

## **MONMOUTHSHIRE HOUSING ASSOCIATION PRIVACY NOTICE**

In the day to day running of our organisation it may sometimes be necessary for us to collect, process and share your personal data with other organisations. As we make decisions about why and how your data is processed under data protection law, we are a “Data Controller” and are registered & regulated accordingly with the Information Commissioners Office (ICO). Our registration number is Z143441.

This privacy notice applies to Monmouthshire Housing Associations’ Contract-holders, leaseholders and potentially any other customers that contact us and use our services and explains:

- How we collect personal information
- What information we may collect
- What we mean by Special Category personal data
- When and why data may be collected or shared and our Lawful basis for doing so
- Who we may share data with
- How we secure your data, how long it is held and your individual rights under the UK GDPR and Data Protection Act 2018

We have updated this notice to reflect changes in data protection law, which took effect from 25 May 2018; this document was last updated in July 23. Any future changes we make to this notice will always be posted here on our website. A paper copy is available on request.

### **Who is Monmouthshire Housing Association?**

Monmouthshire Housing Association (MHA) (us, we) is a Registered Social Landlord that manages around 3600 affordable homes in Monmouthshire. We provide support for Contract-holders and residents in a variety of ways. We also manage the common housing register on behalf of Monmouthshire County Council and in partnership with Melina Homes, Pobl & United Welsh Housing Associations, via our Homesearch scheme. More information about our work can be found at [www.monmouthshirehousing.co.uk](http://www.monmouthshirehousing.co.uk). You may also engage our workforce to undertake building work in your home and we currently provide building services to Monmouthshire County Council in respect of Disabled Funding Grant works.

As a Data Controller Monmouthshire Housing Association is committed to:

- Using your personal data responsibly and in accordance with the UK GDPR and Data Protection Act 2018.
- Collecting and using personal data only where it is necessary and proportionate to do so.
- Deleting personal data that we no longer need.
- Keeping your data safe and secure.
- Having a fundamental focus on privacy when planning and developing new systems and services.
- Being transparent about how we use your personal data and how and why we may sometimes share it with others.
- Making it easy for you to access and correct your personal information.
- Training our staff so your personal information is managed in line with the law.
- Checking that we are adhering to these principles on a regular basis.

## **How we collect data?**

MHA collects personal information about our customers (and members of their household) in a variety of ways, including:

- Online and paper forms such as applications for housing and employment with MHA or other support services
- Photographic ID
- Via surveys and consultations
- Relevant information given by other agencies including Housing Benefit, Department of Work and Pensions (DWP), The Police, Fire Service, Social Service or The National Health Service (NHS)
- Via our website and sometimes through the use of cookies
- When a customer interacts with us on social media platforms
- Via Credit Agencies
- Via complaints or compliments made about one of our customers/staff by a third party
- CCTV cameras
- Telephone recordings system (all calls to and from our main telephone number are recorded)
- Filming – we may request your permission to film certain events and use the footage on our website or for internal communication, your written permission will be requested at any event where filming is likely to take place.
- Equalities Information
- Criminal Convictions/proceedings
- Where appropriate details of your mental & physical health
- Your IP address

## **What data do we collect?**

The information we collect may include the following:

- Details about you and your household including:
  - Names
  - Address
  - Dates of birth
  - Contact Details, (ink Email and Telephone Numbers)
  - National Insurance number
  - Copies of any relevant identification documents
  - Employment details
  - Current living conditions
  - Details about your home, your housing needs and the written statement of your occupation contract
  - Rent & service charge information, including details of any arrears
  - Financial Information, including:
    - Credit checks
    - Details of outgoings & any debts

- Income details
- Bank details
- Housing benefit information
- Emergency contact details, next of kin and any advocate
- Information about any accidents or incidents which involve you or your home
- Photographs taken of you or your property, such as CCTV footage or photos taken for repair assessments
- Audio recordings of calls made to & from our Head Office and other correspondence you have with Monmouthshire Housing Association
- References received about you (for example from your employer or previous landlord) We will also at your request, provide references to a new landlord on your behalf
- Social media posts that reference MHA

This list is not exhaustive, and we may request other information from you. This will however only be to enable us to deliver services to you or provide additional support.

### **What is meant by “Special Category Personal Data”?**

Under Data Protection legislation, certain personal information is also classed as “Special Category Personal Data”. This is any information relating to:

- Your racial or ethnic origin
- Your political opinions
- Your religious beliefs or other beliefs of a similar nature
- Whether you are a member of a trade union
- Your physical or mental health or condition
- Your sexual orientation
- Your commission or alleged commission of any offence
- Any proceedings for any offence you have committed or are alleged to have committed, the disposal of such proceedings or the sentence of any court in such proceedings

By analysing the special categories of data, we collect, we can ensure that the services we provide are fair and promote equality of opportunity for all. This means that we are better able to plan and deliver services to all of our customers.

Details of physical or mental health conditions are needed to ensure we provide accommodation or services that are suitable for need and that we provide you with adequate support should you wish to receive it.

MHA seeks to minimise the amount of Special Category personal information we hold about an individual. We make sure this information is secure at all times and we inform individuals of why we need it and how we will be using it.

### **When & why do we collect information and on what “Lawful basis”?**

The term “Lawful basis” refers to our justifiable reasons for collecting, processing, or sharing data.

We may collect, process and share data from you at a number of different times during your relationship with MHA and for a variety of different reasons. These are outlined as follows:

Please note that this is not an exhaustive list and on occasions another legal basis may apply. Should this be the case we will advise you on what lawful basis we are collecting your data.

Although we are not a public body, we may collect and use some personal information where this is necessary to perform tasks that are in the public interests.

### **When you apply for a home**

As a Registered Social Landlord, we have a duty to allocate our homes in accordance with the appropriate Allocations Policy. This ensures your home meets your specific needs and is affordable for you. As noted above we also manage Homesearch on behalf of Monmouthshire County Council in partnership with, Melin Homes, Pobl and United Welsh Housing Associations. We may share information with these bodies. Further information is available in the privacy statement and the Allocations Policy available at:

<https://www.sectortest.co.uk/PublicSite/Monmouthshire/Choice/content.aspx?pageid=84>

Details of Homesearch can be found at:

<https://www.monmouthshirehomesearch.co.uk/choice/>

Your name, current and/or forwarding addresses will be shared with utility companies including Welsh Water and our gas and electricity supplier to ensure payments are accurate and allocated correctly when you sign up for a new home or transfer to another of our properties. We will also update the local authority with your name, current and/or forwarding address to ensure they have correct details for council tax purposes and also to facilitate any housing benefit payments if applicable.

Our Lawful basis for collecting, processing and sharing your data as part of this process include:

- To comply with legal obligations
- To comply with our contractual obligations
- Our legitimate interest in ensuring our homes are allocated fairly & utilities are billed correctly
- Your consent
- Your explicit consent

## **Managing your contract or leasehold**

Once you have been allocated a home or if you have a lease with us, we require information to enable us to continue to manage your contract or leasehold. This will include for example collecting rent or service charges, arranging repairs and providing a maintenance service. For the safety of our staff and other customers it is sometimes necessary for us to hold “Special Category Data” including details of current and past behaviours and criminal convictions and offences (including allegations). We need this information to train our staff and protect them where necessary. For example, if warranted we may put alerts on our systems that would advise staff to visit customers in pairs. Our Lawful basis for collecting, processing and sharing your data as part of this process are:

- To comply with legal obligations
- To comply with our contractual obligations
- Our legitimate interest in running our business efficiently and effectively and in meeting your needs as a Contract-holder

## **Our use of Experian**

As part of contract management, we will undertake an ad-hoc credit check with Experian (a credit reference agency) when we are processing your application for a new home. We need this information to help us pinpoint where to focus resources and work more closely with customers in need, to help them manage and sustain their contracts.

Under our low- cost home ownership scheme we also share information with Experian for the purpose of a credit check to clarify eligibility, affordability and residency qualifications.

These checks do not impact on your credit rating.

Our Lawful basis for sharing this information is:

- Our legitimate interest to ensure the provision of any financial help or support you may require and for identity verification purposes.

## **Providing support**

We are able to provide support to you in various different ways including:

- Ensuring your health care needs are met
- Advising and supporting on financial and benefit matters
- Helping you to gain employment through training and new skills and experiences

In order to ensure we provide this support we will collect information which will help us understand your current situation and what needs or ambitions you have. This may include “Special Categories of Data”. Our Lawful basis for collecting, sharing and processing your data as part of this process include:

- Our legitimate interest in ensuring we provide appropriate services to all our Contract -holders including the provision of wellbeing support
- Your consent/Your Explicit Consent

## **Safeguarding**

Safeguarding means protecting someone’s right to live in safety, free from abuse and neglect. MHA will work with other agencies such as social services or the police and share information to support safeguarding, as our work activities mean staff will sometimes encounter both adults and children at risk. We share this information to ensure our legal obligations to any other bodies involved with your care and support are met. Our Lawful basis for this include:

- To comply with legal obligations
- To protect your vital interests

## **Performance Standards and Continuous Improvement**

In order to make sure that we provide the highest standard services, it’s important that we hold the right information about our customers and that this information is up to date. We send out surveys periodically and ask customers to provide us with specific information about themselves and their household. By analysing the data we collect, it helps MHA make better informed decisions and allows us to continually improve services. Individuals also have the right to complain to MHA about the level of service they have received. We investigate each complaint and therefore personal information about individuals could be considered and held in a complaint file. Our Lawful basis is:

- Our legitimate interest to understand our Contract -holders improve the quality of the services we provide
- Where appropriate we will also rely on your consent

## **Board, Governance & Continuous Improvement**

Our Board oversees the running of MHA and Personal data is used to help manage membership.

We may also ask Contract -holders to help us improve our services and you may be invited to contribute to service reviews or join our Scrutiny Panel. Our Lawful basis for processing this information are:

- Consent for us to process your personal data
- To comply with legal obligations
- To comply with contractual obligations
- Our legitimate interest to run our organisation effectively

## **Communications**

We rely on personal information to tailor and target our communications, so they are timely and relevant to our Contract -holders, leaseholders and other customers. An example would be keeping Contract -holders up to date via our newsletter. We may also text or e-mail you with important information regarding your contract such as appointments for essential maintenance. Our Lawful basis for collecting and processing this information are:

- To comply with contractual obligations
- To comply with legal obligations
- Our legitimate interest in providing our Contract -holders with additional support and information in connection with their contract

As you are a Contract-holder of MHA we may also contact you by text or email to share details of events or other opportunities that we feel may be of interest to you. We will give you the opportunity to opt out of these communications if you no longer wish to receive them. If you are on our Homebuy waiting list, we may also text/e-mail you when new properties that you may be interested in become available. You will be given the opportunity to opt out of receiving further communications. We may also use automated calling to seek feedback on our repair/maintenance services, you will have the opportunity not to take part in these.

The Privacy & Electronic Communications Regulations sit alongside the Data Protection Act & UK GDPR and outline privacy rights in respect of electronic communications. To find out more about these regulations, please visit <https://ico.org.uk/media/for-organisations/guide-to-pecr-2-4.pdf>

To maximise our use of social media, MHA utilises the services of a data analytics company to ensure best use of these platforms to engage with our stakeholders and also to help us understand the impact of our social media campaigns.

**Please note: we will never share your information with third parties for marketing purposes.**

## **Community Engagement**

MHA needs information to work with communities in a variety of ways, both to improve the services we provide and to support the wellbeing of individuals and communities. We rely on information to help us achieve this. Our Lawful basis here are:

- Your consent
- Our legitimate interest to improve our services and support the wellbeing of our Contract -holders

Where anyone is aged under 16 we require them to get their parent/guardian's permission, if they provide personal information to us in connection with community engagement activities.

## **Resolving neighbour disputes, anti-social behaviour and other issues within the community including use of CCTV, Body Worn Video Devices & Noise Monitoring Equipment**

If a customer or member of the public contacts us with a complaint about a neighbour or concerns about activity within their community, we will ask for information that will enable us to investigate the issue fully. This may include witness statements from other individuals, information received from the police or Closed Circuit Television (CCTV) footage.

We sometimes install CCTV cameras in areas where a high volume of anti-social behaviour is reported. Signs will always be erected close to the cameras to advise customers that they are there.

However, in certain exceptional circumstances, for example where we suspect criminal activity is taking place we may install covert CCTV. This will only take place where knowledge of a recording would prejudice the detection or prevention of crime.

On rare occasions an MHA officer may wear body worn video devices when visiting homes; this is partly for safety reasons and also to ensure the integrity of the information we gather. Any MHA officer wearing such a device will have a clear notice explaining this on their clothing. MHA.

To respond to complaints of noise nuisance, noise monitoring devices may be installed in complainant's homes to help us assess the issue and respond appropriately. As well as noise monitoring equipment, MHA Contract -holders are able to use a mobile phone application provided by the Noise App (<https://www.thenoiseapp.com/#/>) to record activity and communicate with MHA.

Our Lawful basis for collecting, processing or sharing this information are:

- To comply with legal obligations
- Our Legitimate interest to ensure the safety and security of our properties, our Contract -holders & our staff
- Public Interest
- In respect of the use of covert CCTV, we have a duty to prevent and detect crime under the following data protection legislation:

**Data Protection Act 2018, Schedule 2, Part 1, 2 (1) (a)**

## **Call Recording System including collection of bank details**

MHA records all of our incoming/outgoing telephone conversations made via our main contact number. The recordings are then used for training and monitoring and are also used to investigate complaints made by customers or staff.

We do not record your card details when you supply them over the phone for us to take payments. Our system automatically stops recording when we log into the bank screens to take your details. Our Lawful basis to collect this information is:

- Our legitimate interest in resolving complaints and improving our service

## **Insurance and Compensation**

Where we are involved with an insurance or compensation claim, we may need to process and share personal information for the purposes of further investigation, assessing liability and agreeing any payments. Our Lawful basis for this are:

- Our legitimate interest in ensuring we comply with insurer requirements
- To exercise and defend legal claims

## **Applying for a job or volunteering with Monmouthshire Housing Association**

If you apply for a position at MHA, you can find full details of how we use your data in the separate Recruitment Privacy Notice on our website,

Part of our recruitment process relies on automated processing. If your application does not meet the minimum standards required for the post it will not be processed any further by the system. You can contact our HR team at any point in the recruitment process for further information or to discuss.

## **Shareholders**

We encourage Contract -holders of MHA and independent community members to become a Shareholding Member. This is your way of getting involved in moulding key decisions that will direct the business and services provided. Personal data is used to help manage communications with shareholders and we rely on:

- Our legitimate interest to manage communications & keep you informed
- To comply with our legal obligations

## **Live Chat**

If you use our live chat service we'll collect the contents of your live chat session and if you choose to provide it your name and email address. We rely on:

- Our legitimate interests in managing your communications

## **Energy Data**

In 2019, Wales declared a climate emergency and the Welsh Government has subsequently set ambitious targets for housing associations to achieve carbon emission reductions from their housing stock. To help achieve that, they have made additional funding available to us to enable retrofitting of energy saving measures in some homes. These may include for example, new windows or external cladding. These measures should help make you home warmer and more energy efficient.

In return for the funding, they have requested that efficiency monitoring equipment is fitted in your home. The equipment will measure various factors including:

The amount of energy used and also the amount of energy that leaks out of your home.

This data will be analysed to help assess the efficiency of new installations and inform future decision making. Whilst MHA also has access to this data, for the purposes of this work, Welsh Government are the data controller and additional information can be found here:

[Optimised RetroFit Programme: why we need your data \[HTML\] | GOV.WALES](#)

### **Who do we share personal data with?**

We will when required, share information with contractors, third parties and other agencies we work with, including Local Authorities, Social Services, the Police, other landlords and agencies such as support providers if appropriate. MHA will only share information within the bounds of current data protection legislation and will ensure there is a lawful basis to do so. In particular please note as follows:

- We may share information with the local authority to assist in the safeguarding of individuals, or to prevent an eviction
- We may discuss your financial situation, rent payments (including any arrears) and any claims made for welfare benefits with; an external debt advice agency, welfare rights advisor, the Department of Work and Pensions or the local authorities to make sure that benefits are paid correctly
- Information about you may be provided to authorised debt recovery agencies to enable them to recover any monies owed to us. This may affect future applications for rented homes, credit and insurance
- We may be legally obliged to share information with Courts or legal professions in some circumstances
- We may share information to help detect and prevent fraudulent activity

Organisations that we share information with will need to process personal data in line with the law and where applicable agree to our specific requirements to process the data.

Please note that if you give us your consent for your information to be disclosed to an individual/organisation, for example, your elected representative or any other advocate acting on your behalf then they are deemed as a data controller under the GDPR and therefore are responsible for conforming to the particular requirements of data protection law. We recommend that you familiarise yourself with their privacy policies. We will ask you to complete an MHA consent form prior to releasing your information. A copy of this form can be found on here: <https://www.monmouthshirehousing.co.uk/wp-content/uploads/2019/04/Authority-to-Disclose-Information-Form-V5.pdf>

## **International Transfers**

MHA does not transfer data internationally. Where we are aware that third party organisations that we may use do transfer data outside of the European Economic Area, we will ensure adequate safeguards are in place to keep your data protected.

## **How do we secure your data?**

MHA has an Information Security Policy & also a Data Protection Policy. These are available upon request.

Information held electronically or on paper is stored securely with appropriate controls and higher levels of security around sensitive personal data. The controls will be appropriate to the nature of the personal data and the level of associated risk.

Controls include:

- Security software
- Paper records being stored in lockable offices or cabinets
- Access to information is restricted on a role basis
- Strong passwords are set for both network and system access
- Regular password changes are enforced
- Mobile devices are provided to staff where possible to avoid taking hard copies of information out of the office

Periodic checks are carried out to test the effectiveness of the security controls.

## **How long do we hold your information?**

We keep your information for no longer than is necessary for the purposes it was collected for. The length of time we retain your personal information is determined by operational and legal considerations. Further information is contained in our Data Retention Policy, a copy is available upon request.

## **Profiling**

As an organisation MHA use a third party company to help us analyse and predict future arrears patterns. RentSense software is a series of complex algorithms that analyses our Contract -holders' transactional history this is coupled with a predictive analytical application that then helps us with our arrears management process. The information provided is reviewed by Income Officers who will then decide what actions to take. Please note that no automated decision-making is undertaken. The system will also be used to generate an automatic text to some Contract-holders should we wish to contact you regarding arrears.

## **What are your individual rights?**

Under data protection legislation you have a number of rights in relation to your personal information:

**(a) The right to access the personal information we hold on you**

You have a right to ask us what personal information we hold about you, and to request a copy of your information, free of charge. This is known as a subject access request.

We have one calendar month within which to provide you with the information you've asked for or tell you why if we cannot provide the information.

**(b) The right to ask for your personal information to be corrected if you think it is wrong.**

You have the right to ask us to correct your personal information if you believe it is wrong.

We have one calendar month to deal with your request or let you know why if we can't.

**(c) The right to erasure (right to be forgotten)**

You may have the right, in certain situations, to ask us to delete your data. If we are unable to do this for you we will always let you know why.

**(d) The right to restrict us processing your personal information**

In some cases, you may be able to ask us to restrict our processing of your data. When processing is restricted, we are allowed to store the information, but not do anything with it.

**(e) The right to object to processing**

You have the right to object to processing where we say it is in our legitimate business interests. We must stop using the information unless we can show there is a compelling legitimate reason for the processing, which override your interests and rights or the processing is necessary for us or someone else to bring or defend legal claims.

**(f) The right to withdraw consent**

Whenever you have given us your consent to use your personal information, you have the right to change your mind at any time and withdraw that consent.

If the basis on which we are using your personal information is your consent, then we must stop using the information.

**(g) The right to data portability**

The right to data portability allows you to obtain and reuse your personal information for your own purposes across different services. It allows you to move, copy or transfer personal information easily from one IT environment to another in a safe and secure way. The right only applies to personal information you have provided to us where the reason we are relying on to use the information is either your consent or for the performance of a contract. It also only applies when processing is carried out by us using automated means which does not apply in our case.

**(h) The right to object to automated decision making**

You have the right to object to us making a decision about you which is made by automated means only.

As outlined above, automated decision making does form a part of our recruitment process.

In addition to the above, when you apply for a home via Monmouthshire Homesearch, your application may be automatically allocated into the most appropriate banding based on the information you have submitted. If you disagree with this you can contact a member of the Homesearch team who will undertake a review.

Please note that additional exceptions apply to a number of these rights and not all will be applicable in all circumstances. Further detail regarding your rights can be found at: <https://ico.org.uk/>.

If you would like to exercise any of the above rights, please contact us on: [dpo@monmouthshirehousing.co.uk](mailto:dpo@monmouthshirehousing.co.uk) Business Assurance Manager, at our HO address. Please provide as much detail as you can about your request and specifically what personal information you want to access. We will endeavour to respond fully to the request within one month of receipt. If we are unable to do so for any reason we will contact you with reasons for the delay. If we are not able to fully complete your request (due to conditions set out by the General Data Protection Regulations and Data Protection Act 2018) we will explain why.

### **Contacting MHA**

If you have any queries or concerns connected to our use of your personal data or any other data protection questions not already covered in this notice, please contact us on: [dpo@monmouthshirehousing.co.uk](mailto:dpo@monmouthshirehousing.co.uk) [@monmouthshirehousing.co.uk](mailto:dpo@monmouthshirehousing.co.uk).

You can write to us at:

Nant Y Pia House  
Mamhilad Technology Park  
Mamhilad  
Monmouthshire  
NP4 0JJ.

Our Data Protection Officer is:

GDPR Sentry Ltd  
Unit 434 Birch Park  
Thorp Arch Estate  
Wetherby  
West Yorkshire  
LS23 7FG  
Tel: 0113 804 2035  
[info@gdprsentry.com](mailto:info@gdprsentry.com)

### **Contacting the regulator**

If you feel that your personal information has not been handled correctly, or you are unhappy with our response to any requests you have made to us regarding the use of your personal information, you have the right to make a complaint to the Information Commissioner's Office.

You can contact them by:

Calling [0303 123 1113](tel:03031231113)

Or by writing to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Online [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns)

