



## Privacy Notice

Bellsmyre Housing Association Limited ("Bellsmyre HA") is committed to protecting and respecting your privacy. At Bellsmyre HA our guiding principles are **Excellence, Respect, Integrity** and **Customer Service** and we ensure that we comply with these principles and applicable data protection law when we process your personal data.

This Privacy Notice explains how Bellsmyre HA will process your personal data, from when we collect it until we dispose of it. It also explains how we use your personal data, when we will share it with others and how we will keep it secure.

### What is personal data?

Personal data is information about you that allows you to be identified. Identification can be by the information alone or when used with any other information we have or are likely to have in the future.

### How the law protects you

Your privacy and our use of your personal data is protected by law. Bellsmyre HA is committed to collecting and using personal data fairly and in accordance with the requirements of the General Data Protection Regulation (EU) 2016/679 and the Data Protection Act 2018 (as amended or replaced from time to time). Data Protection law says that we are allowed to process personal data only if we have a lawful basis to do so. This includes sharing it outside of Bellsmyre HA. The law says that the basis on which Bellsmyre HA may process personal data includes:

- When the processing is necessary to fulfil a contract we have with you, or are entering into with you;
- When we have a legal obligation to;
- When it is in Bellsmyre HA's or a third party's legitimate interests;
- When you consent to it; or
- When the processing is necessary to protect the vital interests of you or another individual.

A "legitimate interest" is when we or a third party have a business or other good reason to use your information. But even then, it must not unfairly go against what is right and best for you. If we rely on legitimate interests, we will tell you what those interests are.

### Who we collect personal data on

**Customers** – current, former and potential customers, who live in our properties or access our services, including Tenants, Factored Owners and Service Users.

**Colleagues** – current, former and potential colleagues, including volunteers, Management Committee Members and those who have a membership with us.

**Anyone who makes a complaint or enquiry, uses our website or visits our offices.**

## **Who we are**

Bellsmyre HA is a Registered Social Landlord in Scotland. We are a Scottish Charity (Scottish Charity No. SC038496) and a registered society under the Co-operative and Community Benefit Societies Act 2014 – Reg No. 2380R(S) with our registered office at 16 Merkins Avenue, Bellsmyre, Dumbarton, G82 3EB.

Bellsmyre HA is the controller of your personal data, this means we decide how your personal data is processed and for what purposes.

## **How to Contact Us**

Telephone: 01389 765179

Email: [enquiries@bellsmyre-ha.org](mailto:enquiries@bellsmyre-ha.org)

Address: 16 Merkins Avenue, Bellsmyre, Dumbarton, G82 3EB.

Opening Times: Monday to Friday 9am – 5pm

## **Our Data Protection Officer**

We have a Data Protection Officer, who is responsible for monitoring our compliance with Data Protection, and is available for you to contact if you have any concerns over how we handle your personal data or if you want to make a request to access your personal data. You can contact our Data Protection Officer via the contact details above.

# People who have a Tenancy Agreement with us

## How we collect your personal data

Bellsmyre HA obtains your information from a variety of sources, including when you:

- Accept an offer of a property
- Sign a tenancy agreement
- Telephone or visit our staff/offices
- Write to or email us
- Request services or repairs from us
- Raise a complaint with us
- Respond to a survey or consultation
- Are captured by our CCTV systems

## What information we collect

### Personal Data and Contact Details

Name, addresses, date of birth, national insurance number, relationship status, employment status, signature, home telephone number, mobile telephone number, and email address.

### Tenancy Details

Start and End dates, Tenancy Reference number, references from previous landlords.

Household composition—details of who lives in the property with you, their name, age and gender.

All contact you have with us or we have with you including any emails, letters or telephone calls.

Complaints made about you or by you.

Antisocial behaviour allegations made by you or about you or your household.

Unacceptable behaviour warnings

### Financial Information

Rent Payments and statements, arrears, income, affordability information.

Payment details—bank account details, third party payment details, direct debit mandates.

Housing Benefit entitlement and payments, Universal Credit, Council Tax information.

### Health

Health conditions relating to accommodation and or service requirements.

### Communication Requirements/Preferences

Language preferences. Requirements for different communication formats e.g. large print.

### Third Party Representatives (optional)

Details of those you wish to communicate with us on your behalf.

### Equalities Information (optional)

Protected characteristics as detailed in The Equality Act 2010.

## Information we may receive from Third Parties about you

- Details on your application
- Details of benefits from Department of Works and Pensions or Local Authority
- Payments made to us by you
- Information from representatives acting on your behalf
- Information from welfare or support agencies working with you
- Complaints or other communications regarding behaviour or other alleged breaches of the terms of your contract with us, including information obtained from Police Scotland
- Reports as to the conduct or condition of your tenancy, including references from previous tenancies, and complaints of anti-social behaviour.

## What we use your information for

Uses	Reason
Offer a property to you	Necessary to enter into a tenancy agreement with you
Manage your tenancy	Necessary to comply with the tenancy agreement we have with you
Manage your rent and service charge accounts	Necessary to comply with the tenancy agreement we have with you
Provide repairs, maintenance and adaptations to our properties	Necessary to comply with the tenancy agreement we have with you Legal Obligation under applicable housing legislation
Carry our surveys and consultation	Legal Obligation under applicable housing legislation Our Legitimate Interests to send you communications requesting your feedback about Bellsmyre HA, the services it provides and/or any proposals or services which we may decide to introduce or change
To offer assistance with debts and benefits	Our Legitimate Interests
To engage with you to get feedback on our services	Legal Obligation Our Legitimate Interests to send you communications requesting your feedback about Bellsmyre HA
To send you information on our performance	Legal Obligation under applicable housing legislation Our Legitimate Interests to send you communications about Bellsmyre HA and its performance
Investigate and resolve complaints	Necessary to comply with the tenancy agreement we have with you Legal Obligation under applicable housing legislation

Uses	Reason
Investigate and resolve Anti-social behaviour	Necessary to comply with the tenancy agreement we have with you Legal Obligation under applicable housing legislation
Conduct research and statistical analysis to improve our services.	Our Legitimate Interests to process personal data for the purposes of improving our services to you
Evaluate our performance against other housing associations.	Our Legitimate Interests to process personal data for the purposes of improving our services to you

## Who we share your information with

We may share your personal data with:

**Maintenance contractors** who are instructed to carry out repairs or maintenance works.

**Out of hours Response** and **Warden call** providers to allow support and emergencies to be handled out of hours.

**Local Authorities** regarding your application for housing and housing benefit entitlements, payments, council tax.

**Police Scotland, Scottish Fire & Rescue Service.**

**Local authorities** or others involved in investigating a complaint.

**Utilities companies** to ensure billing information is up to date, including forwarding addresses.

**Payment processors, Local authorities, Department of Work and Pensions** regarding investigating payments made or otherwise.

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 Housing Benefit department** or the **Local Authority housing advice and homeless prevention team** to make sure that benefits are paid correctly.

**Sheriff Officers, Debt Recovery Agencies** and **Solicitors** if you default on any tenancy conditions, to enable the recovery of debt or property.

**Survey and Research companies** who conduct surveys and research on our behalf which allow us to gather feedback and improve the services we offer you.

Our partner associations **Caledonia and Cordale** to provide local services in your area.

**Mail distribution services** in order to provide newsletters and service information.

If we enter into a joint venture with or merge with another business entity, your information may be disclosed to our new business partners or owners.

## People who receive a Factoring Service

### How we collect your personal data

Bellsmyre HA obtains your information from your factoring agreement with us.

### What information we collect

#### Personal Data and Contact Details

Name, address, email address, telephone number.

#### Financial Information

Bank details.

### What we use your information for and our reasons

Uses	Reason
Manage your Factoring Service	To fulfil a contract we have with you
Manage your Service Charge Account	To fulfil a contract we have with you
To engage with you to get feedback on our services	Our Legitimate Interests to send you communications requesting feedback about Bellsmyre HA

### Who we share your information with

**Maintenance contractors** who are instructed to carry out repairs or maintenance works.

**Payment processors** regarding investigating payments made or otherwise

**Sheriff Officers, Debt Recovery Agencies** and **Solicitors** if you default on your Factoring Agreement and to enable the recovery of debt

**Survey and Research companies** who conduct surveys and research on our behalf which allow us to gather feedback and improve the services we offer you.

**Mail distribution services** in order to provide newsletters and service information.

# People who have Shared Ownership or Shared Equity housing with us

## How we collect your personal data

Bellsmyre HA obtains your information from your Application and Interview form.

## What information we collect

### Personal Data and Contact Details

Name, addresses, date of birth, email address, telephone number, housing circumstances.

### Financial Information

Mortgage provider, solicitor.

## What we use your information for and our reasons

Uses	Reason
To be allocated shared ownership or equity housing	To enter into a contract with you
To allow occupancy agreement to be drawn up	To enter into a contract with you
Maintain your Occupancy Agreement	To fulfil a contract we have with you

## Who we share your information with

**Scottish Government** to confirm purchase.

**Solicitors** to draw up agreements for sale / purchase.

**Payment processors** regarding investigating payments made or otherwise.

**Sheriff Officers, Debt Recovery Agencies** and **Solicitors** if you default on your Factoring Agreement and to enable the recovery of debt.

**Survey and Research companies** who conduct surveys and research on our behalf which allow us to gather feedback on the services we offer you.

## People who apply to work with us

### How we collect your personal data

Bellsmyre HA obtains your personal; data when you complete a paper or online application form.

### What Information we collect

#### Personal Data and Contact Details

Name, address, email address, telephone number

#### Experience

Previous employers and details of previous roles, education, references

Answers to questions relevant to the role applied for.

#### Equal Opportunities information (optional)

Gender, Ethnicity, Religion, Sexual Orientation, if you consider yourself disabled

### What we use your information for and our reasons

Uses	Reason
Assessing your suitability for the role you have applied for	Necessary for the purposes of entering into a Contract with you
Monitor and report on Equalities	Equality of opportunity or treatment – we will process personal data to identify and keep under review the existence or absence of equality of opportunity or treatment between groups of people to promote or maintain equality.

### Who we share your information with

If you use our online application system, you will provide the requested information to **Vacancy Filler** who provide this online service for us. Once you click 'apply now' you will be taken to Vacancy Filler's website. They will store the information you submit and Bellsmyre HA will have access to it. **Here is a link to their Privacy Notice.** <https://www.vacancy-filler.co.uk/privacy-policy/>



# People who apply to be on our Management Board

## How we collect your personal data

Bellsmyre HA obtains your information when you complete an application, eligibility or nomination form and from your membership details.

## What Information we collect

### Personal Data and Contact Details

Name, address, email address, telephone number, relationships with Caledonia Group tenants or staff.

## What we use your information for and our reasons

Uses	Reason
Assessing your suitability for the role you have applied for	Our legitimate interests

## Who we share your information with

We do not share any personal data at application stage.

## People who apply to volunteer with us

### How we collect your personal data

Bellsmyre HA obtains your information when you complete an application form.

### What Information we collect

#### Personal Data and Contact Details

Name, address, email address, telephone number.

#### Experience

Previous employers and details of role, education, references.

Answers to questions relevant to the role applied for.

### What we use your information for and our reasons

Uses	Reason
Assessing your suitability for the role you have applied for	Our legitimate interests

### Who we share your information with

We do not share information at application stage.

# People who have Membership of the Association

## How we collect your personal data

Bellsmyre HA obtains your information when you complete an application form.

## What Information we collect

### Personal Data and Contact Details

Name, address, email address, telephone number, date of birth.

## What we use your information for and our reasons

Uses	Reason
To manage your membership	Necessary to comply with the terms of our constitution (our rules), which is a contract among the members of Bellsmyre HA
Equalities Monitoring	Equality of opportunity or treatment – we will process personal data to identify and keep under review the existence or absence of equality of opportunity or treatment between groups of people to promote or maintain equality.

## Who we share your information with

**Public** – on request the register of members must be made publicly available at our registered office. This register includes name and membership number.

Anyone with an interest in Bellsmyre HA, such as lenders or investors.

## People who complain to us

### How we collect your personal data

We collect your information when you raise a complaint with us via the telephone, in person, via a complaints form, email or letter.

### What information we collect

#### Personal Data and Contact Details

Name, address, email address, telephone number.

#### Complaint Details

Any information you provide us in relation to the complaint.

### What we use your information for and our reasons

Uses	Reason
To investigate complaint and provide outcome	Legal Obligation
To monitor and report on complaint statistics	Legal Obligation Legitimate Interests

### Who we share your information with

If you have made a complaint about another individual it is not always possible to investigate your complaint on an anonymous basis. If a complainant doesn't want information identifying him or her to be disclosed, we will try to respect that.

## Consent

If we are processing your personal data based on your consent then this will be made clear to you and will always be separate from any other matter.

If you do give us consent to process your personal data then you will have the right to withdraw this consent at any time. You will always be informed how to withdraw your consent when we obtain it. If you are unsure please do not hesitate to contact our Data Protection Officer.

## How long we keep your information

We only hold your personal data for as long as necessary to fulfil the purpose it was collected for, as required by law or as set out in any relevant contract we have with you. Personal data which is no longer required will be destroyed securely.

Our records retention schedule is available on our website. This sets out the different records we hold and how long we retain these for.

## Your Rights

You have certain rights under Data Protection laws to ensure you remain in control of your personal data.

### Right of Access

You have the right to ask for copies of the information about you that is held by us. This is commonly known as a Subject Access Request. We are required to respond to this request within one month.

### Right to Rectification

You are entitled to have personal data rectified if it is inaccurate or incomplete. If we have disclosed this to third parties, we will tell you if this is appropriate and we will inform them of the rectification where possible.

We must respond within one month, extendable by two months where the request for rectification is complex.

### Right to Erasure

You have the right to request the deletion of personal data where there is no compelling reason for its continued processing or if we are processing it in an unlawful manner – for example if we are using it for a different purpose than originally stated.

### Right to Restrict Processing

You have a right to 'block' or suppress processing of your personal data, under certain circumstances. When processing is restricted, we are permitted to store the personal data, but not further process it. We can also retain just enough information about you to ensure that the restriction is respected in future.

## Right to Data Portability

You can obtain and reuse your personal data for your own purposes across different services. This right applies where the processing is based on your consent or for the performance of a contract; and when processing is carried out by automated means.

## Right to Object

You have the right to object to:

- Processing based on legitimate interest or the performance of a task in the public interest/exercise of official authority (including profile)
- Direct marketing (including profiling); and
- Processing for purposes of scientific/ historical research and statistics in certain limited circumstances

## How to use your rights

Please contact our Data Protection Officer who will guide you through how to make any requests in relation to your data rights, or if you have any other queries about the Data Protection legislation or our Data Protection Policy.

## Security

We are committed to ensuring that your personal data is secure. In order to prevent unauthorised access or disclosure, we have put in place appropriate technical, physical and managerial procedures to safeguard and secure the information we collect from you. You can read our full Data Protection Policy on our website.

## Transfers outside the UK and Europe

We do not transfer personal data outside of the United Kingdom.

## Marketing

We do not share or sell your personal data to third parties for marketing purposes.

## Further Processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

## Sharing personal data

As set out in this Privacy Notice, we may be required to share personal information with statutory or regulatory authorities and organisations to comply with statutory obligations imposed both upon us and upon you. Such organisations include the Scottish Housing Regulator, Scottish and UK courts and or Local Authorities. We may also share personal data with our or your other professional advisors for the purposes of taking advice and in the event of any legal claims.

Where we employ third party suppliers to provide services on our behalf, these suppliers may process personal data on our behalf as "processors" and are subject to written contractual conditions to only process that personal data 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 data as is strictly required for the specific purposes and we will take reasonable steps to ensure that recipients shall only process the disclosed personal data in accordance with those purposes.

## Maintaining your Information

It is important that we have up to date information about you. If any of your details change please contact Customer Services to inform us of these, to allow us to keep our records up to date. Occasionally when you contact us we may ask you to confirm if your information is still up to date.

## Complaints about how we handle your personal data

If you have any concerns regarding how we handle your personal data please contact our **Data Protection Officer** who will investigate your concern in confidence.

You also have the right to complain directly to the Information Commissioner's Office (ICO) in relation to how we handle your personal data:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone: 0303 123 1113 Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

## Changes to this Notice

This privacy notice will be updated to reflect changes either to the way we operate or changes to the data protection legislation. To ensure that you keep up to date, we suggest you revisit this notice from time to time.

This Privacy Notice was last updated on 24<sup>th</sup> May 2018.