

Lochaber Housing Association

Privacy Notice - Sharing Owners

What we need

Lochaber Housing Association Limited (LHA) will be a "controller" of the personal information that you provide to us when you apply for shared ownership for one of our properties, unless otherwise stated in this privacy notice.

When you become an owner of a shared ownership property, we collect the following personal information:

- your name, address, contact telephone numbers;
- your bank account number, sort code, card details, payment history, including invoices, receipts and direct debit forms, payment arrears details;
- photographs of you used for LHA publicity purposes and proof of identification;
- information collected through surveys and competitions and minutes of meetings;
- information received relating to complaints and alleged criminal behaviour; and
- correspondence between you and LHA including records and details of complaints.

We may also collect the following personal information:

- your image in photographic and video form where you are in the vicinity of one of our CCTVs, Body Worn Cameras, vehicle Dashcams or for video conferencing facilities (such as Microsoft Teams or Zoom); and
- your voice recording when telephoning one of our contact numbers, or when in the vicinity of one of our Body Worn Cameras.

Why we need your personal information – contractual purposes

We need to collect your personal information so that we can provide to assess your application for shared ownership and enter into an exclusive occupancy agreement. We will use your personal information to:

- assess your application for shared ownership, including personal information for assessments and eligibility for the schemes, such as date of birth, national insurance number, income details, family composition, employment and financial details;
- monitor your compliance with the relevant agreement conditions;
- for public protection and health and safety in relation to management of properties;
- to communicate with you remotely, including via video conference facilities (such as Microsoft Teams or Zoom); and
- for training and monitoring of telephone calls (not all telephone calls will be recorded).

If you do not provide us with all of the personal information that we need to collect then this may affect our ability to manage your occupancy of your property.

Why we need your personal information – legal obligations

We are under a legal obligation to process certain personal information relating to our management service for our sharing owners for the purposes of complying with our obligations under

- the Property Factors (Scotland) Act 2011 to act as your factor and provide you with factoring services, including communicating with you and managing your payments where you receive factoring services from us;
- the regulatory requirements of the Scottish Housing Regulator to undertake shared ownership satisfaction surveys, which is a regulatory requirements for the Annual Return of the Charter ARC);
- the Equality Act 2010, which requires us to process personal information to make reasonable adjustments where necessary; and
- the Antisocial Behaviour etc. (Scotland) Act 2004, which requires disclosure and sharing of information regarding actual or alleged antisocial behaviour.

Why we need your personal information – legitimate purposes

We also process your personal information in pursuit of our legitimate interests:

- to undertake research to improve our services; and
- publicity purposes in either our newsletter or our website or wider release.

Where we process your personal information in pursuit of our legitimate interests, you have the right to object to us using your personal information for the above purposes. If you wish to object to any of the above processing, please contact the Data Protection Officer at 101 High Street, Fort William, PH33 6DG or emailing DPOLHAGroup@lochaberhousing.org.uk

If we agree and comply with your objection, this may affect our ability to undertake the tasks above for the benefit of our sharing owners.

Why we need your personal information – special categories

We are required to use your special categories of or sensitive personal information relating to your health and information relating to alleged or actual criminal behaviour where one of the above lawful bases above applies and under one of the following conditions:

- for health or social care purposes or for reasons of substantial public interest in relation to LHA's public functions under housing legislation in Scotland;
- for the purposes of preventing or detecting criminal acts or fraud;
- to safeguard children and individuals who are risk of neglect or physical, mental or emotional harm; or
- to respond to communications from elected representatives acting on your behalf.

Other uses of your personal information

We may ask you if we can process your personal information for additional purposes. Where we do so, we will provide you with an additional privacy notice with information on how we will use your information for these additional purposes.

Who we share your personal information with

We may also share personal information with our professional and legal advisors for the purposes of taking advice and in the event of legal claims, as well as our internal and external auditors where required. These organisations will become controllers of the shared personal information.

LHA employs third party suppliers to provide services, including video conferencing applications (Microsoft Teams and Zoom), CCTV and Body Worn Camera services. These suppliers may process personal information on our behalf as "processors" and are subject to written contractual conditions to only process that personal information under our instructions and protect it.

In the event that we do share personal information with external third parties, we will only share such personal information strictly required for the specific purposes and take reasonable steps to ensure that recipients shall only process the disclosed personal information in accordance with those purposes.

How we protect your personal information

Your personal information is stored in hard copy, on our electronic filing system and our servers based in the UK, and is accessed by our employees for the purposes set out above.

If we are required to transfer your personal information outwith the EU, we will provide you with information regarding the safeguards that we have put in place with the recipient country to protect your personal information.

How long we keep your personal information

We will only keep your personal information for as long as necessary to provide you with factoring and/or related services or administer your shared ownership and to safeguard LHA in the event of any claims, complaints, litigation, enquiries or investigations during or following the termination of your factoring agreement or exclusive occupancy agreement.

We have a data retention policy that sets out the periods for retaining and reviewing all information that we hold. This sets out different retention periods and you can request a copy by contacting us at DPOLHAGroup@lochaberhousing.org.uk

Your rights

You can exercise any of the following rights by writing to the Data Protection Officer at 101 High Street, Fort William, PH33 6DG or emailing DPOLHAGroup@lochaberhousing.org.uk. We have appointed Harper Macleod LLP as our Data Protection Officer who should be contacted using the contact details above.

Your rights in relation to your personal information are:

- you have a right to request access to the personal information that we hold about you by making a "subject access request";
- if you believe that any of the personal information that we hold about you is inaccurate or incomplete, you have a right to request that we correct or complete your personal information;
- you have a right to object to and/or request that we restrict the processing of your personal information for specific purposes;
- if you wish us to delete the personal information that we hold about you, you may request that we do so; and
- if you would like to obtain the personal information that we hold about you to reuse it for your own purposes, you may request that we do so.

Any requests received by LHA will be considered under applicable data protection legislation. If you remain dissatisfied, you have a right to raise a complaint with the Information Commissioner's Office at www.ico.org.uk