

Privacy Notice

Impact Housing Association is a charitable housing association based in Cumbria and North Lancashire. We provide social housing and supported housing. Impact Housing needs to process your information so that you can benefit from our services. Although Impact are the 'data controllers' the information is still yours. You have rights and we have responsibilities.

Your basic right is that we must process your information lawfully, fairly and transparently. This privacy notice, which follows guidance given by the Information Commissioner's Office at [Privacy Notices](#), is part of being transparent – being open and clear so you can check that we are being lawful and fair.

In the spirit of transparency we will avoid jargon, but please note that 'personal information' is information about you from which you can be identified, whether directly or indirectly; and that 'processing' personal information, includes obtaining, recording, using, sharing, holding and deleting it.

This notice tells you

- what information we are processing and why
- in particular, what we might share, who with, and why
- the lawful basis for processing in each case
- how long we will retain your information
- how we will keep it safe, and
- what your rights are

We will process your information when you are **applying for housing**, and then when you are **living in a property**. When you ask for **care and support** we will process it for those purposes. In exceptional circumstances, we will process it in the **public interest** for safeguarding purposes or to combat crime. And we will process it in order to monitor **equality and diversity**.

These purposes are discussed below, but some general things can be said first.

We won't sell your information or make it available to anyone to make commercial use of.

When we ask someone to process your information on our behalf – for example, when we provide contractors with information so they can repair your property – they will be obliged to do what we tell them to do with the information and nothing else, and they will be bound by strict requirements as to confidentiality and security.

The lawful basis for processing will be one or more of the following:

- it is necessary for assessing your tenancy or licence application, or operating your tenancy or licence agreement, *or*
- it is necessary for compliance with a legal obligation, *or*
- it is in the legitimate interests of us or someone else, *or*
- you have given your explicit consent (or there are exceptional circumstances)

We will only rely on our legitimate interests if we are confident that they are not outweighed by your rights and interests.

However, if the information is about your health or social care, or something else you can expect to be kept private, we will *always* seek your explicit consent *unless* there are exceptional circumstances. Such circumstances could include, when processing, in particular sharing, is

- a proportionate response to a pressing public interest need (see below), *or*
- the law requires or permits it (and it is appropriate to apply the permission), *or*
- a court has ordered it.

When we seek your consent we will tell you precisely what the information is, what we want to do with it, and why. In particular, we will tell you who we might want to share it with and why.

We must ensure your consent is freely given – not the result of undue pressure from us or anyone else – and that you understand your consent can be withdrawn at any time.

Having said that, when a service is dependent on certain information being used or shared and you don't consent to that, the service won't be as good as it could be, or we might not be able to provide it at all.

Applying for housing

We will need your name, date of birth, address, nationality and contact details, so we can verify your identity and communicate with you.

We will need your income and outgoings, including any benefits you receive, banking or credit union references, and your credit rating, to confirm that you can afford the tenancy and will make regular payments.

The lawful basis is that the above information is necessary for assessing your application and entering into a tenancy or licence agreement with you.

We will ask you for details of conditions, disabilities or care needs you might have, so that we can give you suitable housing or adapt it to meet your needs. That will be with your explicit consent, but if you withhold this information you might not get the housing you need.

Living in a property

In addition to the above, we will need information about repairs and maintenance so we can keep the property in good repair. That information may contain personal information about you. The lawful basis is that the information is necessary for the operation of the tenancy.

We may share information about you with another housing association if we transfer ownership. We may share information about your rent with your local authority and/or the Department of Work and Pensions to enable them to set your housing benefit or housing cost element of Universal Credit. We may share identity information and information about your tenancy with utility companies so they can provide their services and charge the right people. The lawful basis for these disclosures will be legitimate interests. If you end your tenancy with us and you have arrears which you are not actively repaying then we may share information about you and your rent account with debt collection agencies or solicitors. The legitimate reason for this is for us to recover the debt.

We might also be given or seek information about your conduct as a tenant, including towards your neighbours. The lawful basis will be the continuing operation of the tenancy or licence and/or to comply with our legal obligations as social housing landlords. In exceptional cases we will have to share the information in the public interest (see below).

Care and support, including supported housing

We will need your name, date of birth, and contact details, and relevant conditions or disabilities or care and support needs, in order to provide you with care and support.

It may be your information should be shared with other agencies or professionals so they can help provide your care and support. That will be with your explicit consent, but you should be aware that if you do not consent you might not get the care and support you need.

However, if you lack the mental capacity to make a particular decision about your information, and processing it, including sharing it, would be in your best interests, we will process it on your behalf. When we do so we will follow the Mental Capacity Act and its Code of Practice which can be found at

<https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice>

Public interest

In exceptional circumstances we will process, and in particular share, your information in the public interest to protect someone from harm, or combat crime, or for public health purposes.

Combating crime includes preventing and reducing crime, and assisting investigations and prosecutions. It covers all crimes including unlawful violence, public disorder and fraud.

Before acting in the public interest we must consider the facts of each case carefully. We must be able to show the particular use of the information was a proportionate response to a pressing need.

We won't process your information to protect you from harm without your permission, unless the harm amounts to a crime or you lack mental capacity (see above).

Equality and diversity

We support and encourage equality and diversity, we oppose discrimination, and we protect and promote human rights.

In accordance with equality legislation we may ask you for your 'protected characteristics', namely, age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion & belief, sex & sexual orientation.

We ask for those things so we can give everyone an equal opportunity to access our services, but also in order to understand you and your particular needs better.

You needn't answer any questions you would prefer not to.

The lawful basis is equality of opportunity and treatment under Schedule 1 of the Data Protection Act 2018.

We will only share your answers with someone else with your explicit consent, unless there are exceptional circumstances (see above).

You will find further information and advice on the website of the Equality and Human Rights Commission: <https://www.equalityhumanrights.com/en/advice-and-guidance>

Your rights

The links below are to guidance given by the Information Commissioner's Office – see www.ico.org.uk

Our processing of your information should be [fair and lawful](#).

We should obtain your personal information only for [specified purposes](#) and each purpose should have a [lawful basis](#). We won't use it for a purpose that is incompatible with the original purpose, unless we have your agreement or the law requires it.

The information should be [relevant and adequate](#) and no more than is needed. When we can we will modify it so it doesn't identify you. However, in most cases it will only serve a purpose if it is clear that it is about you.

It should be [accurate](#) and up-to-date. We won't [retain](#) it for longer than we need to. We follow national guidance including the National Housing Federation's guidance on document retention. And it must be [safe and secure](#). You also have the right of [access](#) to your information and for it to be [rectified](#) if inaccurate or incomplete. You have the right to [portability](#) so that your information can be used in different settings. In certain circumstances, you have the right to [object](#) to processing, for processing to be [restricted](#), and even for the information itself to be [erased](#). Underlying all these rights you have the right to complain or raise concerns.

You should contact the Impact's Data Protection Lead Officer, Impact Housing Association, Nook Street, Workington. CA14 4EH
Telephone 03448 736 290
email enquiry@impacthousing.org.uk

You can also complain to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, telephone number 0303 123 1113 local rate or 01625 545 745 if you prefer to use a national rate number.

We keep this privacy notice under regular review. It was last updated in May 2018.