

Privacy Notice for Applicants and Tenants

What we need

Scottish Borders Housing Association (SBHA) will be a "controller" of the personal information that you provide to us through your contact with SBHA, and any other subsequent personal information provided to, or produced by, SBHA in the course of your contact with SBHA unless otherwise stated in this privacy notice.

When you contact SBHA, and during the course of further contacts, we will ask you for the following personal information:

- contact details – your name, address, phone number and email address, and date of birth;
- details of any support worker(s) – their name, address, phone number, email address – if you would like contact to be made with them on your behalf; and
- other information which may result from your contact with SBHA – including information relating to any complaints or alleged anti-social behaviour.

Why we need your personal information – legal obligations

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

- the housing legislation in Scotland that sets down obligations on registered social landlords to provide housing management services, including in relation to our core activities services to provide housing and comply with the regulatory requirements of the Scottish Housing Regulator;
- the Antisocial Behaviour etc. (Scotland) Act 2004, which requires us to disclose and share information regarding actual or alleged antisocial behaviour.

Why we need your personal information – public interest purposes

We also process your personal information where it is necessary for the performance of a task carried out in the exercise of official authority vested in SBHA to prevent instances of anti-social behaviour, resolve any reported instances of anti-social behaviour, and pass any such reports of anti-social behaviour to the relevant agencies.

Why we need your personal information – legitimate purposes

We also process you and your household's personal information in pursuit of our legitimate interests to:

- monitor phone calls, emails, letters and any other correspondence related to your contact with SBHA to enable us to provide a continuous service to you no matter who you contact at SBHA; and
- undertake research to improve our services.

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, 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 our ability to resolve your enquiry.

Other uses of your personal information

We may ask you if we can process you and your household's 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.

We may also share the information with, where relevant:

- Scottish Borders Council (and its agencies) for the purposes of tackling anti-social behaviour;
- Policy Scotland for the purpose of tackling anti-social behaviour and any other suspected criminality;
- our partner Housing Associations in the Scottish Borders, for the purpose of tackling anti-social behaviour;
- the Courts, in the event of any court case between you and SBHA; and
- Sheriff Officers who are acting under an order issued by a court.

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

SBHA also employs third party suppliers to provide services, as set out below. These suppliers may process personal information on our behalf as "processors" and are subject to written contractual conditions to only process that personal information 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 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.

These third parties include, where relevant:

- our authorised repairs sub-contractors to enable them to carry out repairs, where you have reported a repair to a common area owned and managed by SBHA; and
- tracing and debt collection agencies, in the event that you fail to settle an invoice with SBHA.

How we store 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, Area Offices 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 personal information for as long as necessary to manage your contact with SBHA, and any subsequent contacts, and to safeguard SBHA in the event of any claims, complaints, litigation, enquiries or investigations related to this contact.

Unless you ask us not to, we will review and possibly delete personal information 6 years after your contact is concluded.

We may keep certain personal information for longer to confirm the details of your contact. We need to do this in the event of a claim against SBHA.

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, 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, 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