



# Housing Services Privacy Notice

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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	To be repealed and replaced by the Data Protection Act (2018).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 conduct normal business activities as a housing and tenancy management company and provider of commercial services.

We work to comply with all elements of current data protection legislation. 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. 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 (including garage rental).
- 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 you in a variety of ways, including when you apply for properties or services, complete one of our forms, when you call, write, e-mail or meet with us or respond to a survey. We may collect data when you log in to your CBH account or use our social media sites or website. More information on how our website works, how we use cookies and why we collect data online can be found on our website at:

[www.cbhomes.org.uk/dataprotection](http://www.cbhomes.org.uk/dataprotection) and

[www.cbhomes.org.uk/website](http://www.cbhomes.org.uk/website)

Our landline phone calls are recorded for training and monitoring purposes and we keep our recordings for twelve months.

We use CCTV systems at our company premises and at some of our sheltered housing schemes for the detection and prevention of crime. These operate continuously and recordings are held securely for one month before deletion.

From time to time we may operate CCTV/sound recording and/or use photography to capture evidence of breach of tenancy, alleged anti-social behaviour or crime. Please note that these activities will be for specific purposes relating to the investigation and detection of crime, or to the statutory duties of Colchester Borough Council, as carried out by CBH on their behalf. This is carried out in line with the content and exemptions within the General Data Protection Regulation and Data Protection Act (2018).

We may also take photographs at our events, at our properties and in our communities to use for general marketing and publicity. However, photographs of identifiable individuals will only be used for those purposes with their explicit consent, which we will collect beforehand or as soon as possible after the event.

We may receive information about you from third parties including:

- Your council or benefits office, relating to your housing.
- Prior landlords and credit agencies when you apply for housing.
- Police, welfare or support organisations dealing with you.
- Councillors, MPs or other representatives acting on your behalf/instruction.
- Financial institutions when you apply for our services.

### 4. What information we collect about you

#### 4.1 Tenants and Leaseholders

When applying for a tenancy or leasehold with CBH, there is some personal information which we require, either as a contractual necessity or to fulfil a

statutory duty which we hold. The information we **must** collect from you, the tenant(s) or leaseholder(s), includes:

- Full name (and proof of your identity / photo ID).
- Date of birth.
- National Insurance number (your unique identifier).
- Contact details (phone, e-mail or correspondence address).
- Details of anyone authorised to act on your behalf if applicable.
- Basic details (e.g. name, gender and DOB) of all household residents.
- Banking details if you pay your rent by Direct Debit.
- Card details if you pay by card (however card details are not stored).
- Proof of housing eligibility, any interest or equity in other property.

Further information we **may** collect from you and process includes:

- **Disabilities or vulnerabilities.** We use this information to tailor our service to meet your particular needs. We may use this information to fulfil our duties to safeguard both you and our staff.
- **Financial information.** We may use this to help resolve arrears payments and optionally to provide welfare, benefits and debt advice as a free service to help you budget and pay your bills. We may use this to apply for funding on your behalf, with your consent. This may be from government sources or from non-governmental bodies.
- **Health information** when we require this to provide and maintain adaptations made to the property you are living in. More specific details are provided if you use this service.
- **Photo ID, bank statements, payslips or other details and documents** when we require this information for processing a Right to Buy application, lease purchase or other transaction.
- **Other personal information** that will vary on a case-by-case basis to help us resolve breaches of tenancy, alleged anti-social behaviour or fraud.

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 hold a tenancy or lease with Colchester Borough Council, or purchase a property through the Right to Buy Scheme.

#### 4.2 Children's information

We do not normally process detailed children's information as part of a tenancy, as all tenants are adults. However, we record children's basic information if they are resident in one of our properties, including their name, gender 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. This information may also be used if safeguarding concerns are investigated.

We may 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.

### 4.3 Property information

We do not consider property information used together with the property address to be your personal information. For example, the age of the kitchen, results from an asbestos survey, planning to replace windows or a repair to a tap. However, we will anonymise property information before making it publicly available.

We are happy to provide you with answers to questions you may have about the property you are living in and work done to it.

As soon as your name, contact details or other personal information are used in conjunction with property information, such as to complete a property repair visit, then they are treated as personal information.

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

The information we require from you is used to manage your tenancy or leasehold agreement or other contract between you and CBH. **Please read your contract carefully for specific details as 'performance of a contract' is usually the legal basis for processing your information and carrying out our activities.**

The most common processing activities we conduct can be summarised as:

- Managing your account charges and payments, including arrears.
- Managing the repairs, maintenance and adaptation of our properties.
- Ensuring tenancy (or contract) conditions are complied with, such as dealing with anti-social behaviour or fraud.
- Complying with relevant legislation and regulation.

We conduct research and statistical analysis to help improve our business processes and the services offered to our customers, as well as to evaluate our performance against other benchmarks. In all cases, statistical information is anonymised or pseudonymised. Tenant and Leaseholder personal data will not be made publicly available as part of this research and analysis.

We conduct surveys about our services and use the results to make improvements.

### 5.1 Additional services

We offer a number of additional voluntary services including: organising community events, providing debt advice, adapting the property in which you live (to meet needs you might have regarding your health or mobility), processing Right to Buy applications and gathering information to improve our services.

For these voluntary or optional services, if your personal information is needed, we will always notify you about the service being offered, explain the service and obtain your consent to proceed, usually by way of a sign up / consent form for that service.

## 6. How we will communicate with you

We need to communicate with our customers 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 you 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.

Our tenants receive our newsletter 'Housing News & Views' with information about what is going on within the organisation, but you may opt out of receiving this by contacting [communications@cbhomes.org.uk](mailto:communications@cbhomes.org.uk).

If we carry out any marketing of optional services, this will be strictly on an opt-in basis. You may remove your consent to receive such information or object about direct marketing at any time to [communications@cbhomes.org.uk](mailto:communications@cbhomes.org.uk). We will not send you this kind of unsolicited material without your consent.

We will only discuss or communicate your tenancy or lease details with those named on the agreement or those 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 share limited personal data with our contractors who carry out services on our behalf. Our contractors are required to comply with the law and their contractual commitments to us to ensure data is managed appropriately and for specified purposes, including to run our out-of-hours telephone services or to complete emergency, responsive or planned property repairs. We will sometimes share data with our contractors in order to provide services or adaptations for disabled residents, or to meet our safeguarding duty both to our tenants and to our contractors.

We may need to share information with solicitors, agents, mortgage brokers, financial advisors, court agents, surveyors and valuers relating to a leasehold or Right to Buy property sale. However, this information will almost always be provided directly to the tenants who are opting to engage their right to buy. The tenants will then disclose this information themselves.

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

Information and documents relating to a tenancy or lease agreement will be kept for as long as the agreement is active or where money is owed on the account, and for a period of six years afterwards, unless by law we need for this to be retained. The basic history of who held a tenancy or leasehold at which property and when will be held forever.

## 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

Individual Privacy Notices covering specific areas and activities of CBH

[CBC Data Protection Policies](#)

**Document control sheet**

<b>Title:</b>	Housing Services Privacy Notice
<b>Electronic File Name &amp; location:</b>	T:\Business Services\Business Support\Admin\Board and Governance\Governance\Data Protection and Data Security\Privacy notices
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1.0	New	May 2018	New document approved by DMT to meet GDPR requirements.