



# Data Privacy Notice

## Tenants

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**What is the purpose of this privacy notice:**

This privacy notice tells you what to expect when Empower Housing Association (EHA) collects or is provided with personal information. EHA is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. You are being sent a copy of this privacy notice because you are a tenant of a property we manage. It makes you aware of how and why your personal information will be used, namely for the purposes of managing your tenancy agreement, and how long we will usually keep your personal information for. It provides you with certain information that must be provided under the General Data Protection Regulation (EU) 2016/679 ('the GDPR') and the Data Protection Act 2018 ('DPA').

To summarise:

- EHA will typically use your personal information to enable us to deliver services and manage your relationship with us as your Landlord.
- In performing our role as your Landlord, EHA may use personal and sensitive information about your health, racial and ethnic origin, sexual orientation, and religion to ensure our services are accessible.
- EHA might share your data with third parties, including third-party service providers for legal reasons or to enable them to deliver services on our behalf.
- EHA respect the security of our tenants' data and will treat it in accordance with the law.
- EHA will not collect information about our tenants that we do not need.

**Why are EHA collecting tenant information?**

The information you give to EHA is required in order for us to provide you with our services in accordance with any contract we have with you such as your tenancy agreement or lease. Without this information EHA may not be able to deliver the services that we are contractually obliged to provide and/or improve our services to meet current, prospective and/or former tenants' needs. Our aim is that by further understanding our tenants' individual needs, we will be able to provide an improved service.

### **The types of personal information we collect and store:**

In connection with your tenancy agreement for a property we manage, we will collect, store, and use the following types of personal information about you:

- Personal details such as your name, date of birth, National Insurance number, identification documents, photographs, contact details and contact preferences;
- Information you have provided in your application for housing, including references, pre-tenancy assessments, housing history and income details;
- The details of other individuals living with you;
- Financial details including bank details, benefit support, rent account details and income and expenditure assessments;
- Complaints of anti-social behaviour;
- Complaints about our services;
- Repair logs;
- Details of any support received by you including care packages and plans and details of support providers; and

We will also collect, store and use the following types "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation, trade union membership and political opinions;
- Information about your health, including any physical and/or mental health condition and disabilities;
- Information about criminal convictions, criminal offences or court proceedings.

### **How we collect tenant information:**

We collect, store and hold personal information relating to tenants in our properties from the following sources:

- You, the tenant;
- Your Local Authority;
- Your previous landlord;
- Your named referees;
- Other agencies such as the police, emergency services, probation, other RPs, the NHS, health professionals, Social Services, Local Authorities, drug and alcohol services and charities; and
- Information obtained about you in the course of your occupancy and through the provision of the services we provide.

## How we use tenant information:

We use this personal information to carry out our duties to manage your property. This includes:

- Communicating with you about your tenancy;
- Letting, renting and leasing properties;
- Administering waiting lists;
- Carrying out research;
- Administering housing and property grants;
- Providing associated welfare services, advice and support;
- Maintaining our accounts and records;
- Carry out improvement works as part of a planned programme;
- To take payments for any service charges and other non-rent activities;
- To deliver repairs and other works to your home and any communal areas;
- To deal with anti-social behaviour complaints;
- To contact you to seek feedback on services provided to you and your contract with us;
- To take any action on a breach of tenancy;
- To recover any debt owed to us; using payment history to prioritise arrears cases.
- Where we have your consent, which you can withdraw at any time, we may use your image in publicity material;
- Supporting and managing our employees, agents, and contractors; and
- As part of our marketing and promotional activities (if you agree).

EHA will also use this information to ensure the services we provide meet tenant's and prospective tenant's needs and to improve the services we provide to all our customers.

The lawful bases we rely on for processing personal information in this way are as follows:

- **Consent** has been obtained;
- Processing is necessary for the performance of a **contract**;
- Processing is necessary for compliance with a **legal obligation**; or
- Processing is necessary for our **legitimate interests**.
- **Public task** - It is necessary for fraud prevention and the protection of public funds.
- Sharing in connection with legal proceedings
- **Vital interest** - Sharing in relation to the physical or mental health of an individual, where disclosure is required to protect them or others from serious harm.
- Research and statistical purposes. We provide the Regulator of Social Housing with statistical information; we report information about our lettings via CORE

(Continuous Recording) system. The information provided does not include tenants names or their full address, but it does contain special categories of data. Please visit <https://core.communities.gov.uk/> for more details.

We may also share your information with emergency services and local authorities, where this is necessary to help them respond to an emergency situation that affects you.

#### **What happens if you fail to provide personal information:**

Failure to provide the personal information requested may result in applications for housing being refused.

In addition, if you refuse to provide certain information when requested, we may not be able to perform the contract we have entered into with you (such as providing you with accommodation or a service), or we may be prevented from complying with our legal obligations or we may be unable to determine your eligibility for a service provided by EHA or a third party.

#### **Automated Decision Making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

#### **How we share tenant information:**

We will not normally share your information with anyone else. However, there are certain circumstances where we will be required to share your information with other organisations and will comply with the GDPR and the DPA when disclosing this information.

Where it is required or necessary in accordance with the GDPR and/or the DPA, we may share information with:

- Family, associates and representatives of the person whose personal data we are processing;
- Educators and examining bodies;
- Suppliers and service providers;
- Financial organisations;
- Central government;
- The Ministry for Housing, Communities and Local Government;
- Auditors;
- Survey and research organisations;

- Other housing associations, trusts or local authorities;
- Trade unions and associations;
- Health authorities;
- Enquirers and complainants;
- Security organisations;
- Health and social welfare organisations;
- Professional advisers and consultants;
- Homes England;
- Probation services;
- Charities and voluntary organisations;
- Police and Fire forces;
- Courts and tribunals;
- Professional bodies;
- Insurers;
- Employment and recruitment agencies;
- Credit reference agencies;
- Debt collection agencies; Arrears analysis software company.
- Landlords.
- Press and the media.

We may also share your information with other agencies for the purposes of the National Fraud Initiative conducted by central government under Section 33 and Schedule 9 of the Local Audit and Accountability Act 2014.

This is to assist with fraud prevention and protection of public funds and includes sharing and matching of personal information.

**Images** – this section specifically refers to images – photographs and videos.

EHA often uses photographs for internal communications with colleagues, or to use in EHA’s communications with tenants and stakeholders and to illustrate what we do on social media now and in the future.

We will not use these photographs on our websites, in social media or in our externally facing publications, unless tenants have agreed for us to do so.

EHA will store a signed consent form, so that we know for which purposes tenants have consented to us using the photographs.

Photographs and consent forms will be stored securely on EHA's IT systems and will only be available to colleagues who need access to them, to do their job. Photographs which are used in publications will be visible in those for the lifetime of the publication.

If a tenant wishes to withdraw consent for EHA to share these photographs, they can contact the Data Protection Officer.

### **Security of personal information**

EHA store personal information electronically and in paper form. We have put in place policies, processes and technical security solutions to protect the security of tenant information.

Third parties will only process tenant personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

EHA have put in place appropriate security measures to prevent personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a need to know. They will only process tenant personal information on our instructions, and they are subject to a duty of confidentiality.

When a tenant contacts EHA, we may ask them to provide us with some information so that we can confirm their identity. If other people (e.g family members, support workers, financial advocates) act on your behalf we will take all steps to ensure that they correctly appointed to act upon a tenant's behalf. This may include asking them to provide proof of appointeeship. We do this to protect our tenants and to make sure that other people cannot find things out about them that they are not entitled to know.

Employees and third parties who have access to, or are associated with the processing of, tenant personal information are obliged to make reasonable efforts to safeguard it.

### **How long we keep personal information:**

We will keep the personal information you provide whilst you are a tenant of a property we manage and we will also retain your personal information even after the end of your tenancy if this is necessary to comply with our legal obligations, meet regulatory

requirements, resolve disputes, maintain security, prevent fraud or to enforce any outstanding debts owed to us.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of tenant personal data, the purpose for which we process the personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise personal information so that it can no longer be associated with a tenant, in which case we may use such information without further notice to the tenant. Once we no longer need the information about a tenant we will securely destroy this information in accordance with our Data Retention Policy.

#### **Your right to access personal information:**

You can find out if we hold any personal information about you by making a 'subject access request' under the GDPR. If we do hold information about you, we will:

- Give you a description of it;
- Tell you why we are holding;
- Tell you who it has been disclosed to; and
- Let you have a copy of the information in an intelligible form.

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

You can request access to the information we hold about you at any time by contacting us (please see contact details section below). Please mark your request for the attention of our Data Protection Officer.

#### **Your rights:**

If you believe that any of the personal information, we hold about you is incorrect, you have the right to ask us to rectify that information at any time.

You may also have the right, in certain circumstances, to request that we delete your personal information, to block any further processing of your personal information or to object to the processing of your personal information. There are some specific circumstances where these rights do not apply, and we can refuse to deal with your request.



If we are processing your personal information based upon your consent (e.g., as part of our marketing or promotional activities or to make a voluntary referral to an external agency), you have the right to withdraw your consent at any time.

If you require any further information about your right to rectification, erasure, restriction of or object to processing or you wish to withdraw your consent please contact us (please see contact details section below).

### **Information we collect via our website**

We collect various types of information from visitors to our websites. We do not pass on any personal information you have given us to any other site, the system will record information if volunteered to us by you, for example on the online forms. This will be treated as confidential. Our website contains links to other websites. This privacy notice applies only to our site. If you move to another site that collects information you should read their privacy statement.

### **Cookies**

Our website uses cookies for example to display Google Maps and track visitor's activity via Google Analytics. All activity is anonymous. You can find out more about what this means and how to turn off cookies in your browser by visiting [www.aboutcookies.org](http://www.aboutcookies.org)

### **Complaints:**

We take any complaints we receive about the collection and use of personal information very seriously. We will encourage you to bring it to our attention if you think that our collection or use of information is unfair, misleading, or inappropriate. You can make a complaint at any time by contacting us (see contact details section below).

If you think our collection or use of personal information is unfair, misleading, or inappropriate or if you have concerns about the security of your personal information, you also have the right to make a complaint to the Information Commissioner's Office.

You can contact the Information Commissioner's Office at the following address:  
Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

**Contact us:**

You can e-mail us at [admin@empowerhousing.org.uk](mailto:admin@empowerhousing.org.uk) or write to us at the following address: Empower Housing Association, 33-35 Hollinshead St, Chorley, Lancashire, PR7 1EP.

We have appointed a Data Protection Officer to oversee our compliance with this privacy notice. Our Data Protection Officer is Sianna Perry. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO using the details above.