



# INTRODUCTION

## Steve Biko Housing Association Privacy Notice

At Steve Biko Housing Association we take your privacy and take the protection, confidentiality and security of your personal data very seriously. This Privacy Notice will inform you as to how we look after your personal data that we collect when you utilise our services or work with us in the provision of our services. You will also find information about your privacy rights and how the law protects you.

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### ***Who we are and the purpose of this Privacy Notice***

This Privacy Notice aims to give you information on how Steve Biko Housing Association collects and processes your personal data.

We obtain your personal data in order to conduct our normal business operations as a registered social housing provider. How we use your personal identifiable information depends on the products and services we provide to you, whether you are a prospective tenant, existing tenant, former tenant, occupant of one of our properties or you work with us to provide our services.

Steve Biko Housing Association is a controller and responsible for your personal data (for simplicity throughout this notice "we", "us" or "our" "SBHA" means Steve Biko Housing Association in this privacy policy).

## ***Changes to the Privacy Notice and your duty to inform us of changes***

We keep our Privacy Notice under regular review.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

### ***How is your personal data collected?***

We use different methods to collect data from and about you including through face-to-face contact, email, telephone, written correspondence, forms on our website or receiving this information from others.

We can also receive information about you from other people who know you or are linked to you, for example: relatives, persons nominated to act on your behalf or your legal representative.

Some further examples of how we may gather your personal data are set out below:

**Directly from you:** for example: when you fill out an application form.

**From other organisations:** such as former housing and support providers, health and social care agencies, law enforcement agencies, debt collectors, energy or utility companies, benefit agencies and/or credit reference and fraud prevention agencies.

**From other people who know you:** including joint tenants and people you are linked to or live in the same community as you, for example with regard to reports of anti-social behaviour.

**Throughout the course of your tenancy :** as part of customer interaction which may be face to face, via telephone, digitally or through any forms given to you during the course of your tenancy.

## ***Our processing of your personal information***

We collect varying information about you and use it for different reasons according to the relationship we have with you. For example, we will collect different personal information depending on whether you are a prospective tenant, existing and former tenant, occupant or from an entity we work with when providing our services (called a “business partner” below).

In order to make this notice as user friendly as possible, we have split it into different sections.

[Prospective tenants](#) **Appendix 1**

[Existing and former tenants](#) **Appendix 2**

[Next of Kin Details](#) **Appendix 3**

[Occupants](#) **Appendix 4**

[Business Partners](#) **Appendix 5**

[Members of the Public](#) **Appendix 6**

## ***If you fail to provide personal data***

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, a tenancy agreement). In this case, we may have to cancel an agreement you have with us but we will notify you if this is the case at the time.

## ***Change of purpose***

We will only use your personal data 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 you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us using the details set out below

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

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

## ***Personal data of children***

Our tenants are over 18 which means we do not usually process the personal data of children. 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 will process and share the personal data of children where safeguarding issues arise in one of our properties. Where a safeguarding issue has arisen we will be required to liaise with the police, social services and other support agencies.

## ***CCTV***

Some of our locations and offices have closed circuit television (CCTV) and you may be recorded when you visit them. We use CCTV to provide security and protect both our visitors and communities.

We will only view CCTV when it is necessary to do so, for example to detect or prevent crime. We store the footage for a set period of time after which it is recorded over. We ensure that we comply with the ICO's CCTV Code of Practice and we put up notices so you know when CCTV is used.

## ***Disclosures of your personal data***

We may share your personal data with the following categories of recipients;

- Other housing associations, housing providers and landlords.
- Telecare response service for example Progress,
- Local Authorities in relation to council related services such a social services, environmental services, housing benefits and council tax.
- Government departments, such as Department for Work and Pensions and agencies, who for example, assist with support and safeguarding services.
- The emergency services.
- The police and the probation service.
- Health service providers.
- Bodies that regulate us such as the Regulator of Social Housing.
- The Courts and Citizens Advice Bureau.
- Third party service providers who help us to deliver our services to you, this can range from utility companies, maintenance contractors, entities that help financial inclusion support to software and infrastructure providers which help you to access our services.
- Our professional advisors such as auditors and legal advisors.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## ***International transfers***

Steve Biko Housing Association may occasionally process your personal information overseas. This will be for the storage of data in systems that are cloud based, cloud adoption is now around 90% in the UK.

When processing data in this way SBHA have to ensure that cloud services are compliant and that systems and applications are adhering to current General Data Protection Regulation and Data Protection Legislation 2018.

We do this by service providers signing data processing agreements and ensuring certain measures are in place like Privacy Shields for companies based in the USA.

## ***Data security***

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

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## Data retention

### How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

Steve Biko Housing Association use the National Federation of Housing Guidance and Schedule for document retention and storage

Document	Recommended Period	Comments	Derivation (Legislation/Regulation)
<b>Application and Tenancy Records</b>			
<b>Applications for Accommodation</b>	<b>6 years after acceptance</b>	Statutory requirement	Limitation Act 1980
<b>Housing Benefit Notifications</b>	<b>2 Years</b>	CIH Recommendation	CIH Recommendation & (Social Security (claims and information) (amendment) Regulations 2010, Limitations Act 1980)
<b>Rent Statements</b>	<b>2 Years</b>	Best Practice	CIH Recommendation
<b>Complaints and Harassment Cases</b>	<b>2 Years after resolution</b>	Housing Ombudsman Recommendation	CIH Recommendation
<b>Former Tenants' Tenancy Files</b>	<b>3 years after tenancy termination (excluding Tenancy agreement)</b>	Statutory requirement	Limitation Act 1980
<b>Former Tenants' Tenancy Agreements</b>	<b>6 years after end of tenancy</b>	Statutory requirement	Limitation Act 1980
<b>Action Plans for adults.</b>	<b>8 years after the end of tenancy or service</b>	Legal requirement.	Records Management Code of Practice for Health and Social Care 2016
<b>Documentation from other agencies relating to special needs of current tenants</b>	<b>Keep for duration of tenancy only</b>	Statutory requirement - <i>Information held on a 'need to know' basis due to sensitivity of medical and social service records.</i>	GDPR & DPA, 2018
<b>Records relating to offenders, ex-offenders and persons subject to cautions</b>	<b>Keep for duration of tenancy only</b>	Statutory requirement - <i>Information held on a 'need to know' basis due to sensitivity of medical</i>	GDPR & DPA, 2018

		<i>and social service records.</i>	
<b>ASB Case Files and Associated Documents</b>	<b>5 Years / or until end of legal action</b>	Good Practice	Industry recommendation
<b>Property Records</b>			
<b>Rent Registrations</b>	<b>Permanently</b>	Rent Officer Recommendation	Rent Officer Recommendation
<b>Fair Rent Documentation</b>	<b>6 Years</b>	Rent Officer Recommendation	Rent Officer Recommendation
<b>Leases</b>	<b>12 years</b>	Statutory requirement - <i>15 years after expiry or termination Lease and all liabilities</i>	Limitation Act 1980
<b>Deeds</b>	<b>Permanently or when the property has been disposed</b>	Statutory requirement	Limitation Act 1980
<b>Wayleaves, Licences and easements</b>	<b>12 years after rights given</b>	Statutory requirement	Limitation Act 1980
<b>Abstracts of Title</b>	<b>12 Years after interest ceases</b>	Statutory requirement	Limitation Act 1980
<b>Planning and Building Control Permission</b>	<b>12 Years after interest ceases</b>	Statutory requirement	Limitation Act 1980
<b>Searches</b>	<b>12 Years after interest ceases</b>	Statutory requirement	Limitation Act 1980
<b>Property Maintenance Records</b>	<b>6 Years</b>	Statutory requirement	Limitation Act 1980
<b>Marketing Information</b>			
Photographs of community projects	<b>Kept as long as required</b>	Business need	Business need and Managing Business Archives 2012.

## Your Legal Rights

Under Certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

**"Request access"** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**"Request correction"** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**"Request erasure"** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**"Object to processing"** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**"Request restriction of processing"** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

If you want us to establish the data's accuracy.

Where our use of the data is unlawful but you do not want us to erase it.

Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.

You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**"Request the transfer"** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**"Withdraw consent at any time"** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact our DPO;

Ustar Miah

Email address: [admin@stevebikoha.org](mailto:admin@stevebikoha.org)

Postal address: Steve Biko Housing Association 3 Yanwath Street Liverpool L8 0XP

Telephone number: 0151 734 4933

### ***No fee usually required***

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

## ***What we may need from you***

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

## ***Time limit to respond***

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## ***Automated decision making***

We do not make automated decisions about you.

## ***Contact details***

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this Privacy Notice. If you have any questions about this Privacy Notice, including any requests to exercise your legal rights, please contact the DPO using the details set out below;

Ustar Miah

Email address: [admin@stevebikoha.org](mailto:admin@stevebikoha.org)

Postal address: Steve Biko Housing Association Liverpool L8 0XP

Telephone number: 0151 734 4933

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.