

**Privacy Notice**

**We take privacy seriously**

This privacy notice tells you what to expect when the Guernsey Housing Association collects your personal data and is referred to in our Data Protection Policy

We respect your privacy and are committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data, tell you about your privacy rights and how the Data Protection (Bailiwick of Guernsey) Law, 2017 (the Law) protects you.

This privacy notice applies regardless of how you provide personal data to the Guernsey Housing Association (GHA), including the following circumstances:

* When you apply for housing provided by the GHA
* When your personal data is provided to us by the States of Guernsey Housing department
* If you are a resident of a GHA property
* If you are a partial owner of a GHA property
* When you purchase or request services to be provided by us or our contractors
* When you use our website
* When you provide your contact details to receive communications for us.

1. **Important information and who we are**
   1. **Purpose of this privacy notice**

This privacy notice aims to give you information on how Guernsey Housing Association collects and processes your personal data obtained by any method, including data you may provide to us through our website, when you make an enquiry, apply for a tenancy, participate in a partial ownership scheme with us, or request to use or be supplied with any of our services.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data.

* 1. **Third-party links on our website**

Our website may include links to third-party websites, plug-ins and applications. If you click on those links or enabling connections this may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. We encourage you to read the privacy notice of each website you visit.

* 1. **States of Guernsey Housing department**

Applications for social housing in Guernsey are initially sent to the States of Guernsey Housing department. The personal data you provide to the States of Guernsey is shared with the Guernsey Housing Association. We encourage you to read the States of Guernsey privacy notice.

* 1. **Controller**

The Guernsey Housing Association is the data controller and responsible for the personal data that we hold about you.

We have an appointed Data Protection Officer (DPO) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the DPO using the details set out below.

* 1. **Contact details**

**Full name of the legal entity**

Guernsey Housing Association LBG is a limited by guarantee company registered in Guernsey.

**Address:**

Guernsey Housing Association LBG

First Floor

Newlands house

Lowlands Trading Estate

Braye Road

Vale

Guernsey GY3 5XJ

**Channel Island Data Protection notification number: 10050**

**Name of Data Protection Officer:** John Dunford, Chief Financial Officer

**Email address:** [**ghaenquiries@gha.gg**](mailto:ghaenquiries@gha.gg)

You have the right to make a complaint at any time to the Office of the Data Protection Commissioner in Guernsey the supervisory authority for data protection issues (dataci.org). We would, however, appreciate the opportunity to deal with your concerns before you approach the Office of the Data Protection Commissioner in Guernsey so please contact us in the first instance.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

1. **The data we collect about you**
   1. Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

* **Identity data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
* **Contact data** includes home address, email address, and telephone numbers necessary for us to enter into a contract for services with you.
* **Financial data** includes bank account, payment cards details, sources of income and credit history where we take payment from you for our services.
* **Transaction data** includes details about payments to and from you and us, for example the amount and timing of rent made by you to us.
  1. **Special categories of personal data**

We may collect social categories of personal data which includes information about your health, social and cultural circumstances where that is necessary for us to provide our services to you.

Examples of where we might collect and use such data are where we provide you with accommodation or services adapted to your needs, or services to support you in maintaining your tenancy.

We may also collect information about criminal convictions and offences where that is relevant to your use of our services or housing provided by us.

* 1. **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you such as providing you with housing. In this case, we may have to cancel your application for housing but we will notify you if this is the case at the time.

1. **How do we collect your personal data**

We use different methods to collect data from and about you including through:

**Direct interactions.** You may give us your identity, contact and financial data by filling in forms or by corresponding with us by post, email or otherwise. This includes personal data you provide when you apply for housing, pay rent or complete satisfaction questionnaires.

**Automated technologies or interactions.** As you interact with our website, we may automatically collect technical data about you. We collect this personal data by using cookies, server logs and other similar technologies.

**Third parties or publicly available sources.** We mayreceive personal data about you from various third parties and public sources as set out below:

* States of Guernsey Housing
* The Police
* Income Tax office
* Social Security

1. **How we use your personal data**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

* Where we need to perform a contract we are about to enter into or have entered into with you. A tenancy agreement is a contract.
* Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
* Where we need to comply with a legal or regulatory obligation and appropriate safeguards are in place to protect your fundamental rights.
* Where it is necessary for the establishment, exercise or defence of legal claims.

1. **Purposes for which we will use your personal data**

We have set out below, in tabular format, a description of the ways we use your personal data and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

|  |  |  |
| --- | --- | --- |
| **Purpose/ Activity** | **Type of data** | **Lawful basis for processing including basis of legitimate interest** |
| To register you as an applicant or potential applicant for housing | 1. Identity 2. Contact 3. Special Category data 4. Criminal convictions | 1. Performance of a contract with you 2. Necessary for the purpose of carrying out our obligations in law 3. Necessary for reasons of public interest |
| To process and deliver our service including:   1. Manage payments fees and charges 2. Collect and recover monies owed to us | 1. Identity 2. Contact 3. Financial 4. Transaction | 1. Performance of a contract with you 2. Necessary for our legitimate interests ( to recover debts due to us ) |
| To administer and protect our operations | 1. Identity 2. Contact 3. Technical 4. Special Category 5. Criminal convictions | 1. Necessary for our legitimate interest ( for running our operations, administration and to prevent fraud) 2. Necessary for the purpose of carrying out our obligations in law 3. Necessary for reasons of substantial public interest |

**Marketing**

We do not share your personal data with any third party for marketing purposes.

**Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that it is compatible with the original purpose.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

1. **Disclosures of your personal data**

We may have to share your personal data with the parties set out below:

* Service providers acting as processors who provide IT and system administration services, operational support services, payment or debt collection services
* Contractors and service providers who carry out repairs, maintenance, cleaning or other works at our properties.
* Professional advisors such as processors or joint controllers including Advocates, lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
* The Income Tax office and Social Security.
* The States of Guernsey where we are legally obliged to provide them with your personal information
* The Police where that is necessary to protect the safety of our residents, staff and third parties and to prevent damage to property.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

**International transfers**

We do not transfer your personal data outside of the European Economic Area (EEA)

1. **Data security**

The GHA has in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition we limited access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

The GHA adopts strong information security standards and has independent specialist companies assess this including penetration testing.

Procedures are in place to deal with any suspected personal security breach and we will notify you and the Office of the Data Protection Commissioner in Guernsey where we are legally required to do so.

1. **Data retention**

**How long will you use my personal data for?**

We will only retain your personal data for as long as necessary to fulfil the purpose we collected it for including the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

By law we have to keep basic information about our tenants for six years after they cease being tenants.

In some circumstances you can ask us to delete your data: see below for further information.

1. **Your legal rights**

Under certain circumstances, you have the following rights under the Law in relation to your personal data:

**Request access** to your personal data (commonly known as a **Data Subject Access Request**). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that the GHA holds about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask the GHA to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have inadvertently processed your information unlawfully or where we are required to erase your personal data to comply with Guernsey law.

**Object to processing** of your personal data where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

1. If you want us to establish the data’s accuracy
2. Where our use of the data is unlawful but you do not want us to erase it
3. Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims: or
4. You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine –readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used this information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us either via email or by post at the contact details provided above.

You will not have to pay a fee to access your personal data or to exercise any other rights. However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive.

1. **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data or to exercise any of your other rights. This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

1. **Time limit to respond**

We will try to respond to all legitimate requests within one month. Occasionally it may take longer if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

1. **Changes to the GHA Privacy Notice**

We review our Privacy Notice regularly and will place updates on our website and in relevant communications.