



# Customer and Resident Privacy Notice

## How we use your personal information

### Who are we?

**Warwickshire Rural Housing Association (WRHA)** is a registered housing provider regulated by the Regulator of Social Housing. WRHA's services are delivered by Midlands Rural Housing. Midlands Rural Housing is a subsidiary of emh Housing and Regeneration Limited (trading as emh) that provides specialist management services to independent rural housing associations. emh, is a registered housing provider regulated by the Regulator of Social Housing and are a functional division of emh group ltd which is the non-asset owning parent company.

### Our Privacy Promise

#### We promise:

- To keep your data safe and secure
- Treat any data concerns you may have as a priority.

### What is the purpose of this notice?

This privacy notice aims to give you information on how we collect and process your personal information. It makes you aware of how and why your personal information will be used, namely for the purposes of the performance of our contract with you as our customer or when you use any of our services, and how long it will usually be retained for.

It provides you with certain information that must be provided under the General Data Protection Regulation (EU) 2016/679 ('the GDPR'), the Data Protection Act 2018 and any subsequent legislation.

This notice primarily covers how we use information relating to our residents, but also covers non-residents using our services. 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. In these cases, we will be the "data controller" for the purposes of data protection law.

## What information we collect about you

**What** information we collect, **why** we collect it, the **legal basis** for doing so (personal data), and **how long** we keep it for (retention):

What	Why	Retention
<b>Legal Basis: A – Consent</b>		
<ul style="list-style-type: none"> <li>• Ethnicity</li> <li>• Religion</li> <li>• Sexuality</li> </ul>	For analysis purposes, as required by our regulator and to provide information on extra services we provide.	Destroyed after data is recorded
<b>Legal Basis: B – Contract</b>		
Contact information: <ul style="list-style-type: none"> <li>• Name</li> <li>• Date of birth</li> <li>• Previous address</li> <li>• IP (Internal Protocol) address</li> <li>• Telephone numbers</li> <li>• Email address</li> <li>• Supporting documents that may also contain photographs of you and any joint applicants</li> </ul>	Your tenancy agreement is a contract between you, any other person in your household (should you hold a joint tenancy) and your landlord.  This data is used to set up and maintain your tenancy account with us.  To help prevent tenancy fraud	Life of tenancy + 6 years after tenancy ends
Details of who is living with you	Used to ensure you are not overcrowded or under-occupying a property.	Life of tenancy but regularly reviewed
Children’s personal data	We do not usually process data on children aged under 18 that live in our properties, as all our tenants are adults.  However, we record children’s basic information if they are resident in one of our properties, including their name and date of birth. This is required for checking the property is not overcrowded and to assess other tenancy management issues where all householders and ages are required to be known.  We may also receive children’s information if we are involved in the housing and tenancy aspects of a welfare case as part of a multi-agency working solution.	Life of tenancy but regularly reviewed
<b>Legal Basis: C - Legal obligation</b>		
Proof of right to rent	To assess your entitlement to rent	Life of tenancy

<b>Legal Basis: F - Legitimate interest</b>		
<ul style="list-style-type: none"> <li>• Details of any support needs you have</li> <li>• Details of those people providing additional support</li> <li>• Next of kin details/emergency contacts</li> <li>• Disability information</li> </ul>	As required by our regulator and to provide information on extra services we provide – such as tenancy support.	Life of tenancy but regularly reviewed
<ul style="list-style-type: none"> <li>• Authority to Act or Power of attorney</li> </ul>	We use this information to ensure we deal with the most appropriate person dealing with your affairs	Life of tenancy but regularly reviewed
References from previous landlords	We use this information to provide you with support	Deleted after 1 year of tenancy being granted
Closed Circuit Television (CCTV)	Some of our locations and offices have Closed Circuit Television (CCTV) and you may be recorded when you visit them. CCTV is used to provide security and protect both our visitors and communities. CCTV will only be viewed when necessary (e.g. to detect or prevent crime) and footage is stored for set period of time after which it is recorded over. emh complies with the Information Commissioner’s Office CCTV Code of Practice and we put up notices so you know when CCTV is used.	CCTV recordings will be retained for 30 days and deleted within one week thereafter
<b>Legal Basis: C - Legal obligation / E - Public task / F - Legitimate interest</b>		
<ul style="list-style-type: none"> <li>• National insurance number</li> <li>• Financial information</li> </ul>	<p>To assess your benefit entitlement and council tax.</p> <p>To help prevent tenancy fraud</p>	<p>NI number: life of tenancy/</p> <p>Financial info: 6 months</p>
<b>Legal Basis: E - Public task / F - Legitimate interest</b>		
<p>Information on Housing Needs Survey:</p> <ul style="list-style-type: none"> <li>• Name</li> <li>• Date of birth</li> <li>• Contact Details</li> <li>• Financial information</li> <li>• Details of who is living with you</li> </ul>	Local surveys (housing needs survey) provide valuable information on the level of housing need. They can also help to demonstrate the need for affordable housing, and the level of community support for new development.	Maximum of 10 years

## What particularly sensitive information we collect about you

What information we collect, why we collect it, the legal basis for doing so (special category data), and how long we keep it for (retention):

What	Why	Retention
<b>Legal Basis: F - For legal claims</b>		
Details of unspent convictions/ criminal offences attracting a custodial sentence/on a register/person of interest	To ensure that we house you appropriately. To ensure that specialised support can be offered where required.	Life of tenancy but regularly reviewed. If no issues when conviction spent data will be deleted after 1 year following suspension
<b>Legal Basis: B - Social protection law obligation</b>		
Disability information	As required by our regulator, in accordance with our legal obligations under the Equality Act 2010 and to provide information on extra services we provide – such as tenancy support.	Life of tenancy but regularly reviewed
<ul style="list-style-type: none"> <li>• Ethnicity</li> <li>• Religion</li> <li>• Sexuality</li> </ul>	For monitoring and analysis purposes, as required by our regulator, for compliance with the Equality Act 2010, and to provide information on extra services we provide.	Life of tenancy, but regularly reviewed

## Purposes for which we use your personal information

We need all the categories of information in the list above (see **what information we collect about you** above) primarily to allow us to perform our contract with you and to enable us to comply with our legal obligations. In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests.

**The situations in which we will process your personal information are listed below:**

- To register you as a customer.
- To communicate with you about your tenancy.
- To administer our waiting lists.
- To administer housing and property grants.
- To perform our contract or service to you.
- To manage our relationship with you, including notifying your about changes to our contract or services or asking you to provide us with feedback.
- To administer and protect the organisation.
- To protect the organisation from tenancy fraud.
- To comply with any legal or regulatory obligation.

- To maintain our accounts and records.
- To support and manage our employees, agents and contractors.
- As part of our marketing and promotional activities (if you agree).

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

We do not use automated decision making or profiling however there may be occasions where inadvertently we identify special category information about you.

**For example, your ethnicity, religion, sexual orientation or disability may be evident from:**

- Photographs
- Video footage
- Face to face meetings
- Statements you provide to us
- Declaration of Interests
- Social media.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## How we use your information

Data Protection law says that we are allowed to use personal information only if we have a proper reason to do so.

**The law says we must have one or more of these reasons:**

- To fulfil a contract we have with you
- When it is our legal duty
- When it is in our legitimate interest
- When you consent to it.

Generally, we do not rely on consent as a legal basis for processing your personal information other than in relation to sending direct marketing communications to you via email or text message. You have the right to withdraw consent to such marketing at any time.

## Sharing your information

Personal information we have on you is used to make sure the services we offer continue to be the most appropriate for you.

We will use your information to manage our relationship with you, for example keeping our records up to date and to enable us to assist in the coordination of support services.

We will also use your information to carry out the contractual obligations we have to our customers for example arranging repairs, planned maintenance, surveys and inspections to the properties.

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. We will comply with Data Protection law when disclosing this information.

**Where it is required or necessary in accordance with Data Protection law, we may share information with:**

- Third parties under the provisions of Crime and Disorder Act.
  - Housing Benefits department.
  - Collection agencies and legal representatives for the purpose of collecting rents or other monies owed to us.
  - Regulatory authorities in response to formal requests.
  - Repairs contractors and service providers.
  - Financial organisations.
  - Central government.
  - Our auditors.
  - Survey and research organisations.
  - Other housing associations, trusts or local authorities.
  - Health authorities.
  - Security organisations.
  - Health and social welfare organisations.
  - Professional advisers and consultants.
  - Regulators or funders.
  - Probation services.
  - Police forces.
  - Courts and tribunals.
  - Professional bodies.
  - Insurers.
  - The press and the media.
- Or
- In response to legislative or court orders.

We share information with Experian as we believe that rent payment history should be used in the same way as mortgage payment information is used, to help you access more affordable credit. Not only will we be able to work with you more closely to manage your existing tenancy agreement, but your track record as a tenant will enable Experian to use the information supplied to them to assist other landlords and organisations to:

- Assess and manage any new tenancy agreements you may enter into
- Assess your financial standing to provide you with suitable products and services

- Manage any accounts that you may already hold, for example reviewing suitable products or adjusting your product in light of your current circumstances
- Contact you in relation to any accounts you may have and recovering debts that you may owe
- Verifying your identity, age and address, to help other organisations make decisions about the services they offer
- Help to prevent crime, fraud and money laundering
- Screen marketing offers to make sure they are appropriate to your circumstances
- For Experian to undertake statistical analysis, analytics and profiling,
- And for Experian to conduct system and product testing and database processing activities, such as data loading, data matching and data linkage.

If you would like to see more information on these, and to understand how the credit reference agencies each use and share rental data as bureau data (including the legitimate interests each pursues) this information is provided in this link: [www.experian.co.uk/crain](http://www.experian.co.uk/crain) (Credit Reference Agency Information Notice (CRAIN)). (For a paper copy, please get in touch with us).

We also share your information with the Central Government and our Regulator as required by law. The continuous recording of lettings and sales in social housing in England (referred to as CORE) is a national information source that records information on the characteristics of both private registered providers and local authority new social housing tenants and the homes they rent.

This collection provides all of the statistical information that the Ministry of Housing, Communities and Local Government produces on social housing lettings and includes:

- Trends in social housing lettings over time
- Characteristics of tenants with new social housing lettings
- Types of tenancy agreements

If information is requested from a third party not covered by the above, we will seek written consent from the customer where required under Data Protection law.

## How do we keep information secure?

We have put in place appropriate security measures to prevent your 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 business need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality.

All personal information you provide to us is stored on our secure servers within the UK. However, there may be occasions where your information may need to be stored in or sent to companies, service providers, agents, subcontractors and

regulatory authorities in countries outside of the European Economic Area ('EEA') which may not have the same level of security and protection as we have under UK legislation. If we have to do this, we will make sure that suitable security measures are in place.

We have put in place procedures to deal with any suspected data security breach and will notify you and the Information Commissioner's Office of a suspected breach where we are legally required to do so.

## Marketing

From time to time we would like to send you information about services of our, other members of the group, and our partner agencies where we feel this may be of interest to you.

Where you consent to receive marketing information, should you change your mind you have the right at any time to stop us using your information for marketing use by withdrawing your consent. Consent can be withdrawn by contacting us at [dataprotection@emh.co.uk](mailto:dataprotection@emh.co.uk)

## Access to and correction of the information we hold on you

You can find out if we hold any personal information about you by making a 'subject access request' under the GDPR (General Data Protection Regulation).

### **If we do hold information about you, we will:**

- Give you a description of it;
- Tell you why we are holding it;
- 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 other organisations in certain circumstances.

### **You can access your personal information we hold by writing to us at this address:**

Emh, Governance & Assurance Team  
Memorial House  
Stenson Road  
Coalville  
Leicestershire  
LE67 4JP

**Or by emailing us at:** [dataprotection@emh.co.uk](mailto:dataprotection@emh.co.uk)

You have the right to question any information we have about you that you think is wrong or incomplete.



Please contact us if you want to do this. If you do, we will take reasonable steps to check its accuracy and correct it.

If any of your personal information changes, such as a contact number or email address, please let us know right away so we can update our records.

## Your rights

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 (see **How to contact us** below).

## Complaints

We take any complaints we receive about the collection and use of personal information very seriously. We would 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 **How to contact us** 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

## How to contact us

Please contact us if you have any questions about our privacy policy or the information we hold about you.

**You can do so via one of the contact details below:**

- Email: [dataprotection@emh.co.uk](mailto:dataprotection@emh.co.uk)
- Post: Governance & Assurance Team, Memorial House, Stenson Road, Coalville, Leicestershire, LE67 4JP.
- Telephone: [0300 123 6000](tel:03001236000)

We have appointed a Data Protection Advisor to oversee our compliance in line with Data Protection legislation.

Our Data Protection Advisor is Hannah Adams. If you have any questions about this privacy notice or how we handle your personal information, please contact our Data Protection Advisor using the details above.

Our Data Protection Officer who is registered with the Information Commissioner's Office is Lucie Westbury, Head of Governance and Assurance. Please contact our Data Protection Officer using the details above.

## **Privacy Notice updates**

Our Privacy Notice will be regularly reviewed, and it may change at any time in the future, we encourage you to check this Privacy Notice whenever you visit our website.