



Oak Tree Housing Association

GDPR Fair Processing Notice

This notice explains what information we collect, when we collect it and how we use your personal information. 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.

Who are we?

We are Oak Tree Housing Association Ltd. We are a Scottish Charity (Scottish Charity Number SC05300), a registered society under the Co-operative and Community Benefit Societies Act 2014 with Registered Number HCB137 and having our Registered Office at 41 High Street, Greenock, PA15 1NR.

We take the issue of security and data protection very seriously and strictly adhere to guidelines published in the Data Protection Act 2018 and the General Data Protection Regulation (EU) 2016/679 which is applicable from the 25th May 2018, together with any domestic laws subsequently enacted.

We are notified as a Data Controller with the Office of the Information Commissioner under registration number Z6295637 and we are the data controller of any personal data that you provide to us.

Our Data Protection Officer is Lesley Selbie of RGDP. The Association has a Data Protection Lead Officer (DP), who will take charge of the day-to-day management of data protection. The DP Lead Officer is Anne Culley, Depute Chief Executive Officer.

Any questions relating to this notice and our privacy practices should be sent to Oak Tree Housing Association, 41 High Street, Greenock, PA15 1NR. Telephone: 01475 807000, E-mail: info@oaktreeha.org.uk

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 into a factoring agreement with us or otherwise provide us with your personal details;
- When you enter into a shared ownership occupancy agreement;
- when we receive a Homeless referral or a Community Care Referral from the Health and Social Care Partnership (HSCP) or a referral from Womens Aid or a referral for an adaptation;
- when you apply to become a member of the Association;
- from your use of our online services, whether to report any tenancy/ factoring related issues, repairs, complete a survey, make a complaint or otherwise;

- from your arrangements to make payment to us (such as employment details, salary payment dates, benefit entitlement) & in taking any other income and expenditure related information;
- During office appointments or visits to your home;
- When you enter information on our web portal;
- When you use our website, through the use of cookies on our website.

We may collect the following information about you (and in the case of applicants, other members of your household):

- name;
- address (previous addresses);
- date of birth;
- telephone numbers;
- e-mail address(es);
- National Insurance Number;
- Date of entry/termination;
- Rent charge;
- Banking details if you pay your rent by Direct Debit and payment card details (these records are not stored);
- Employer's details
- Next of Kin;
- Details of anyone authorised to act on your behalf;
- Relationship to staff, members of committee & ex staff/members of committee in the last 12 months;
- Household details including dependants;
- Previous addresses;
- Medical information;
- Proof of residence (collected at home visit);
- For shared owners we will also collect solicitor's details, mortgage lender details;
- For factored customers we will also collect principal home address for billing purposes;
- Other personal information that will vary on a case by case basis to help us resolve breach of tenancy, alleged anti-social behaviour or fraud;
- Details of any claim you might have with Inverclyde Council's Housing Benefit Department, Discretionary Housing Benefit and Universal Credit;
- CCTV footage;
- Special Category information (for example ethnic origin, disability status, economic status, sexuality, restricted information regarding Multi Agency Public Protection Arrangements risk, medical information, language, supporting agencies and communication needs);
- Details of any repairs requested and any access arrangements;
- Details of any incident(s) which may have occurred which may pose a risk to our staff and/or contractors;
- Any complaint made by you
- Details of any legal action we have taken relating to when a condition of your tenancy has been breached;

We receive the following information from third parties:

- Inverclyde Common Housing Register Partners; (ICHR)
- Benefits information, including awards of Housing Benefit/ Universal Credit from Department of Work and Pensions (DWP) and Inverclyde Council;
- Referrals from various agencies for adaptations or rehousing;
- Payments made by you to us;

- Complaints or other communications regarding behaviour or other alleged breaches of the terms of your Scottish Secure Tenancy (SST), Short SST, Occupancy Agreement, Lease, and Shared Ownership Agreement with us, including information obtained from Police Scotland and Inverclyde Council's Problem Solving Unit and Anti-Social Behavioural Team and other residents, press articles and witness statements.
- Reports as to the conduct or condition of your tenancy, including references from previous tenancies, rechargeable repairs, outstanding debt and complaints of anti-social behaviour from other RSLs;

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 Scottish Secure Tenancy, Occupancy Agreement and Factoring Agreement with you;
- To process your online housing application and ensure that allocation of housing is made according to our policy;
- To record voids, shared ownership transactions and allocations made;
- To process all referrals e.g. Community Care, Homeless and Womens Aid Referrals and ensure that allocation of housing is made correctly;
- To record incidents of unacceptable behaviour including health and safety information to protect staff and contractors;
- To consider adaptations to housing;
- To manage the rent account, rent collection, factoring account and debt collection;
- For reporting statistical information including Annual Return Charter and Committee reports;
- to enable us to supply you with services and information which you have requested;
- to enable us to respond to your repair request, housing application and complaints made, Universal Credit and Housing Benefit applications:
- to analyse the survey information that 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 deliver services or to send you details of any changes to our contractors or suppliers which may affect you;
- For publicity and PR information;
- 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 including our customer newsletters, where you have or have had a tenancy, occupancy agreement or factoring agreement with us and you have not opted out from receiving these messages.

Where you have entered into a contract with us (a lease, for example) we will process your personal data in order to implement that contract and to carry out our contractual obligations and exercise our contractual rights.

In other cases, we have a legitimate interest in processing personal data, which allows us to provide you with a better customer service and to promote our work.

We may also process your personal data as required by law and to comply with a legal obligation to which we are subject.

In some cases, we may require your consent to process certain types of personal data. Where we seek consent from you, we will provide full details of what we are seeking consent for, so that you will be able to carefully consider whether to provide consent.

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/EEA.

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 instruct repair or maintenance works, your information may be disclosed to any contractor;
- If we are investigating a complaint, information may be disclosed to Police Scotland, Local Authority departments, Scottish Fire & Rescue Service, 1st tier tribunal and others involved in any complaint, whether investigating the complaint or otherwise;
- Your information may be disclosed to third parties (such as Council Tax Office, DWP, Inverclyde Council, Police Scotland and the Association's Solicitors), contractors and software/IT providers maintaining our systems. If you have asked us to, we will share information with someone acting on your behalf;
- We will give tenancy references to other Registered Social Landlords about the conduct of your tenancy;
- If we are investigating payments made or otherwise, your information may be disclosed to payment processors, Housing Benefit Department and the DWP, Allpay and Bank of Scotland.
- If we are conducting a survey of our products and/ or service, your information may be disclosed to third parties assisting in the compilation and analysis of the survey results;
- If we process an on-line application form for you your details may be shared with the ICHR Team, staff within the partner Landlords, Police Scotland, and someone you have mandated to share your information with, elected official (e.g. MP, MSP, Councillor) and HSCP.
- If we process an application from you to purchase a shared ownership property we may share your information with our solicitors;
- If we receive a referral form for you we may share this information with partner landlords and funding agencies and we may make referrals to support agencies with your permission;
- When we take legal action, information will be shared with our lawyers and in the case of rent arrears court action the Homeless Service, Sherriff Officers and debt collectors;
- We hold a record of anti-social complaints and this information may be shared with ASIST Team, and Police Scotland under the agreed protocol.
- We hold a record of Service Complaints, Comments and Compliments and this information may be shared with the SPSO or the Scottish Housing Regulator;
- We send and receive text messages and this information will be shared with iTagg SMS service;
- We share information with contractors, association staff and ICHR about health and safety alerts to promote safety;
- We grant access to our external auditors, internal auditors, the Scottish Housing Regulator, OSCR, or anybody carrying out an audit of our services or systems.
- If we enter into a joint venture or merge with another business entity, your information may be disclosed to our new business partners.

- Home Connections if you complete an on-line application for housing.

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 and EEA

Security

Our computer systems and network storage systems are all password protected, they are managed and monitored by specialist security software. Internal security permissions are used to manage access to files so only the relevant staff required to use the data have access to it.

We also have the ability to use mobile devices such as laptops and tablets. These devices are also managed centrally and have the relevant methods of security installed.

Access to our computer databases and systems may be granted to IT Support Contractors, Software Providers doing maintenance and any other 3rd Party we have working on our computer network, communications software or systems. Those 3rd parties should be covered by their own policies and our addendum to any contract or data sharing agreement.

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 following minimum periods:

The table below sets out retention periods for Personal Data held and processed by the Association. The Association recognises that not all Personal Data can be processed and retained for the same duration, and retention will depend on the individual circumstances relative to the Data Subject whose Personal Data is stored.

Type of record	Suggested retention time
Membership records	5 years after last contact
Applicants for accommodation	5 years
Housing Benefits Notifications	Duration of Tenancy
Tenancy files	Duration of Tenancy
Former tenants' files (key info)	5 years
Third Party documents re care plans	Duration of Tenancy
Records re offenders. Ex-offenders (sex offender register)	Duration of Tenancy
SST, Occupancy Agreement and Lease documents	5 years after lease termination
ASB case files	5 years/end of legal action

Board meetings/residents' meetings	1 year
Minute of factoring meetings	Duration of appointment
Survey monkey results	1 year
Community Care Referrals and Homeless Referrals and Women's Aid Referrals	If rehoused duration of tenancy and referral if no longer interested in rehousing after review remove application immediately

After this period, information will be destroyed if it is no longer required for the reasons it was obtained.

Our full retention schedule is available on our website.

Your Rights

You have the right at any time to:

- ask for a copy of the information about you held by us in our records;
- require us to correct any inaccuracies in your information;
- make a request to us to delete what personal data of your we hold; and
- object to receiving any marketing communications from us.

If you would like to exercise any of your rights above please contact us at [**info@oaktreeha.org.uk**](mailto:info@oaktreeha.org.uk)

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 contact details are noted below:

The Information Commissioner's Office –
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

0303 123 1113
www.ico.org.uk

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