

## Privacy Notice for SBHA Governance Members

### What we need

Scottish Borders Housing Association (SBHA) will be a "controller" of the personal information that you provide to us through your application to be a Governance Member of SBHA. This Privacy Notice is in addition to the Privacy Notice issued to you when you became a Shareholding Member of SBHA, a further copy of which can be found on SBHA's website ([www.sbha.org.uk/privacy](http://www.sbha.org.uk/privacy)) or by contacting us using the details at the end of this Notice.

When you apply to be a Governance Member of SBHA, or when you take up office, we will ask you for the following personal information:

- contact details – name, address, email address, contact telephone number(s), date of birth;
- the details of any member of SBHA staff, or Governance Member, to whom you are related or is your partner;
- equality information – gender, marital status, sexual orientation, ethnicity, religion/belief, disability;
- details of past and current work and/or personal experience, including previous employment details and referees; and
- bank account number and sort code.

### Why we need your personal information – legal obligations

We are under a legal obligation to process certain personal information relating to our Shareholder and Governance Members for the purposes of complying with our obligations under:

- the Co-Operative and Community Benefit Societies Act 2014 and Charities and Trustee Investment (Scotland) Act 2005 to maintain a register of our Governance Members (which includes our Governance Members' name, address, the date they entered and left office) and to hold general meetings, including issuing notices and voting arrangements;
- the Equality Act 2010, which requires us to process personal information to make reasonable adjustments where necessary; and
- the Housing (Scotland) Act 2010, which requires us to report certain statistical data on our Governance Members to the Scottish Housing Regulator.

### Why we need your personal information – contractual purposes

We need to collect your personal information so that we can assess your application for a governance position with SBHA, and administer your governance membership (if you are successful). This may also involve confirming that the information provided in your application form is correct, and obtaining information from the references that you have provided which is relevant to your application.

We also process your personal information for contractual purposes to:

- manage and record any conflicts of interest that may arise from your application or term of office in line with SBHA's Code of Conduct for Governance Members and other related Policies; and
- pay any reasonable expenses claims as a result of your duties as a Governance Member.

If you do not provide us with all of the personal information that we need to collect then this may affect your ability to become, or remain, a governance member of SBHA.

### **Why we need your personal information – legitimate purposes**

We also process your personal information in pursuit of our legitimate interests to:

- issue communications to you to keep you informed about SBHA; and
- provide you with learning and development opportunities to enhance your role as a Governance Member.

Where we process your personal information in pursuit of our legitimate interests, you have the right to object to us using your personal information for the above purposes. If you wish to object to any of the above processing, please contact us by emailing us at [enquiries@sbha.org.uk](mailto:enquiries@sbha.org.uk), or writing to us at SBHA, South Bridge House, Whinfield Road, Selkirk, TD7 5DT. If we agree and comply with your objection, this may affect your ability to be a Governance Member of SBHA.

### **Why we need your personal information – equality monitoring requirements**

We use your personal information relating to your gender, age, marital status, sexual orientation, ethnicity, religion/belief and disability to help us identify and keep under review the existence or absence of equality of opportunity or treatment between groups of people within the same categories to promote or maintain equality within SBHA.

### **Other uses of your personal information**

We may ask you if we can process your personal information for additional purposes. Where we do so, we will provide you with an additional privacy notice with information on how we will use your information for these additional purposes.

### **Who we share your personal information with**

We may be required to share personal information with statutory or regulatory authorities and organisations to comply with statutory obligations. Such organisations include the Scottish Housing Regulator for the purposes of evidencing the composition of our Governance Structure.

As a Governance Member of SBHA, we will also publish your name, along with a short biography and photograph, on our website ([www.sbha.org.uk](http://www.sbha.org.uk)). Your name will also be published in SBHA's Annual Accounts and Annual Report, and any other relevant corporate publications.

We may also share your name (and contact details where applicable) with training providers to allow you to access online training materials relevant to your governance membership.

We may also share personal information with our professional and legal advisors for the purposes of taking advice.

In the event that we do share personal information with external third parties, we will only share such personal information strictly required for the specific purposes and take reasonable steps to ensure that recipients shall only process the disclosed personal information in accordance with those purposes.

### **How we protect your personal information**

Your personal information is stored on our electronic filing system and our servers based in the UK, and is accessed by our employees for the purposes set out above. Where hard copies of documentation are retained in line with SBHA's data retention schedule, these will be stored securely at SBHA's Head Office (or secure offsite storage).

We will not ordinarily transfer your data outwith the EU. If this position changes and your personal information is proposed to be transferred outwith the EU, we will provide you with information regarding the safeguards that we have put in place with the recipient country to protect your personal information.

### **How long we keep your personal information**

We will only keep your personal information for as long as necessary to administer your Governance Membership in line with SBHA's Rules, Standing Orders, Policies and Procedures, and to safeguard SBHA in the event of any claims, complaints, litigation, enquiries or investigations during or following the your time as a Governance Member. Unless you ask us not to, we will review and possibly delete some of your personal information after you have ceased to be a Governance Member for 6 years.

We will keep certain personal information of Governance Members for longer in order to keep a record of changes in our Board and Sub-Committee composition over time. This will include the names of Governance Members, along with the dates on which they entered and left office, and a register of office bearer's names, address and dates of office. We need to do this to comply the Rules of SBHA and to demonstrate that our Board and Sub-Committees have been properly and continuously constituted in accordance with these Rules.

We have a data retention schedule that sets out the periods for retaining and reviewing all information that we hold. This sets out different retention periods and you can request a copy by emailing us at [enquiries@sbha.org.uk](mailto:enquiries@sbha.org.uk), or writing to us at SBHA, South Bridge House, Whinfield Road, Selkirk, TD7 5DT.

### **Your rights**

You can exercise any of the following rights by emailing us at [enquiries@sbha.org.uk](mailto:enquiries@sbha.org.uk), or writing to us at SBHA, South Bridge House, Whinfield Road, Selkirk, TD7 5DT.

Your rights in relation to your personal information are:

- you have a right to request access to the personal information that we hold about you by making a "subject access request";
- if you believe that any of your personal information is inaccurate or incomplete, you have a right to request that we correct or complete your personal information;
- you have a right to request that we restrict the processing of your personal information for specific purposes; and
- if you wish us to delete your personal information, you may request that we do so.

Any requests received by SBHA will be considered under applicable data protection legislation. If you remain dissatisfied, you have a right to raise a complaint with the Information Commissioner's Office at [www.ico.org.uk](http://www.ico.org.uk)