

Fair Processing Notice

(How we use your personal information)

This notice explains what information we collect when we collect it and how we use it. During the course of our activities, we will process personal data (which may be held on paper, electronically, or otherwise) about you and we recognise the need to treat it in an appropriate and lawful manner. The purpose of this notice is to make you aware of how we will handle your information.

1. Who are we?

Clyde Valley Housing Association (“**CVHA**”) is a Registered Social Landlord owning, investing in and managing 7000 homes and customers across Lanarkshire and East Dunbartonshire. CVHA operates through a group of companies that provide different services to its customers. CVHA’s head office is located at 50 Scott Street, Motherwell, ML1 1PN.

The personal data that CVHA holds about individuals is processed by different companies within its group. The company that processes the data of an individual depends on the relationship that individual has with CVHA. The personal data of CVHA’s tenants and employees is processed by Clyde Valley Housing Association Limited. The personal data of factored owners, mid-market property owners, and mid-market property tenants is processed by Clyde Valley Property Services Limited through its three subsidiaries:

1. Clyde Valley Lets (for mid-market property tenants and CVLets owners);
2. Clyde Valley Factoring Limited (for factored owners); and
3. Innov8 Housing Solutions Limited (for mid-market property owners).

The data controller for the purposes of any personal data that you provide to CVHA will be the company that is processing that data, as detailed above. All of the above CVHA group companies are registered as data controllers with the Information Commissioner’s Office.

We take the issue of information security and data protection very seriously. We are committed to ensuring that any processing of your personal data by us is in accordance with Data Protection Law. “**Data Protection Law**” includes the Data Protection Act 2018, the General Data Protection Regulation (EU) 2016/679 and all other relevant EU and UK data protections laws.

Our Data Protection Officer is our Corporate Services Officer, Lisa Hughes. Any questions relating to this notice and our privacy practices should be sent to Lisa Hughes at lisa.hughes@cvha.org.uk.

2. How we collect information from you and what information we collect

We collect information about you:

- when you apply for housing with us, become a tenant, request services/ repairs, enter in to a factoring agreement with us, or where you provide us with your personal details;
- when you provide information to our income maximisation officers to assist with your financial situation;
- when you apply to become a member;
- when you are a member of our customer panel or take part in its activities;
- from your use of our online services, whether to report any tenancy / factor related issues, make a complaint or otherwise; and
- 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).

We collect the following information about you:

- name;
- address;
- telephone number;
- e-mail address;
- date of birth
- National Insurance Number;
- next of kin;
- care and support needs;
- vulnerabilities;
- ethnic origin;
- race;
- nationality;
- disabilities;
- GP/health records;
- bank details;
- benefit entitlements;
- employment details;
- access to digital services;

In addition to collecting information from you we also receive the following information from third parties:

- benefits information, including awards of Housing Benefit / Universal Credit;
- payments made by you to us;
- complaints or other communications regarding behaviour or other alleged breaches of the terms of your contract with us, including information obtained from Police Scotland;
- reports as to the conduct or condition of your tenancy, including references from previous tenancies, and complaints of anti-social behaviour.

3. Why we need this information about you and how it will be used

We need your information 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;
- 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;

- to provide you with access to advice, information and support to maximise your income, reduce rent arrears and help you to manage and sustain your tenancy;
- 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 in order to send you details of any changes to our supplies which may affect you;
- for all other purposes consistent with the proper performance of our operations and business; and
- to contact you for your views on our products and services.

4. Processing your information

We will:

- ensure that the legal basis for processing your personal data is identified in advance and that all processing complies with the law;
- not do anything with your data that you would not expect given the content of our privacy policy and this fair processing notice;
- ensure that appropriate privacy policies are in place advising staff and others how and why their data is being processed, and in particular advising data subjects of their rights;
- only collect and process the personal data that we need for purposes we have identified above;
- ensure that as far as possible the personal data we hold is accurate, or a system is in place for ensuring that it is kept up to date as far as possible;
- only hold onto your personal data for as long as it is needed after which time we will securely erase or delete the personal data. Our Privacy Policy sets out the period of time for which we will retain your personal data; and
- ensure that appropriate security measures are in place to ensure that personal data can only be accessed by those who need to access it and that it is held and transferred securely.

We will ensure that all staff who handle personal data on our behalf are aware of their responsibilities under our Privacy Policy and other relevant data protection and information security policies. We will also ensure that our staff are adequately trained and supervised in the performance of their responsibilities.

5. Sharing of Your Information

The information you provide to us will be treated by us as confidential and will be processed only by our employees within the UK. 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 merged with another business entity, your information may be disclosed to our new business partners or owners;
- if we instruct repair or maintenance works, major works, electrical and/or gas safety testing your information may be disclosed to any contractor involved in such repairs or works;
- if we are investigating a complaint, information may be disclosed to Police Scotland, Local Authority departments, the Scottish Fire & Rescue Service and others involved in a complaint, whether they are investigating the complaint or otherwise;
- if we are updating tenancy details, your information may be disclosed to third parties (such as utility companies and Local Authority);
- if we are investigating payments, your information may be disclosed to payment processors, Local Authority and the Department of Work & Pensions;

- if we are seeking court action against you for rent arrears or anti-social behaviour, we will share your information with our solicitors, and the in-court advice service at the Court;
- if we are conducting a survey of our products and/or services, your information may be disclosed to third parties assisting in the compilation and analysis of the survey results;
- when you make a payment through our third party payment provider (IMPACT), your information will be shared with it;
- if we are providing support with your income and benefit entitlement, we may share your information with the relevant organisations and agencies (such as the Citizens Advice Bureau, Money Matters, and other debt and advice agencies);
- if we are providing support or referring you for support to manage your tenancy, we may share your information with the relevant third parties (such as Local Authority Social Work Departments, alcohol and drug support agencies and your GP);
- the Scottish Ministers (in respect of shared equity properties).

Your information will also be shared with third parties with whom the Association has a contractual arrangement for services provision, such as payment processing or letter distribution. The Association will ensure that there is an agreement in place between the Association and the third party which provides adequate safeguards for your information.

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.

Your information will only be stored within the UK.

6. Security

When you give us information we take steps to make sure that your personal information is kept secure and safe. Our Privacy Policy sets out these measures.

7. Your rights

There are a number of rights that you can exercise in relation to your personal data held by us. We have processes in place to ensure that we can facilitate any request made by you to exercise your rights. All staff have received training and are aware of your rights. Staff can identify such a request and know who to send it to. The relevant rights that you may exercise are listed below.

All requests to exercise any of the below rights will be considered without undue delay and within one month of receipt as far as possible.

Subject access: the right to request information about how personal data is being processed, including whether personal data is being processed, and the right to be allowed access to that data and to be provided with a copy of that data. This includes the right to obtain the following information:

- the purpose of the processing;
- the categories of personal data;
- the recipients to whom data has been disclosed or which will be disclosed;
- the retention period;
- the right to lodge a complaint with the ICO;
- the source of the information if not collected direct from the subject; and
- the existence of any automated decision making.

Rectification: the right to allow a data subject to rectify inaccurate personal data concerning them.

Erasure: the right to have data erased and to have confirmation of erasure, but only where:

- the data is no longer necessary in relation to the purpose for which it was collected;
- where consent is withdrawn;
- where there is no legal basis for the processing; or
- there is a legal obligation to delete data.

Even if one of the above conditions applies we can hold onto your data in the following circumstances: where processing is necessary for: exercising the rights of freedom of expression; to comply with a legal obligation in the public interest or in the exercise of an official authority; for public health reasons; for archiving purposes; and for the establishment, exercise or defence of legal claims.

Restriction of processing: the right to ask for certain processing to be restricted in the following circumstances:

- if the accuracy of the personal data is being contested; or
- if our processing is unlawful but the data subject does not want it erased; or
- if the data is no longer needed for the purpose of the processing but it is required by the data subject for the establishment, exercise or defence of legal claims; or
- if the data subject has objected to the processing, pending verification of that objection.

Data portability: the right to receive a copy of personal data which has been provided by the data subject and which is processed by automated means in a format which will allow the individual to transfer the data to another data controller. This would only apply if we were processing the data using your consent or on the basis of a contract.

Object to processing: the right to object to the processing of personal data relying on the legitimate interests processing condition unless we can demonstrate compelling legitimate grounds for the processing which override the interests of the data subject or for the establishment, exercise or defence of legal claims.

If you would like to exercise any of your rights as set out above, please contact us at cvha@cvha.org.uk.

8. Special category personal data

We may hold and process special category personal data relating to you where this is necessary. This may be, for example, to allow us to comply with employment and social security law, or where you have consented to the processing of your special category personal data. Special category personal data is data of a sensitive nature which is given stronger protection under Data Protection Law. This includes information that reveals:

- racial or ethnic origin;
- religious or philosophical beliefs;
- political opinions;
- trade union membership;
- processing of genetic or biometric data;
- data concerning health;
- data concerning sex life or sexual orientation; or

- data concerning criminal convictions or offences.

We have appropriate safeguards in place to ensure that any processing of your special category data is carried out in accordance with Data Protection Law.

9. How long we will keep your information

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.

We will generally keep your information for the duration of your tenancy or factored owner contract with us. However, we may have to retain certain amounts of data for longer than this. The specific retention periods for which your information will be kept by us are set out in our Privacy Policy. Once your personal data is no longer required by us it will be securely destroyed.

10. The Information Commissioner's Office

You also have the right to complain to the Information Commissioner's Office in relation to our use of your information. The Information Commissioner's Office can be contacted at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

Telephone: 0303 123 1115
Email: Scotland@ico.org.uk

11. Help us keep your information up to date

The accuracy of your information is important to us. Please help us keep our records updated by informing us of any changes to your email address and other contact details.