

Privacy Policy

Introduction

Welcome to the Leeds and Yorkshire Housing Association Limited's privacy policy.

Leeds and Yorkshire Housing Association Limited ("**LYHA**") respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data (regardless of how we collect it) and tell you about your privacy rights and how the law protects you.

1. **Important information and who we are**

Purpose of this privacy policy

This privacy policy aims to give you information on how LYHA collects and processes your personal data.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

Controller

LYHA is the controller and responsible for your personal data (collectively referred to as LYHA, "we", "us" or "our" in this privacy policy).

We have a Data Privacy Manager who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the Data Privacy Manager using the details set out below.

Contact details

If you have any questions about this privacy policy or our privacy practices, please contact our Data Privacy Manager in the following ways:

Full name of legal entity: Leeds and Yorkshire Housing Association Limited

Email address: david.mackey@lyha.co.uk

Postal address: 3rd Floor White Rose House, 8 Otley Road, Headingley, Leeds, LS6 2AD

Telephone number: 0113 2783335

ICO Registration number: Z6166008

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). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Changes to the privacy policy and your duty to inform us of changes

We keep our privacy policy 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.

2. **The data we collect about you**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, and information about your health).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

Data Subject	Type of data	Types of Special Category Data
Prospective Tenant	Name Age / Date of birth Current Address Previous Address E-mail address Landline / mobile phone number Language preference Gender identification Relationship with other household members National Insurance Number Immigration / residential status Housing history / Landlord references Economic status Employment status Income details Bank details	Ethnic origin Disability / Medical Details Vulnerabilities e.g. sight, hearing impairments, drug/alcohol dependency issues Unspent criminal convictions

Data Subject	Type of data	Types of Special Category Data
	Financial commitments Allowances, benefits and grants Support details e.g. name of support worker Third party authority and information details	
Tenant	All Prospective Tenant types, plus Staff case notes / diaries Staff opinions in complaint or ASB cases DWP information / HB claim reference Customer contact notes / diaries Court orders / notes	All Prospective Tenant types, plus Religious belief Sexual orientation
Former Tenant	All Prospective Tenant and Tenant types, plus Forwarding address	All Prospective Tenant and Tenant types
Household family members / visitor	Name Age / Date of birth Gender identification Relationship to tenant E-mail address Landline / mobile phone number Income details / economic status	Vulnerabilities Disability / Medical Details
Current employee	Name Address Age / Date of birth Gender identification National Insurance Number Next of kin details Bank details Pension details	Ethnic origin Vulnerabilities Disability / Medical details

Data Subject	Type of data	Types of Special Category Data
	Income Tax / Student loan details Sickness details / Absences Employment history Appraisal Notes Disciplinary records Driving licence details Car insurance details	
Former employees	All current employee details	All current employee details
Prospective Employees	Name Address Age / Date of birth Gender identification Education / Training Employment history	Ethnic origin
Current and former board members and trustees	Name Personal Address Personal Landline / Mobile phone numbers Business Landline / Mobile phone numbers Personal E-mail address Business E-mail address	
Suppliers, contractors and consultants	Business Name Business Address Business Landline / Mobile phone numbers Business E-mail address	
Third parties involved in neighbour disputes	Name Address Landline / Mobile phone numbers E-mail address	
Support and care providers	Name Business Address Business Landline / Mobile	

Data Subject	Type of data	Types of Special Category Data
	phone numbers Business E-mail address	
Website visitor / user	IP address	N/A
Individual making enquiry	Name, address, e-mail, telephone number, IP address	N/A

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, to provide you with a tenancy). In this case, we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

3. How is your personal data collected?

We use different methods to collect data from and about you including through:

- via paper forms and contact with our staff;
- information you provide to us via our website;
- credit reference agencies; and
- third parties, such as local authorities, Department of Work & Pensions, our suppliers, support organisations and emergency services.

4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you. (e.g. tenancy agreement)
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.
- Where processing is necessary to protect a vital interest.

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our

legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal obligation means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

Vital Interests means processing is necessary to protect your vital interests or the vital interests of another person.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Data Subject	Purpose of Processing	Lawful basis for processing	Lawful basis for processing Special Category Data
Prospective Tenant	To assist with application for a tenancy	Contract Legitimate Interests	Social Protection Reasons
Tenant	To prepare and conclude a tenancy agreement	Contract Legitimate Interests Consent	Social Protection Reasons
Tenant	Obtaining rent payments and other tenancy expenses	Contract	N/A
Tenant	Sharing data with third parties (e.g. DWP, local authorities, emergency services, care /	Contract Legitimate Interests Legal Obligation	Social Protection Reasons Establishment or exercise of legal

Data Subject	Purpose of Processing	Lawful basis for processing	Lawful basis for processing Special Category Data
	health professionals and providers)	Vital Interests	claims
Household family members / visitor	Tenancy management	Legitimate Interests	
Current employee	Employment of staff	Contract of employment	Equality and Diversity Monitoring
Former employees	Employment of staff	Contract of employment	Equality and Diversity Monitoring
Current and former board members and trustees	Governance	Legitimate Interests	
Suppliers, contractors and consultants	Supply of goods or services	Contract to supply goods or services	
Third parties involved in neighbour disputes	Tenancy Management	Legitimate Interests	
Support and care providers	Tenancy Management / Customer support	Legitimate Interests	
Website visitor / user	To study how visitors use our website and to inform our marketing strategy.	Legitimate Interests	N/A
Individual making enquiry	To respond to enquiries and to add individual to mailing lists.	Legitimate Interests	N/A

Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our website may become inaccessible or not function properly. For more information about the cookies we use, please see www.lyha.co.uk/cookie-policy.

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.

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.

5. **CCTV**

LYHA has CCTV in operation at various locations. CCTV will capture images in real time wherever the cameras are pointed. These cameras may capture footage of individuals and car registrations whilst they are visiting these locations. There are signs in place to inform people in these areas that CCTV is in operation.

CCTV is in use for the following purposes;

- to ensure the health and safety of employees and visitors to these sites
- to detect, prevent or reduce the incidence of crime
- to reduce the fear of crime

The CCTV systems are not actively monitored. All data is stored directly on the CCTV recording device. And unless an incident is reported, and the relevant images have then been archived, the recordings are automatically deleted / overwritten after 3-4 weeks.

Access to the CCTV recording device is controlled by a password protected software system. CCTV recorders are kept in locked rooms.

Our legal reasons for processing this data are:

- that we have a legitimate interest in processing this information
- there is a substantial public interest in processing this information, for the detection and prevention of crime

Sometimes we may share these images with others. We will only do this when necessary and if we are required to do by law. Any downloaded data is treated as confidential.

We may be asked to provide footage to assist the police and we may also be asked for footage from individuals should there be an incident involving damage to cars or property.

There is no regular or planned sharing of CCTV images with any other organisation.

6. **Disclosures of your personal data**

We may share your personal data with the parties set out below for the purposes set out in the table above:

- Approved contractors including maintenance contractors, builders and major works contractors and surveyors. Primarily this will be contact information so that they can arrange appointments for the work to be carried out. It may also include personal data

which relates to a disability or vulnerability which they must consider when carrying out their work.

- Local authorities and the Department of Work and Pensions (DWP) for universal credit / housing benefit claims.
- Debt collection agencies and tracing agents for collecting unpaid rent.
- Local Safeguarding Authorities should there be a concern regarding the safety of a child or vulnerable adult.
- An external contractor provides a secure paper shredding / confidential waste destruction service. The service contract specifies that the waste is processed in accordance with Data Protection Principles.
- Approved supplier providing customer satisfaction survey services, including the analysis of the results in relation to customer personal and special category data, e.g. age, ethnicity and disability.

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.

7. **International transfers**

We do not transfer your personal data outside the European Economic Area (EEA).

8. **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.

9. **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.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal

data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

We follow the National Housing Federation's guidance for data retention timescales. Which in most cases will mean we will delete the personal information of applicants, tenants and occupants six years from the date of their last interaction with us. Applicants who no longer wish to be considered for re-housing can request to have all application details removed before the 6-year period has expired.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

10. **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 us.

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.