



Melville Housing Association Ltd

GDPR Fair Processing Notice (How we use your personal information)

This notice explains what information we collect, when we collect it and how we use this. During the course of our activities we will process personal data (which may be held on paper, electronically, or otherwise) about you and we recognise the need to treat it in an appropriate and lawful manner.

Who are we?

Melville Housing Association Ltd is a Scottish Charity (Scottish Charity Number SC032755), a registered society under the Co-operative and Community Benefit Societies Act 2014 with Registered Number 2466R(S) and having our Registered Office at The Corn Exchange, 200 High Street, Dalkeith, Midlothian, EH22 1AZ (“**we**” or “**us**”) take the issue of security and data protection very seriously and strictly adhere to guidelines published in the Data Protection Act 2018 and the General Data Protection Regulation (EU) 2016/679, together with any domestic laws subsequently enacted.

We are notified as a Data Controller with the Office of the Information Commissioner under registration number Z7001952 and we are the data controller of any personal data that you provide to us.

Our Data Protection Officer is Harper Macleod LLP, and can be contacted at DPO@melville.org.uk.

Any questions relating to this notice and our privacy practices should be sent to DPO@melville.org.uk.

How we collect information from you and what information we collect

We collect information about you:

- when you apply for housing with us, become a tenant, request services/repairs, enter into a factoring agreement with ourselves howsoever arising or otherwise provide us with your personal details;
- when you apply to become a Member, Board Member or Tenant Representative;

- from your use of our online services, whether to report any tenancy/factor related issues, make a complaint or otherwise;
- from your arrangements to make payment to us (such as bank details, payment card numbers, employment details, benefit entitlement and any other income and expenditure related information).

We will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, address, telephone numbers, personal email addresses; date of birth; gender; marital status and dependants;
- Details of household members, including names, dates of birth and gender;
- Next of kin and emergency contact information;
- National Insurance number;
- Information about your race or ethnicity;
- Information about your health and/or any disabilities;
- References from previous landlords
- Information about criminal convictions and offences;
- Employment Details;
- Housing Benefit Number;
- Bank Details;
- Tenancy and Rent Account reference numbers;
- Personal information included in letters, emails, phone calls etc. during the course of your engagement with the Association.

We receive the following information from third parties:

- Benefits information, including awards of Housing Benefit/Universal Credit;
- Payments made by you to us;
- 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

Why we need this information about you and how it will be used

We need your information and will use your information:

- To undertake and perform our obligations and duties to you in accordance with the terms of our contract with you;
- To enable us to supply you with the services and information which you have requested;
- To enable us to respond to your repair request, housing application and complaints made;

- To analyse the information we collect so that we can administer, support and improve and develop our business and the services we offer;
- To contact you in order to send you details of any changes to our or services which may affect you;
- For all other purposes consistent with the proper performance of our operations and business;
- To contact you for your views on our products and services;
- To communicate with Members, Board Members and Tenant Representatives;
- To comply with our obligations with Regulators and Statutory Bodies

Our Lawful Basis for using your information

We will use your personal information in the following circumstances:

- Where the processing is necessary to establish a contract with you (such as a new tenancy or membership application);
- To comply with our statutory requirements in communicating with our customers and members;
- Where the processing is necessary to comply with a contract we have with you, including administering repairs, debt management, estate management and investigating complaints;
- Where the processing is necessary to comply with a legal obligation;
- 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;
- To establish, defend or exercise legal claims;
- For health or social care purposes, such as identifying adaptations to your home;
- To identify and keep under review equality of opportunity or treatment;

To prevent or detect any unlawful acts and/or prevent fraud.

Sharing of your information

The information you provide to us will be treated by us as confidential and will be processed only by our employees.

We may disclose your information to other third parties who act for us for the purposes set out in this notice or for purposes approved by you, including the following:

- 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;

- If we instruct repair or maintenance works, your information may be disclosed to any contractor;
- If we are investigating a complaint, information may be disclosed to Police Scotland, Local Authority departments, Scottish Fire & Rescue Service and others involved in any complaint, whether investigating the complaint or otherwise;
- If we are updating tenancy details, your information may be disclosed to third parties (such as utility companies and Local Authorities);
- If we are investigating payments made or otherwise, your information may be disclosed to payment processors, Local Authorities and the Department of Work & Pensions;
- If we are conducting a survey of our products and/or service, your information may be disclosed to third parties assisting in the compilation and analysis of the survey results. Unless required to do so by law, we will not otherwise share, sell or distribute any of the information you provide to us without your consent;
- If we are pursuing debts, your information may be disclosed to Tracing Agencies, Legal Advisors and Debt Collection Agencies.

Transfers outside the UK and Europe

Your information will only be stored within the UK and EEA.

Security

When you give us information we take steps to make sure that your personal information is kept secure and safe.

- Paper documentation is held securely with access only to approved members of staff;
- We take the responsibility for the security of your payment card details seriously. We do not store or retain payment card details (any receipts held by us are anonymised) and payment transactions are transmitted to our service provider in an encrypted form.
- Electronic records are retained in secure locations with access restricted to approved members of staff. Access is controlled by individual password;
- In line with best practice, our IT security systems are protected by a multi-layered approach that begins with an industry leading firewall and ends with anti-virus software;
- Access to our electronic information is provided on a need to know basis;
- We only keep the minimum amount of information that we need, for as long as we need it;
- Our internal IT systems are checked every month to keep them healthy and up-to-date;
- Our electronic information is backed up to a secure Data Centre on a regular basis;
- Any potential threat to the security of our information will generate an alert that will be investigated by qualified personnel;

- Association staff receive regular training and guidance on data security;
- System security is reviewed regularly by our internal auditors.

How long we will keep your information

We review our data retention periods regularly and will only hold your personal data for as long as is necessary for the relevant activity, or as required by law (we may be legally required to hold some types of information), or as set out in any relevant contract we have with you.

We will generally keep your information for the following minimum periods set out in the table below, after which this will be destroyed if it is no longer required for the reasons it was obtained.

Type of record	Retention Time
Membership records	5 years after last contact
Personal files including training records and notes of disciplinary and grievance hearings	5 years to cover the time limit for bringing any civil legal action, including national minimum wage claims and contractual claims
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	6 years from the date of the redundancy
Application forms, interview notes	Minimum 6 months to a year from date of interviews. Successful applicant's documents should be transferred to personal file.
Documents proving the right to work in the UK	6 years after employment ceases.
Facts relating to redundancies	6 years if less than 20 redundancies. 12 years if 20 or more redundancies.
Payroll	3 years after the end of the tax year they relate to
Income tax, NI returns, correspondence with tax office	At least 3 years after the end of the tax year they relate to
Retirement benefits schemes – notifiable events, e.g. relating to incapacity	6 years from end of the scheme year in which the event took place
Pensioners records	12 years after the benefit ceases
Statutory maternity/paternity and adoption pay records, calculations, certificates (MAT 1Bs) or other medical evidence	3 years after the end of the tax year to which they relate
Parental Leave	18 years
Statutory Sick Pay records, calculations, certificates, self-certificates	3 years
Wages/salary records, expenses,	6 years

bonuses	
Records relating to working time	2 years from the date they were made
Accident books and records and reports of accidents	3 years after the date of the last entry
Health and Safety assessments and records of consultations with safety representatives and committee	Permanently
Health records	During employment and 3 years thereafter if reason for termination of employment is connected to health
Board Members Documents	5 years after cessation of membership
Documents relation to successful tenders	5 years after end of contract
Documents relating to unsuccessful form of tender	5 years after notification
Applicants for accommodation	5 years
Housing Benefits Notifications	Duration of Tenancy
Tenancy files	Duration of Tenancy
Former tenants' files (key info)	5 years
Third Party documents re care plans	Duration of Tenancy
Records re offenders. Ex-offenders (sex offender register)	Duration of Tenancy
Lease documents	5 years after lease termination
ASB case files	5 years/end of legal action
Board meetings/residents' meetings	1 year
Minute of factoring meetings	Duration of appointment

Your Rights

You have the right at any time to:

- Ask for a copy of the information about you held by us in our records;
- Require us to correct any inaccuracies in your information or complete any incomplete information;
- Make a request to us to delete what personal data of your we hold;
- Ask us to stop using your personal data for specific purposes;
- Object to receiving any marketing communications from us;
- Obtain your data for your own use in specific circumstances.

If you would like to exercise any of your rights above please contact us at DPO@Melville.org.uk.

You also have the right to complain to the Information Commissioner's Office in relation to our use of your information. The Information Commissioner's contact details are noted below:

The Information Commissioner's Office – Scotland
45 Melville Street, Edinburgh, EH3 7HL
Telephone: 0131 244 9001
Email: Scotland@ico.org.uk

The accuracy of your information is important to us - please help us keep our records updated by informing us of any changes to your email address and other contact details.