees;
- Complaints or other communications regarding behaviour or other alleged breaches of the terms of your Scottish Secure Tenancy (SST)(Short SST, Occupancy Agreement, Lease, Shared Ownership Agreement) with us, including information obtained from Police Scotland, the HSCP and Inverclyde Council's Problem Solving Unit and Anti-Social Behaviour Team and other residents;
- Reports as to the conduct or condition of your tenancy, including references from previous tenancies, and complaints of anti-social behaviour and any arrears balances;
- Support needs of vulnerable tenants, including medical reports for medical adaptations and Social Work reports for applications
- New home owner details;
- Tracing and employment details.

We receive this information from:

- Local Authorities
- Health professionals
- Charities
- Other registered social landlords
- Legal Advisors

- Contractors and suppliers who have undertaken works on our behalf
- MPs, MSPs and councillors
- Utility companies
- Household members
- Debt collection agencies
- Department of Work and Pensions
- HMRC

We need 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 set out in your agreement (SST, Short SST, Occupancy Agreement, Lease, Shared Ownership Agreement, Title Deeds);
- 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 (including assistance with benefit applications and Universal Credit and Housing Benefit applications);
- to refer you to other organisations that may support you;
- to analyse the information we collect so that we can administer, support and improve and develop our business and the services we offer;
- to contact you and send you details of any changes to our services which might affect you;
- to contact you for your views on our products and services;
- for all other purposes consistent with the proper performance of our operations and business.

*If you are a member of our Board*

We collect the following information from you, both from information you have supplied through membership of the Association forms or any other instance where you have provided us with your personal information. We collect the following:

- Name
- Date of Birth
- Address
- Telephone Number
- E-mail address
- Signature
- NI number
- Personal characteristics such as gender and ethnic group
- Qualifications
- Details concerning health or any disability
- Occupation

- Bank account details (when applicable)
- Register of interest
- Standard disclosure checks
- Photographs
- Relationship with current board members and / or staff
- Positions with public responsibilities
- Legal & financial declarations
- Membership and directorships held, together with duration
- Training records
- Video and audio for communications
- CCTV Imagery
- Telephone call recordings

We do not receive any additional information from third parties.

We collect and use the above information and personal data for:

- Administration duties
- Payment of any out of pocket expenses
- Recruitment and selection
- Appraisal, training and development
- Membership of professional bodies
- Health, safety and wellbeing
- Equality monitoring
- Regulatory reporting
- for all other purposes consistent with the proper performance of our operations and business.

*If you apply for a job with us:*

- 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 your workplace
- we may collect references from third parties whose details you have provided

We need this information for our recruitment process.

If your application is unsuccessful we will keep your application for six months so that we can contact you if a similar job becomes available.

*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.

We need these details in order to provide our services, run our business and pay/invoice suppliers and contractors.

*When you visit our website:*

- If you allow the relevant Cookies, we may collect information about your activities on our website and about the device used to access it, for instance your IP address and geographical location. For more information please see our Cookies policy.
- any other personal information shared with us via our website forms. – we will use this to help provide the service you have requested.

*Links to other websites:*

Our website may contain links to other websites run by other organisations. This privacy notice applies only to our website, so we encourage you to read the privacy statements on the other websites you visit. We cannot be responsible for the privacy policies and practices of other websites even if you access those using links from our website.

In addition, if you linked to our website from a third party site, we cannot be responsible for the privacy policies and practices of the owners and operators of that third party site and recommend that you check the privacy notice of that third party site.

*When you visit our premises:*

- your image may be captured by our CCTV cameras. Notices are available where the cameras are in operation. Cloch Housing Association is the Data Controller of this. If you have any concerns please ask to contact the Data Lead (our Corporate Services Manager).

CCTV images may be used for security of our staff and customers and to assist with the prevention and detection of crime, as evidence in a complaint. We will also, from time to time, record telephone calls for the same purposes.

### **Who has access to your information?**

The information you provide to us will be treated in accordance with data protection law. We may disclose your 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, your information may be disclosed to our new business partners or owners;
- If we instruct adaptations, repair or maintenance works, your information may be disclosed to contractors we use;



- If we are investigating a complaint, information may be disclosed to Police Scotland, Inverclyde Council (ASSIST Team and Problem Solving Unit) departments, Scottish Fire & Rescue Service, Cloch's Solicitor, 1st tier tribunal solicitors, independent investigators such as auditors, the Scottish Housing Regulator, SPSO, and other regulatory body and others involved in any complaint, whether investigating the complaint or otherwise;
- We may pass your information to our third party service providers, suppliers, agents, subcontractors and other associated organisations for the purposes of completing tasks and providing services to you on our behalf (for example Software providers and IT Technical services, including Housing Online, web portal provider, IT Support Contractor, Telecoms Company and database software providers). However, when we use these third parties, we disclose only the personal information that is necessary to deliver the services and we have a contract in place that requires them to keep your information secure and prevents them from using it for their own direct marketing or any other purposes;
- If we are updating tenancy details, your information may be disclosed to third parties (such as utility companies, Inverclyde Council, and debt recovery agencies);
- If we are investigating payments made or otherwise, your information may be disclosed to payment processors Inverclyde Council, the Department of Work & Pensions, Allpay, Worldpay and Bank of Scotland;
- If we are pursuing debts associated with a tenancy or a former tenancy we may share your basic information with a third party agency to assist in the recovery of those debts;
- If utility companies are pursuing outstanding debt, we may share your details with them or debt collection agencies acting on their behalf;
- If we are conducting a survey of our products and/ or service, your information may be disclosed to third parties assisting in the compilation and analysis of the survey results;
- When we pass information to our Housing Online Web Portal for you to access when you log in;
- If you are using an advice or advocacy service (such as a solicitor, advice agency we will share relevant information with them where it is necessary to progress your case;
- If you work with a support provider, we will share relevant information to help with that support work;
- If your household is threatened with homelessness, your information may be shared between us and Local Health Authority and Social Care Partnership(s);
- If you request that we share your information with other RSLs under Housing Options who may assist in re-housing you;
- If we are making an insurance claim following an incident we may share your information with our insurers;

- If we need to facilitate the payment of any benefits, your information may be disclosed to the Department of Work and Pensions, Local Authority or any other relevant department;
- If the Local Authority is processing information about your council tax or relating to the electoral register, your information may be disclosed to them;
- If required by a regulatory body, such as the Scottish Housing Regulator, Financial Conduct Authority or the Office of the Scottish Charity Regulator;
- Unless required to do so by law, we will not otherwise share, sell or distribute any of the information you provide to us without your consent

## **Lawful Processing**

Data protection law requires us to rely on one or more lawful grounds to process your personal information. We may process your personal data under the following lawful basis:

### Performance of a contract

Where we are entering into a contract with you or performing our obligations under it, such as your tenancy or factoring contract.

### Consent

Where you have given your explicit consent for us to process your data.

### Performance of a task in the public interest

Where we are processing your personal data regarding:

- (a) the prevention and alleviation of homelessness,
- (b) and 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 use your data to protect your or someone else's life.

### 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:

- protecting our staff and customers and assist with the prevention and detection of crime through the use of CCTV recordings;
- enhancing, modifying, personalising or otherwise improving our services /communications for the benefit of our customers, including through the use of telephone recordings;
- better understanding how people interact with our website;
- next of kin details; and
- void property management

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 your health or ethnicity, 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).

## **Your Rights**

Under UK data protection law, you have certain rights over the personal information that we hold about you.

### Right of access

You have a right to request access to the personal data that we hold about you and to request a copy of it, and we will provide you with this unless legal exceptions apply. If you want to access your information, please send a description of the information you would like to see to the contact details above. We may ask for proof of your identity before proceeding with your request.

#### Right to have your inaccurate personal information corrected

You have the right to have inaccurate or incomplete information we hold about you corrected.

#### Right to restrict use

You have a right to ask us to restrict the processing of some or all of your personal information if there is a disagreement about its accuracy, or we're not lawfully allowed to use it.

#### Right of erasure

You may ask us to delete some or all of your personal information and in certain cases, and subject to certain exceptions; we will do so as far as we are required to.

#### Right for your personal information to be portable

If we are processing your personal information (1) based on your consent, or in order to enter into or carry out a contract with you, and (2) the processing is being done by automated means, for example, via you completing a form on our website, you may ask us to provide it to you or to another service provider in a machine-readable format.

#### Right to object

You have the right to object to processing where we are using your personal information (1) based on legitimate interests, (2) for direct marketing or (3) for statistical/research purposes.

If you want to exercise any of the above rights, please contact our Data Protection Lead at the details above. We may be required to ask for further information and/or evidence of identity. We will endeavour to respond fully to all requests within one month of receipt of your request, however if we are unable to do so we will contact you with reasons for the delay.

Please note that exceptions apply to a number of these rights, and not all rights will be applicable in all circumstances. For more details we recommend you consult the guidance published by the UK's [Information Commissioner's Office](#).

### **How long is your information kept for?**

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. Our full retention schedule is available by contacting our Data Protection Lead Officer, the Corporate Services Manager, Contact details on Page 2.

We review our retention periods on a regular basis.

### **Keeping your information safe**

When you give us information we take steps to make sure that your personal information is kept secure and safe. Our computer systems and network storage systems are all password protected, they are managed and monitored by specialist security software. Internal security permissions are used to manage access to files so only the relevant staff required to use the data have access to it. We also have the ability to use mobile devices such as laptops and tablets. These devices are also managed centrally and have the relevant methods of security installed

### **Keeping your information up to date**

We take reasonable steps to ensure your information is accurate and up to date; however please help us keep our records updated by informing us of any changes to your email address and other contact details.

### **Using our website**

#### *Use of 'cookies'*

Please see our Cookies policy for more information.

#### *Links to other websites*

Our website may contain links to other websites run by other organisations. This privacy notice applies only to our website, so we encourage you to read the privacy statements on the other websites you visit. We cannot be responsible for the privacy policies and practices of other websites even if you access those using links from our website.

In addition, if you linked to our website from a third party site, we cannot be responsible for the privacy policies and practices of the owners and operators of that third party site and recommend that you check the privacy notice of that third party site.

### **Changes to this privacy notice**

Any changes we may make to this Privacy Notice in the future will be posted on this website so please check this page occasionally to ensure that you're happy with any changes. If we make any significant changes to the way we process your personal data, we'll make this clear on this website.

### **Review of this Privacy Notice**

We keep this privacy notice under regular review.