



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 Freeholder “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.

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

Introduction

You share information about yourself 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

When you purchased your home you became responsible for certain service charges to Westfield Housing. For us to raise invoices for these charges, we hold some personal information about you. We obtain this information directly from you. .

What we do with your information can be summarised as:

- Managing your service charge account charges and payments, including arrears
- Managing the estate maintenance associated with the service charges of your home
- Complying with relevant legislation and regulation

What information we collect

We only collect the information we need to provide services to you in accordance with the ownership of your home. 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, contact details and preferences as to how we contact you
- Details of your bank account, but only where you have given us authority to collect your rent by direct debit
- Payments made
- Complaints or compliments about our services
- Responses to surveys or involvement initiatives

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 the ownership of your home.

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.

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 do not share your data with anyone else.

How and where 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 only hold your data during the period of your ownership of your home and for as long as you owe us money after your ownership 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*