



# Homelessness Services Privacy Notice

**Author:** Owen Howell, Board Assurance Officer

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## Glossary

<b>CBH</b>	Colchester Borough Homes
<b>Data controller</b>	A data controller is an organisation or person which determines the purposes and means of processing personal data.
<b>Data processing</b>	This refers to all collection, use, sharing and deletion of personal data.
<b>Data Protection Act (1998)</b>	To be repealed and replaced by the Data Protection Act (2018).
<b>Data Protection Act (2018)/DPA</b>	The current UK data protection act. <ul style="list-style-type: none"> <li>• Supplements the GDPR</li> <li>• Holds UK additions &amp; exemptions to the GDPR.</li> </ul>
<b>Data Protection Officer (DPO)</b>	Data protection officers are responsible for overseeing data protection strategy and implementation to ensure compliance with the requirements of GDPR and any other relevant data protection legislation. CBH is considered to be a public authority and therefore has a statutory duty to have a DPO.
<b>Data Subject</b>	An individual, living person whose data is stored and/or used by organisations or companies.
<b>Data Subject Access Request</b>	A request for personal information, usually made by the Data Subject to whom it relates.
<b>DMT</b>	CBH's Directors Management Team consisting of the Chief Executive and Directors of Housing, Property Services and Resources.
<b>GDPR</b>	General Data Protection Regulation/Regulation (EU) 2016/679. A regulation in force from 25 May 2018 governing the collection and processing of personal data and including changes to data subjects' rights. Supersedes the previous GDPR.

<b>ICO</b>	Information Commissioner's Office. The UK regulator with a remit to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.
<b>Personal Data</b>	Data relating to a living individual who can be identified from that data, or from that data and other information that is in the possession of, or is likely to come into the possession of, the data controller. This will include any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.
<b>Sensitive Personal Data</b>	This is personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying an individual, data concerning health or data concerning an individual's sex life or sexual orientation.

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## 1. Introduction & purpose

This Privacy Notice is a public document available to everyone. It applies to customers and service users of Colchester Borough Homes. It explains how we collect and process personal information in order to fulfil statutory duties regarding homelessness, delegated to us by Colchester Borough Council.

We work to comply with all elements of current data protection legislation, including the General Data Protection Regulation (GDPR). We also require our suppliers and subcontractors to comply with this legislation.

## 2. Who we are

We are Colchester Borough Homes (CBH). We collect and process personal data on behalf of Colchester Borough Council (CBC) who are the Data Controller. CBH carry out some functions and statutory duties relating to homelessness on behalf of CBC. The head offices of both organisations are located at Rowan House, 33 Sheepen Road, Colchester CO3 3WG. Tel: 01206 282514. The joint Data Protection Officer for CBH and CBC can be contacted via email via [info@cbhomes.org.uk](mailto:info@cbhomes.org.uk).

We are a local authority-owned company with the primary role of providing tenancy and property management services for Colchester Borough Council. Our core activities can be summarised as:

- Providing social and other types of housing management services.
- Providing tenancy management services.
- Property and grounds maintenance and repair.
- Management of homelessness applications and applications for housing.
- Providing services to tackle antisocial behaviour in Colchester Borough.
- Corporate facilities management.

We also provide other services including:

- Organising and assisting community events and activities.
- Offering our residents opportunities to be involved in how we provide our services.
- Providing advice on welfare/benefits and other financial matters.
- Adaptions made to the properties we manage.
- Collection of data and customer views used to improve our services.

We also work with a range of partners to support the work we do, including public bodies and local charities.

Our mission is to provide **Great value services that make a difference.**

For information about how Colchester Borough Council processes personal information please visit [www.colchester.gov.uk/privacy](http://www.colchester.gov.uk/privacy).

### **3. How we collect your information**

We collect information from people in a variety of ways, including when applications for homelessness or temporary/emergency accommodation are made.

For the purposes of housing and homeless applications and approaches for advice on homelessness and/or your housing situation you are the applicant and are the source of the personal data about you and the members of your household.

Personal information about you relating to you and your household may also be gathered from other sources such as:

- private sector landlords,
- housing associations,
- lettings agents,
- mortgage lending companies,
- providers of emergency accommodation,
- friends and relatives you and your household may have been living with,
- health services,
- children, family and adult social services departments,
- education services,
- Department of Work and Pensions,
- Housing Benefit and Council Tax services,
- Job Centre Plus,
- Ministry of Defence,
- Home Office
- the Police and Courts,
- prisons & probation,
- youth offending services,
- secure training units, employers,
- banks, building societies, other financial institutions where you may have money invested,
- Citizens Advice Bureau and voluntary sector organisations.

### **4. What information we collect about you**

#### **4.1 Homelessness applications and services**

##### Categories of personal data and lawful basis

In order to process your homelessness application or provide services, we may need to process some or all of the following categories of personal information:

- Contact details
- Financial, tax and/or benefit details and records
- Data held by previous landlords

- Proof of identity (passport, driving licence etc.)

Under data protection legislation, processing of this data is allowed because we have a legal duty to provide this service (GDPR Article 6(1)(c)).

#### Categories of sensitive personal data and lawful basis

In order to process your homelessness application or provide services, we may need to process some or all of the following categories of sensitive personal information:

- Health and medical information
- Ethnicity
- Religion Data relating to criminal offences, convictions and related measures

Under data protection legislation, processing of this data is allowed because it is for reasons of substantial public interest (GDPR Article 9(2)(g)). If you're providing us with criminal conviction personal information we will process this under GDPR Article 10.

If you do not provide the information we need then we may not be able to provide all our services to you, and ultimately you may not be able to access the services to which you have a right.

## **5. What we do with the information we collect**

We will use the information to process your homelessness application or application for temporary/emergency accommodation. We may share the information with other departments or Colchester Borough Council to enable us to deal with your homelessness and prevent fraud. We will only share the information to enable us to deal with this matter.

The personal data provided by you will be used to:

- Assess your situation;
- Contact you about your situation and the information you have provided;
- Request you to provide documents to prove your housing situation, homelessness or threatened homelessness;
- Contact third parties with your personal information to request further personal information about you; and confirm information you submit
- Refer you to third parties and/or other agencies that may be able to help you.
- Ensure that the services provided meet your individual needs

For the purposes of administering your housing and/or homelessness application/s and/or your approach for advice on your housing situation we have a legal power and, in some cases, a legal duty to share your information with the people and or types of organisations listed in Section 7 of this Privacy Notice. If

we need to request personal information about you or share it with people or other types of organisations not listed below we will ask you for your consent.

## 6. How we will communicate with you

We need to communicate with our service users and this will often be in writing or by telephone, but is more commonly becoming electronic and paperless. We are moving many of our services online as this is usually more convenient for individuals and more efficient for us.

If you use any online service it is important that you keep your passwords secure and do not share your account details with any other person. The privacy of your information depends on you keeping your account username and password details to yourself, as well as setting a suitably complex password that cannot be guessed or calculated. We will never ask you for your password or login details.

We will only discuss or communicate your data with you or with individuals authorised (temporarily or permanently) by you, except where we have a specific legal duty. You can authorise someone temporarily verbally over the phone or permanently in writing.

## 7. Who we share data with

We may need to share personal information with government departments and agencies, with our regulator and auditors, with utility companies or with other organisations and agencies where we are legally allowed to do so.

We may share the information with:

- Private sector landlords, housing associations, lettings agents,
- Health services,
- Children, family and Adult Social Services,
- Education services,
- Department of Work and Pensions,
- Job Centre Plus,
- National Fraud Initiative, the Police, prisons, probation, youth offending services, secure training units,
- Contractors that repair the Council's emergency accommodation,
- Providers of emergency accommodation,
- Citizens Advice Bureau,
- Voluntary sector organisations

We may be required to share your personal information with the Police, Internal Audit or similar agency, or another Council for the purposes of preventing and detecting fraud.

We will ensure that all personal information is kept securely.

We may share your information with a language translation service if it is necessary to translate any information into or from a foreign language for you.

### **7.1 Passing your data to third parties**

We will not sell your personal data on to third parties (other companies, people or organisations).

We will not pass on your personal data to third parties unless we are allowed or required to do so by law or we have your explicit permission to do that.

## **8. How we process and store your information**

We use a range of systems and technologies for the efficient operation of the business. Personal information is stored and managed within those systems, which are maintained to comply with the data security requirements within the GDPR and follow best practice cyber security standards.

The information we hold on IT systems may be copied for testing, backup, archiving and disaster recovery purposes. All data is held within the UK, with the exception that some data may be stored within Microsoft Data Centres in the US. Microsoft has committed to compliance with EU data protection law and uses model clauses in its contracts with CBH to show this. Microsoft complies with the [EU-US Privacy Shield](#).

We will not transfer or store your personal data outside of Europe (the European Economic Area) outside of the control of the UK / European regulations, except where it can be shown that UK/European data protection law is complied with.

## **9. How long we keep information**

The personal data you have supplied will be destroyed in accordance with our Data Retention Procedure, seven years after you have been housed or have not renewed your application, or we have had no further contact.

## **10. Further information**

We produce a number of different documents and leaflets designed to inform you about our services and other useful topics. You can find these and copies of our data protection and security policies on our website.

For further information about Colchester Borough Homes, please see our website at [www.cbhomes.org.uk](http://www.cbhomes.org.uk) (including [website terms & conditions](#) and information about website cookies) or contact our Customer Services team on 01206 282514.

## **11. Your rights, the right to complain and the Information Commissioner**

This gives a brief overview of your rights regarding your data which we collect and use. For more information, advice or to exercise your rights, please contact us and we will do our best to help. For independent advice, you can contact the Information Commissioner's Office using the contact details at the end of this section.

### **11.1 Right to access your data**

You have the right to request a copy of the data we hold about you, and details of how we are using it. Please contact us if you wish to request access to any of your personal data and we will always try to answer your questions as part of our friendly, helpful service. Simple requests can be made directly to our customer facing staff, but if you would like a larger amount of information (such as your full tenancy file) or more complex data, this request will need to be made in writing and should be sent to us at:

Board Assurance Officer  
33 Sheepen Road  
Colchester  
CO3 3WG

[info@cbhomes.org.uk](mailto:info@cbhomes.org.uk)

Please note, this process will require us to take reasonable steps necessary for us to confirm your identity before we release your personal data.

We will not normally make a charge for this service and will provide your data as quickly as possible or within one month of receiving your request.

It will always help if you can be specific about what personal data you want to see, what it relates to and within what timeframe, as that will assist our search. We will aim to provide the information in the form you prefer (written, electronic, verbal etc).

### **11.2 Right to rectify incorrect information**

If you find that we hold incorrect data about you, you have the right to have this information corrected. Please advise us of any changes or corrections by contacting our Customer Services team on 01206 282514 or via e-mail to [info@cbhomes.org.uk](mailto:info@cbhomes.org.uk).

### **11.3 Right to withdraw consent for processing of your data**

Where we hold your data with your consent (and not because it is necessary for meeting contractual or legal obligations), you may withdraw your consent for us to use this data. Please advise us if you wish to withdraw any consent previously

given by writing to [info@cbhomes.org.uk](mailto:info@cbhomes.org.uk). We will then explain if that means that there will be services which we can no longer provide to you, and will stop processing this data immediately.

Please bear in mind that the majority of the personal information provided by customers to CBH and used by us is processed as a contractual necessity (e.g. necessary for us to carry out services laid out within tenancy and leasehold agreements).

#### **11.4 Right to be forgotten (Right to erasure)**

You have the right to ask us to delete your personal data which we hold on our files. CBH will always comply as fully as possible with your wishes; however, we may need to retain information for certain reasons such as:

- It is necessary for the continuation of a contract or tenancy which you have entered into.
- We have a legal duty to keep the information.

To request erasure of your personal data, contact our Customer Services team on 01206 282514 or via e-mail to [info@cbhomes.org.uk](mailto:info@cbhomes.org.uk).

#### **11.5 Right to be informed (of the collection and use of your personal data)**

Companies and organisations must provide you with information including: their purposes for processing your personal data, their retention periods for that personal data, and who it will be shared with. This is called 'privacy information'.

We will provide privacy information to individuals at the time we collect their personal data from them. This Privacy Notice is part of this provision of information.

If we obtain personal data about an individual from other sources, we must provide them with privacy information within a reasonable period of obtaining the data and no later than one month, unless an exemption applies (such as if an investigation is being conducted against that person).

#### **11.6 Right to restrict processing**

In some situations, you can request that we restrict our processing of your data. This right can be used to prevent processing for a time, whilst not requiring the data to be deleted. This might be because you think the data is incorrect and want a restriction until it is checked or corrected. You might want processing to be restricted temporarily if you have objected to processing and we are considering whether there are legitimate grounds for this. It might also be because you want us to keep data which we would otherwise delete, for example relating to a legal case.

To request a restriction on processing, contact our Customer Services team on 01206 282514 or via e-mail to [info@cbhomes.org.uk](mailto:info@cbhomes.org.uk).

### **11.7 Right to object**

You have the right to object to us processing your data for:

- Legitimate interests or the performing a task in the public interest/exercise of official authority (including profiling);
- Direct marketing (including profiling); and
- Scientific/historical research and statistics.

The law says that your objection must be based on grounds relating to your particular situation.

In some situations we will have lawful grounds to continue processing (e.g. if this is a necessary part of legal action, or if there are compelling legitimate grounds/public interest arguments); however we are committed to complying with this right as fully as possible.

All objections to receiving direct marketing will be complied with – there are no exemptions or grounds for us or any other company to refuse these requests.

To make an objection, contact our Customer Services team on 01206 282514 or via e-mail to [info@cbhomes.org.uk](mailto:info@cbhomes.org.uk).

### **11.8 Rights related to automated decision making and profiling**

If we plan to use the data you provide for automated decision making or profiling, we will give information to you regarding how this will work and what it is for. This type of processing can only be done by us with your explicit consent, or if it necessary for us to make or keep a contract with you (such as a tenancy).

You have the right to challenge any decision which is fully or partially made by an automated process, and you also have the right to have the decision retaken by a member of staff instead of the automated process.

To lodge a challenge or a request for a human to review an automated decision, contact our Customer Services team on 01206 282514 or via e-mail to [info@cbhomes.org.uk](mailto:info@cbhomes.org.uk).

### **11.9 Right to complain**

You have the right to complain about any matter relating to our service, including how we use your personal data:

- In the first instance please contact our Customer Services team on 01206 282514 or e-mail [info@cbhomes.org.uk](mailto:info@cbhomes.org.uk).
- If you are still not happy with our service you may complain to the Housing Ombudsman Service at <http://www.housing-ombudsman.org.uk/>.
- If need independent advice or would like to complain about our use of your personal data you can contact the UK Information Commissioner's Office (ICO) at <https://ico.org.uk/global/contact-us/> or by calling 0303 123 1113
- Our ICO registration number is currently **Z8259492**, although this may change following 25 May 2018.

More detailed guidance on all of your rights can be found by visiting the [Information Commissioner's Office \(ICO\) website](#).

## 12. Consultation

GDPR working group, DMT, Data Protection Officer for CBH.

## 13. References

[General Data Protection Regulation \(Regulation \(EU\) 2016/679\)](#)  
[Data Protection Bill/Act 2018](#)  
[ICO guidance on privacy notices](#)

## 14. Related documents

[Information & Confidentiality Policy](#)

Document Retention Procedure

Information Asset and Data Processing Registers

Housing Services Privacy Notices covering general activities of CBH

[CBC Data Protection Policies](#)

**Document control sheet**

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1.0	New	May 2018	New document to meet GDPR requirements.