



ORWELL HOUSING ASSOCIATION LIMITED

Privacy Notice

How we use your personal information

Identity and contact details of Controller

Orwell Housing Association Limited ('Orwell') is a controller of personal information for the purposes of the Data Protection Act 2018 and General Data Protection Regulation (GDPR) 2018. Our contact details for data protection purposes are as follows:

Data Protection Officer
Orwell Housing Association
Crane Hill Lodge
325 London Road
Ipswich
IP2 0BE
0345 60 100 30
DPO@orwell-housing.co.uk

Purpose of this Privacy Notice

This Privacy Notice tells you what to expect when Orwell processes personal information. It applies to information about applicants, customers, residents, former residents and other service users. It tells you the purposes for which we may process your personal information and the legal basis for the processing ('processing' includes us just keeping your personal information).

Why do we collect and store personal information?

Orwell needs to collect, process and store personal information about you and other household members (when you provide information about household members we assume that you do so with their full knowledge and consent) to operate as a registered provider of housing and deliver efficient and effective services.

Legal basis for processing

We often have more than one legal basis for processing personal data. Firstly, where it is necessary for the purposes of the legitimate interests pursued by Orwell or by a third party to process your information. We can do that so long as we do not interfere with your fundamental rights or freedoms. Secondly, where we are under a legal obligation or an obligation under a contract (such as your tenancy agreement) to process/disclose the information.

The other reasons we can rely upon to process your personal information under GDPR is as follows:

- Where we need to protect the vital interests (i.e. the health and safety) of you or another person.
- Some personal information is treated as more sensitive (for example information about health, sexuality, ethnic background. The legal basis for processing these special categories of personal information is more limited. To lawfully process special categories of personal data, we must identify a lawful basis for the processing and meet a separate condition for the processing. The basis we can use are:
 - With your consent;
 - 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/or
 - Substantial public interest grounds

We class special category data as

- racial or ethnic origin,
- political opinions,
- religious or philosophical beliefs,
- trade union membership,
- processing of genetic data,
- biometric data for the purpose of uniquely identifying a natural person,
- data concerning health
- data concerning a person's sex life or sexual orientation

To process personal data about criminal convictions or offences, we must have both a lawful basis for the processing and either legal authority or official authority for the processing.

Information we may hold about you and how we use it

The information we hold on our records concerns our relationship with you. For example:

- We hold names & dates of birth, photographic ID and information about your previous housing circumstances to assess housing applications and help prevent tenancy fraud.
- We hold contact details for you, so we can communicate with you by your preferred means, and keep you informed about services we offer which may be useful to you.
- We record information about your needs (for example if you have a carer or social worker; if you need adaptations in your home; if you need large print or translated text) to ensure that we take account of any support needs in our dealings with you, and to improve our communications with you.
- We record information to enable us to provide housing management services. For example, we record reports of anti-social behaviour; complaints; change in circumstances (for example when your employment status changes etc.) and information about housing options (e.g. if you have a medical need which means you need to move).
- We keep financial records about the amount of money you have paid us; any amount(s) outstanding, and action taken to recover money you owe.
- We may hold information about you if you are engaged with any additional guidance and support services. For example, in connection with access to training and employment we may hold information about your job history and skills and experience, or if we support you to

improve your financial circumstances, we may hold information about your household income and expenditure.

- We may record your telephone calls to our switchboard for training and monitoring purposes to ensure we are delivering a good service. Any call recordings will be held in accordance with our corporate retention policy before being erased.
- We may capture your image on our CCTV systems if you visit a property, office or community facility. Any CCTV recordings will be held in accordance with our corporate retention policy before being erased.
- We record the findings of surveys and other research to help us improve our service to customers. The information you provide will be anonymous unless you agree that we can use your details.

This list is not exhaustive, as we hold records of most contacts we have with you, or about you, and we process this information, so we can deliver services to you. Generally, the information we hold will have been provided by you (on application or enquiry forms or when we communicate with you), but we may also hold information provided by third parties where this is relevant to your housing circumstances e.g. from social workers and health professionals (such as doctors and occupational therapists).

We will only ask for personal information that is appropriate to enable us to deliver our services. In some cases, you can refuse to provide your details if you deem a request to be inappropriate. However, you should note that this may impact our ability to provide some services to you if you refuse to provide information that stops us from doing so.

How we manage your personal information

We process your personal information in accordance with the principles of GDPR.

We will treat your personal information fairly and lawfully and we will ensure that information is:

- Processed for limited purposes;
- Kept up-to-date, accurate, relevant and not excessive;
- Not kept longer than is necessary;
- Kept secure.

Access to personal information is restricted to authorised individuals on a strictly need to know basis.

We are committed to keeping your personal details up to date, and we encourage you to inform us about any changes needed to ensure your details are accurate.

To help us to ensure confidentiality of your personal information we may ask you security questions to confirm your identity when you call us. We will not discuss your personal information with anyone other than you, unless you have given us prior written authorisation to do so. If you request copies of your information, we will also ask you to confirm your identity.

Periods for which we will store your personal information

We will only hold your records during the period of our relationship with you and for a set period afterwards to allow us to meet our legal obligations including resolving any follow up issues between us.

Sharing your personal information

We will share relevant information with third parties for the purposes as outlined, or where we are legally required to do so. When sharing personal information, we will comply with all aspects of the

GDPR. Special categories of personal data about health, sexual life, race, religion and criminal activity for example is subject to particularly stringent security and confidentiality measures.

Where necessary or required, we may share information as follows:

- to comply with the law (e.g. the police, Inland Revenue, Council Tax Registration Officer, Social Security Fraud Act) or a court order
- where there is a clear health or safety risk to an individual or members of the public, evidence of fraud against Orwell, other irregular behaviour or a matter Orwell is investigating
- in connection with court proceedings or statutory action to enforce compliance with tenancy conditions (e.g. applications for possession or for payment of Housing Benefit direct)
- where Orwell has entered into a formal protocol with the police, a local authority department or the Care Quality Commission
- providing the name, address and contact number of a resident to contractors or other agents providing services on Orwell's behalf
- providing the name of a resident and the date of occupancy to gas, electricity and water companies
- providing forwarding addresses to debt collection agencies
- providing information anonymously for bona fide statistical or research purposes, provided it is not possible to identify the individuals to whom the information relates
- information required by the Regulator of Social Housing when monitoring Orwell's activities in its capacity as the regulator of housing associations.
- information on lettings and sales to The Ministry for Housing, Communities and Local Government via CORE (Continuous REcording of social housing and sales) for statistical purposes
- To protect the vital interests of an individual (in a life or death situation)

Your rights under the GDPR

You have a number of rights under the GDPR:

Access to 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 identity. 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). We will ask you to prove your identity before we respond to the SAR

Following your SAR, we will provide you with a copy of the information we hold that relates to you.

Rectification

If you need us to correct any mistakes contained in the information we hold about you, you can let us know by contacting our Customer services team on 0345 60 100 30.

Erasure ('right to be forgotten')

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

- the information is no longer necessary in relation to the purpose for which we originally collected/processed it
- where you withdraw consent
- 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 must be erased in order to comply with a legal obligation

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 defense of legal claims; or

Restriction on processing

You have the right to require us to stop processing your personal information. When processing is restricted, we can store the information, but not do anything with it. You can do this where:

- You challenge the accuracy of the information (we must restrict processing until we have verified its accuracy)
- You challenge whether we have a legitimate interest in using the information
- If the processing is a breach of the GDPR or otherwise unlawful
- If we no longer need the personal data but you need the information to establish, exercise or defend a legal claim.

If we have disclosed your personal information to third parties, we must inform them about the restriction on processing, unless it is impossible or involves disproportionate effort to do so.

We must inform you when we decide to remove the restriction giving the reasons why.

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

You have the right to withdraw your consent to us processing your information at any time. If the basis on which we are using your personal information is your consent, then we must stop using the

information. We can refuse if we can rely on another reason to process the information such as our legitimate interests.

Right to data portability

The right to data portability allows us to obtain and reuse your personal data across different services. It allows us to move, copy or transfer personal data easily from one IT environment to another in a safe and secure way. The right only applies to personal data you have provided to us where the reason we are relying on to use the information is either your consent or for the performance of a contract. It also only applies when processing is carried out by us using automated means.

Changes to this Privacy Notice

We keep our privacy notice under regular review and will place any updates on our website; you will be notified of any major changes to this policy.

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.

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Orwell Housing Association
Crane Hill Lodge
325 London Road
Ipswich
IP2 0BE
0345 60 100 30
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The Information Commissioner (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 administer the provisions of 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/>

CONSENT FORM

I/we authorise **Orwell Housing Association** ('Orwell') to store on computer and paper format in any Orwell system for housing management and support purposes to be effective to maintain the Occupancy Agreement and support service provided and disclose personal information about me held by them in the circumstances set out below and in order to ensure that Orwell is able to carry out their operational duties and provide an effective housing management and support service to me.

I/we understand that personal information which I have provided to Orwell or may provide in the future, may be used for the following purposes and disclosed to the following people/organisations:-

Within the Organisation

Orwell may/will need to use and disclose personal information held about me within the organisation for the following purposes:

- 1) To provide a housing management service, e.g. to assist and advise me about Housing Related Benefit or preventing unauthorised sub-letting.
- 2) For the management and support of my tenancy e.g. the Officer may need to discuss my tenancy with their line manager.
- 3) To provide additional support if I/we require it, e.g. Orwell may organise adaptations to my home.
- 4) To help Orwell assess any re-housing needs
- 5) To monitor equality and diversity.
- 6) To provide an effective repair service to me/us.
- 7) To provide an effective support service to me/us were applicable.

Outside Orwell

In addition to their staff, Orwell may also share information with outside agencies where there is a legitimate need. Below is a list of external agencies who may be entitled to see personal information held about me by Orwell:-

- 1) The Police – Orwell wish to co-operate with the police in the prevention and detection of crime. Orwell will always check the reason for the request before disclosing any relevant information and approval for the release of the information will be confirmed by a Senior Manager.
- 2) The Local Authority – eg Orwell is obliged to supply information to the local authority to:-
 - enable them to identify the person liable for Council Tax
 - assist Environmental Health Services to take legal action
 - assist them in dealing with action to combat anti-social behaviour
- 3) The Department for Work and Pensions and Housing Benefit Departments – Orwell will normally give the relevant information to assist in the processing of a benefit claim, e.g. Housing Related Benefit. Orwell is also obliged to notify the authorities if we suspect that a tenant is receiving benefit to which they are not entitled.
- 4) Social Services/Probation Services/Housing Related Support Teams etc – relevant information may be disclosed depending on the type of information required and the reason it is requested. Approval for the release of the information will be confirmed by a Senior Manager.
- 5) Orwell solicitor's, in the event that legal action is taken against me or by me.

- 6) Approved Debt Collection Agencies, in the event that action is required to recover monies owed to Orwell.
- 7) Legal Representatives: Court of Protection Order, Lasting Power of Attorney, Endearing Power of Attorney relevant information may be disclosed depending on the type of information required and the reason it is requested. Approval for the release of the information will be confirmed by a Senior Manager.

Orwell will make it clear in any disclosure to the above parties listed in 1 to 7 that they are to treat the information as confidential and must not pass it on to any other party unless that party is legally entitled to it under the General Data Protection Regulation or I have consented or I have been made aware that the information needs to be passed on to enable the support service provided to me is properly coordinated.

I freely give my consent to the processing of personal information about me held or collected by Orwell now or in the future and to its disclosure where deemed necessary by Orwell to the above mentioned individuals and organisations listed in 1 to 7 above and for the above purposes.

I/we also give the following authorisation to Orwell:

I/we give authorisation for Orwell staff to discuss or correspond with the person named below regarding any tenancy issues on my behalf;

Name:

Address:

Telephone Number:

Email:

I/we confirm receipt of Orwell’s Privacy Notice which I have read and understood.

Withdrawal Statement

I/we understand that I/we have the right to withdraw my consent to Orwell processing my information at any time. If the basis on which Orwell is using my personal information is by my consent, then Orwell must stop using the information. Orwell can refuse if they rely on another reason to process my information such as their legitimate interests.

Signed		Dated	
Signed		Dated	