



You will probably have been swamped in the past few weeks with information about the new General Data Protection Regulations. Well, Westfield Housing is no different in needing to comply with the new regulations and letting you know what we are doing with the information we keep about you.

So here is our Tenancy “Privacy Notice” to you. Please read it and, if you have any questions, please contact us using the details at the end of the notice.

WESTFIELD HOUSING ASSOCIATION

PROTECTING YOUR DATA – OUR TENANCY “PRIVACY NOTICE” TO YOU

Introduction

You share information about yourself and your family with us so that we can provide you with the service you expect. Keeping your information safe and secure is of vital importance to us, as well as to you.

We want to assure you that we handle information about you in a way you would expect, and in accordance with the law. New laws came into effect on 25th May 2018, known as the General Data Protection Regulations (GDPR¹), which is why we are contacting you now.

We only collect the information we need and will only use it for the purposes we say we will use it for. We will not share it with anyone other than who we tell you or we are legally obliged to share it with.

In this Privacy Notice you will find information about what information we collect from you, why we collect it, what we do with it and where we store it. We also let you know what to do if you are concerned about what we are doing with information about you.

Who is responsible for your information?

Westfield Housing Limited is known as the “controller” of your personal information for the purposes of the GDPR. We are responsible for the security of your information and ensuring we only use it for lawful purposes.

Why we collect personal information and where we get it from

For you to rent a home from us we need some personal information about you. We obtain this information directly from you when you apply for a home. We may also request references from others where you have given us your consent to do so. This is to enable us to assess your suitability to enter into a tenancy and to enable us to fulfil our responsibilities to you under that tenancy.

Once you have a tenancy, what we do with your information can be summarised as:

- Managing your rent account charges and payments, including arrears
- Managing the repairs, maintenance and adaptations of your home
- Ensuring tenancy (or contract) conditions are complied with, such as dealing with anti-social behaviour or fraud
- Complying with relevant legislation and regulation

Like all Housing Associations, when you sign up to a tenancy we also ask for personal information about your racial or ethnic origin. This is defined as “sensitive data” within the statutory list of Special Categories of Personal Data², and is processed to allow the Government to carry out analysis of social housing lettings. We only provide the Government with this information on an anonymous basis, so the information cannot be linked to you individually. How this information is used is explained by the Ministry for Housing, Communities & Local Government on their web site and copied at the end of this Privacy Notice.

What information we collect

We only collect the information we need to provide services to you in accordance with your tenancy. We don't collect information we don't need or just in case we may need it in the future.

Information that we do collect from you includes:

- Your details: names, date of birth, National Insurance numbers, photographs, contact details and preferences as to how we contact you
- The details of other family members or people living in our properties
- References: we request and hold on file any references necessary to assess your application. This may include (but is not limited to), where appropriate, information from other landlords, people vouching for the applicants' suitability as a tenant, the Police, the Probation Service, support services, Social Services, and health services.
- Income and expenditure estimates necessary to assess your ability to pay the rent and service charges due
- Details of your bank account, but only where you have given us authority to collect your rent by direct debit or where you have asked us to complete claims for benefits on your behalf.
- Rent payments made
- Repairs requested
- Complaints or compliments about our services
- Responses to surveys or involvement initiatives

We may also collect the following information, but only where that is important to the service we provide you with:

- Your health or medical condition,
- Details of support plans and details of support providers
- Convictions, proceedings and criminal acts
- Allegations of anti-social behaviour

We will only keep Special Categories of Personal Data² about you if there is a specific reason for this and you consent to us collecting and using this. One example is if you ask for an adaptation to your home, we may need you to provide some information about your health – but only information that is relevant to the adaptation.

What are the legal grounds for us processing your information?

The law sets out specific reasons why we are allowed to hold personal information about you.

We have two main legal reasons for processing personal data:

Firstly, where we are under a legal obligation or an obligation under a contract to process or disclose the information. In your case, this means so that we can give you the services you want in line with your tenancy agreement and so that we can provide the Government with the information we are required to give them.

Secondly, where it is necessary for our legitimate interests to improve the services we provide you with. We can do that so long as we do not interfere with your fundamental rights or freedoms.

If we want to use your information for any other purpose, such as to let other organisations contact you, we must have your explicit consent (i.e. agreement) to us using your personal information in this way. From time to time, we may ask you if we can pass your details to other agencies who may be able to help you (such as debt advice agencies or the Job Centre Plus). We will only do this if we have your consent to do so.

We do not share your information at all for marketing purposes.

The other legal reasons under GDPR that we can process your personal information are:

- Where we need to protect the vital interests (i.e. the health and safety) of you or another person;
- Where you have already made your personal information public;
- Where we or another person needs to bring or defend legal claims; and
- Substantial public interest grounds.

Who we share data with and why

We only share your details to allow us to manage your tenancy and our homes. This is mainly shared with our contractors who carry out repairs or planned maintenance works. However, we only share information that is necessary for them to carry out their work. Our contractors will only use the data we provide them for the purpose we have shared it with them for. They cannot use the data for any other reason.

We may also share your information with

1. Law enforcement agencies to prevent or detect crime if we are authorised to by law or if we are required to
2. The Department of Work and Pensions to ensure you receive the right benefits
3. Allerdale Borough Council if you apply for a new home, to tackle tenancy fraud and other legal obligations
4. Utility companies such as gas, electricity and water companies to provide your name and your date of occupancy of your property
5. With the Government, via the Regulator of Social Housing, when monitoring our activities in its capacity as the regulator of Housing Associations

How, where and for how long do we keep your data?

We store your data in documents kept at our Minto Centre offices and secure storage locations in Cumbria. We also store your data electronically on our servers, which are in the UK or Ireland. We do not store or transfer data outside of the European Economic Area. We ensure everyone we share information with also stores any information they hold about you within the European Economic Area.

We will hold your personal data during the period of your tenancy and for as long as you owe us money after your tenancy ends. Beyond this, we will only hold your data for a period of up to two years. This is to allow us to meet our legal obligations, including resolving any follow up issues between us.

CCTV is in place at our main office and some housing schemes. We record and retain information and CCTV images to safeguard your health and security. CCTV records are retained for the period of any investigation arising from the CCTV images, or no longer than one month.

How we ensure your data is secure

Paper files and records containing personal information are kept secure. Staff are provided with guidance on secure handling of records when taken from the office, for example, when carrying out a home visit.

We ensure any information on our computer system is secure, accurate, relevant and necessary. All our computers are secured with passwords, and staff are all fully trained on our systems. The personal data held on mobile IT devices is minimised, encrypted wherever possible and technical measures taken to secure data should a device be lost or stolen.

Your rights under the GDPR

You have a number of rights under the GDPR:

Access to your personal information

Under the GDPR, you have a right to ask us what personal information we hold about you, and to request a copy of your information. This is known as a 'subject access request' (SAR). SARs need to be made in writing and we ask that your written request is accompanied by proof of your identify. We have one calendar month within which to provide you with the information you've asked for (although we will try to provide this to you as promptly as possible). Following your SAR, we will provide you with a copy of the information we hold that relates to you. This will not generally include information that relates to your property such as repair logs or details of contractor visits, as this is not considered personal information.

Correcting mistakes

If you need us to correct any mistakes contained in the information we hold about you, you can let us know by contacting us using the contact details below.

Erasure ('the right to be forgotten')

You have the right to ask us to delete personal information we hold about you. You can do this where:

- you withdraw your consent to us holding the information (and where "consent" is the legal reason why we hold it)
- the information is no longer necessary in relation to the purpose for which we originally collected it
- where you object to the processing and there is no overriding legitimate interest for us continuing the processing
- where we unlawfully processed the information
- the personal information has to be erased in order to comply with a legal obligation

We will usually be able to agree to your request to delete the information we hold about you. However, there are some legal reasons why we may not be able to agree. We can refuse to erase your personal information where the personal information is processed for the following reasons:

- to exercise the right of freedom of expression and information;
- to enable functions designed to protect the public to be achieved e.g. government or regulatory functions
- to comply with a legal obligation or for the performance of a public interest task or exercise of official authority;
- for public health purposes in the public interest;
- archiving purposes in the public interest, scientific research historical research or statistical purposes;
- the exercise or defence of legal claims; or
- where we have an overriding legitimate interest for continuing with the processing

Objection to processing

You have the right to object to processing where we say it is in our legitimate business interests. We must stop using the information unless we can show there is a compelling legitimate reason for the processing, which override your interests and rights or the processing is necessary for us or someone else to bring or defend legal claims.

Withdrawal of consent

Where we have asked for your consent to hold and process information about you, you have the right to withdraw your consent at any time.

If you want to exercise any of your rights, please use the contact details provided below.

Who to contact and further information

For further information on how to request your personal information and how and why we process your information, you can contact us using the details below:

By email: dataprotection@westfieldha.org.uk

By post: Data Protection, Westfield Housing Association, Minto Centre, Nilsson Drive, Workington, Cumbria. CA14 5BD

The Information Commissioner (ICO)

The ICO is also a source of further information about your data protection rights. The ICO is an independent official body, and one of their primary functions is to ensure we comply with the GDPR.

You have the right to complain to the ICO if you think we have breached the GDPR.

You can contact the ICO at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF 0303 123 1113 / <http://www.ico.org.uk/>

Footnotes:

- 1. By this we mean the Regulation as supplemented and amended by the Data Protection Act 2018*
- 2. "Special categories of personal data" is defined within the GDPR and covers racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a person's sex life or sexual orientation*

Annex 2 – Privacy Notice for all social housing tenants of CORE data provider



Ministry of Housing,
Communities &
Local Government

COntinuous REcording of Social Housing lettings and Sales (CORE)

Information for all social housing tenants

HOW ARE WE USING YOUR INFORMATION?



If your household has entered a new social housing tenancy after 1989, social housing providers would have shared your personal information with the Government for research and statistical purposes.

HOW IS THIS INFORMATION PROVIDED?



The information is provided via CORE (COntinuous REcording). CORE was set up in 1989 and initially only recorded data from private registered providers but from 2004 local authority lettings are also recorded. It collects information on the tenants/buyers, tenancy/sale and dwelling itself. The Ministry of Housing Communities and Local Government (MHCLG) has been responsible for the management of CORE since October 2015.

WHY ARE WE SHARING THIS INFORMATION?



Information collected via CORE may be shared with other Government Departments and Agencies, for example the Greater London Authority or the Homes and Communities Agency. CORE data providers can also access data for their organisations via the CORE system. Data is only shared for research and statistical purposes.

HOW DOES THIS AFFECT YOU?



It will not affect your benefits, services or treatments that you get. The information shared is anonymous and handled with care in accordance with the law. We are collecting and sharing your information to help us understand better the social housing market and inform social housing policy.

IF YOU WANT TO KNOW MORE...

CORE Data is collected on behalf of the Ministry of Housing, Communities and Local Government (MHCLG) for research and statistical purposes only. Data providers do not require the consent of tenants to provide the information but tenants have the right to know how and for what purpose your data is being collected, held and use. The processing must have a lawful basis which, in this case, is that the processing is necessary for the performance of a task carried out in the public interest to meet a function of the Crown, a Minister of the Crown or a government department.

You have the right to object and you have the right to obtain confirmation that your data is being processed, and to access your personal data. You also have the right to have any incorrect personal data corrected.

The information collected via CORE relates to your tenancy, the dwelling you are living in or buying, and your household. Some of the information may have been provided by you as a tenant when signing the new tenancy or buying your property; other has been gathered from the housing management systems of social housing providers. Data collected will be held for as long as necessary for research and statistical purposes. When no longer needed, data will be destroyed in a safe manner.

We are aware that some of the data collected is particularly sensitive: ethnic group; previous tenure in hospital or prison/approved probation hostel support; if household left last settled home because discharged from prison/ long stay hospital/ other institution; or if source of referral is probation/ prison, youth offending team, community mental health team or health service. Please rest assured that all the information collected via CORE is treated in accordance with Data Protection requirements and guidelines.

Data is published by MHCLG in aggregate form on an annual basis as part of a report and complementary tables. To access the annual publications on lettings please visit <https://www.gov.uk/government/collections/rents-lettings-and-tenancies>; To see the publications on sales please visit <https://www.gov.uk/government/collections/social-housing-sales-including-right-to-buy-and-transfers>

CORE data is shared with other public sector bodies for research and statistical purposes only. For example, data is shared with Homes and Communities Agency and the Greater London Authority to allow them to exercise their role in providing adequate social housing. The detail level data is anonymised and protected to minimise the risk of identification and deposited with the UK Data Archive for research purposes.

If you are unhappy with how any aspect of this privacy notice, or how your personal information is being processed, please contact Department Data Protection Officer at: dataprotection@communities.gsi.gov.uk and if you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO): <https://ico.org.uk/concerns/>