



THE FAIRHAZEL CO-OPERATIVE LIMITED

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Privacy Notice

Effective Date: 25th May 2018

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1. INTRODUCTION – THE PURPOSE OF A PRIVACY NOTICE

The new General Data Protection Regulation (GDPR) is a European-wide Legislation that forms part of the data protection regime in the UK, together with the new Data Protection Act 2018 (DPA 2018). It places greater obligations on how your personal data is handled, and provides you with more control over how your personal information is used. These changes take effect 25th May 2018.

The Fairhazel Co-operative Limited ('the Co-op') is a non-profit making, fully mutual housing co-operative registered under the Industrial and Provident Societies Act 1965 and registered with the Housing Corporation under Section 1 of the Housing Act 1996, regulated by the Homes and Communities Agency (HCA) to provide housing and manage properties, maintenance and repairs.

This Privacy Notice is a public document and applies to members and customers of the Co-op to explain what information the Co-op collects, why it is collected, what the Co-op does with it, and who the Co-op shares it with.

Please refer to this notice when you provide information about yourself (personal data) to the Co-op, so you are aware of how and why such data is used. Dependant on your relationship with the Co-op, some or all of the information may apply.

2. DEFINITIONS USED IN THIS DOCUMENT

Personal Data. Information that relates to an identified or identifiable individual.

Data Controller. Organisation that (either alone or in common with other people) determines the purpose for which, and the manner in which data (personal information) are processed.

Data Processor. Person or organisation who process personal data on behalf of and on the orders of a controller. For the purposes of data protection legislation, the terms 'process', 'processed' or 'processing' apply to any activity involving the personal data, such as collecting, storing, sharing, destroying. Please note this list is not exhaustive.

Data Protection Officer. Person appointed by the Co-op to carry out impact assessments and oversee compliance.

3. RESPONSIBILITY

1. The Fairhazel Co-operative Limited is the Data Controller and Data Processor in their own right whose head office is located at:
Basement Office, 23 Compayne Gardens, London, NW6 3DE
Tel: 0207 624 1098
2. The Management Committee having formally adopted this Privacy Notice, accepts overall responsibility for its implementation and for monitoring its effectiveness, determining the purpose and manner in which data are processed. The Co-op has a duty to inform members, tenants, residents, and contractors how they process the data that is within their control.
3. The Chair of the Management Committee is responsible for the effective implementation of this notice, and for delegating responsibilities to the Data Protection Officer to ensure appropriate measures are taken and any necessary actions are completed.
4. The Data Protection Officer in the Co-op is the Housing Manager.

4. FURTHER INFORMATION ABOUT THIS PRIVACY NOTICE

1. This Privacy Notice is also publicly available on the Fairhazel Co-operative website. A paper copy can be provided on request by contacting the office on fairhazel@fairhazelcoop.org.uk .
2. New tenants and committee members joining after 25th May 2018 will receive this Privacy Notice as part of their induction pack which can also be made available via email on request to: housingmanager@fairhazelcoop.org.uk.
3. Existing members and committee members are aware of the Privacy Notice.



4. For more information on Privacy Notices and the changes required as a result of GDPR, please see the ICO (Information Commissioners Office) website:
<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>
- 4.5. The Co-op is committed to being transparent about how it collects and uses that data and to meeting its data protection obligations.

5. HOW WE COLLECT YOUR INFORMATION

1. The Co-op collect and handle personal information about their members, tenants, residents, guarantors, prospective tenants and customers which is stored both electronically and in hard copy through a manual filing system from a variety of sources, including:
 - Completion of Housing / Internal Transfer register applications
 - Survey / Household Information forms
 - Letters / Emails
 - Fairhazel website
 - Rent / Deposit accounts on CHIC's system
 - Telephone calls. Messages are recorded and held for a period of two months, unless used as evidence when taking legal action.
2. On rare occasions the Co-op may use photography to capture evidence of a breach of tenancy, repairs, alleged anti-social behaviour or crime.
3. The Co-op may also take photographs at their events/ properties to use for general marketing and publicity. However, photographs of individuals will now only be used for those purposes with consent.
4. The Co-op may receive information about you from third parties including:
 - Your council or benefits office relating to your housing
 - Prior landlords and credit agencies when you apply for housing
 - Police, welfare or support organisations dealing with you
 - Councillors, MPs or other representatives acting on your behalf / instruction
 - Financial institutions when you apply for our services
 - Character references when you apply for housing
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6. WHICH INFORMATION THE CO-OP COLLECTS ABOUT YOU

- 6.1 The scope of the information the Co-op may require from members, tenants or lodgers includes:
 - Full name (and proof of your identity / photo ID)
 - Date of Birth
 - Nationality
 - National Insurance Number
 - Contact Details
 - Details of anyone authorised to act on your behalf if applicable
 - Name & Date of Birth of all household residents
 - Proof of housing eligibility, any interest or equity in another property
 - Other personal information that will vary on an individual basis to assist in resolving breaches of tenancy, alleged anti-social behaviour or fraud
- 6.2 The information the Co-op collect may also include **special category data**. We would ask you for your consent before we collect or use this kind of data:
- 6.3 **Health information including disabilities or vulnerabilities.** The Co-op use this information to tailor the Co-op's service to better meet your particular circumstances and needs. It may be used to support your request for alternative or a particular type of



accommodation, or to ensure that you receive sufficient support to sustain your current tenancy.

6.4 Financial information. The Co-op may use this to help resolve outstanding arrears by agreeing reasonable arrear payment plans and possibly direct you to welfare / debt advice.

7. HOW WE PROCESS INFORMATION COLLECTED

7.1 The information the Co-op collect about you is used to manage your tenancy or agreement or other contract between you and the Co-op. Please read your tenancy agreement or contract carefully, as this is the legal basis for processing your information and for carrying out the Co-op's services. We may change the purposes where this is compatible for the purpose for which we obtained the data originally, especially where this is required or permitted by law. Consent may be requested in certain cases e.g to obtain a reference, but generally may not rely on your consent to process your personal data.

7.2 The processing activities the Co-op's conduct can be summarised as:

- Managing housing applications
- Managing your account charges and payments, including arrears, return of deposits
- Managing the repairs, maintenance and adaptations of the Co-op's properties
- Ensuring tenancy (or contractual) conditions are complied with, such as dealing with anti-social behaviour/ fraud / capabilities to perform the duties specified etc.,
- Complaint handling
- Complying with relevant legislation and regulation.
- Checking immigration/ right to rent status before the Co-op rent a property to you. The Co-op are required to see and take copies of certain documentation (e.g passport / driving licence) to verify your identity. Prospective tenants and all adult residents who live at the property must have their identities checked.

7.3 The Co-op may conduct research to help improve the services offered to members and customers, to ascertain satisfaction and make improvements based on feedback.

7.4 The Co-op operates a range of information and communication systems for the efficient operation of its business. Personal information is stored in the housefiles and I.T. system which has a backup for archiving and disaster recovery purposes. All data is held within the UK.

8. HOW LONG INFORMATION IS KEPT FOR

1. Information relating to a tenancy / contract agreement will be kept for as long as the agreement is active or where money is owed on the account, and for a period not exceeding three years afterwards. If you want to see the Retention Schedule please write to the Housing Manager at housingmanager@fairhazelcoop.org.uk
2. The basic history of who held a tenancy will be held forever.
3. Closed housing applications will only be held for a period not exceeding one year.

9. CHILDREN'S INFORMATION

9.1 The Co-op record children's basic information (name / date of birth/ nationality) if they are resident in one of our properties, or their parents have registered on the Housing Register. This is required to check that the property is not overcrowded and to assess other tenancy management issues where all householders and ages are required to be known, to see if an immigration / right to rent check must be carried out. The Co-op may receive children's information when involved in the housing aspect of a welfare case as part of a multi-agency approach.

9.2 For more information on Privacy Notices and the changes required as a result of GDPR with regard to children, please see the ICO (Information Commissioners Office) website:



10. PROPERTY INFORMATION

10.1 Much of the data the Co-op use relates to their properties and their maintenance and repair. The Co-op do not consider property information used in conjunction with the property address to be your personal information. For example, the age of the kitchen / bathroom, planning to replace windows/ repair a tap etc.

10.2 If your name / contact details or other personal information is used in conjunction with property information, such as to complete a property repair visit that you reported, then this is treated as personal information.

11. HOW THE CO-OP COMMUNICATES WITH YOU

11.1 The Co-op communicates with tenants, members and other customers by:

- Written correspondence – Letters / emails
- Telephone calls
- Meetings in person – at the office / tenant's accommodation
- Fairhazel Magazine
- Fairhazel Website - See the 'Privacy & Cookies Policy' on the website.

11.2 Members receive the Fairhazel Magazine with information about what is going on within the organisation. The Co-op keep their tenants / members and residents informed and offer opportunities for involvement, but you may opt-out of receiving this by contacting the Housing Manager in writing to housingmanager@fairhazelcoop.org.uk or at the Co-op's Registered Address.

11.3 The Co-op will only discuss or communicate your tenancy / contract with those named on the agreement (e.g joint tenancy) or those authorised (temporarily or permanently) by you. You can authorise someone on a temporary basis verbally over the phone or for an infinite period in writing.

12. SHARING DATA

12.1 The Co-op shares limited personal data (name/ contact details) with their contractors who are carrying out services on their behalf. The contractors are required to comply with data legislation when completing emergencies, responsive or planned property repairs.

12.2 The Co-op may share your information with a language translation service if it is necessary to translate any information into or from another language for you.

12.3 The Co-op may need to share personal information with government departments and agencies, with their regulator and auditors, with utility companies or where we are legally required to do so. The Co-op may need to share information with solicitors, agents, mortgage broker, financial advisors, court agents, surveyors, valuers or next of kin in your vital interest in the event of an emergency.

12.4 See Tables 1-3 of a breakdown of who data is shared with.

13. YOUR RIGHTS

1. **Access** - You have the right to request a copy and have access to the data the Co-op hold about you. Please contact housingmanager@fairhazelcoop.org.uk if you wish to request access to any of your personal data, free of charge, stating what personal data you want to see, what it relates to and within what timeframe to assist the search.
2. The Co-op may make a charge of £10 when a request is unfounded or excessive and/ or repetitive requests for the same information. The Co-op will respond within one month, which can be extended a further two months where numerous requests are made.
3. If a request is excessive or repetitive, the Co-op has the right to refuse to respond.



4. **Consent** – In some cases you may be asked to give your consent, freely and without detriment, for data to be processed. The Co-op would need to explain why the consent is required. Consent is not required where:
- the personal data is necessary for a contract / tenancy agreement
 - it is necessary to fulfil a legal obligation
 - for a vital interest (notifying next of kin/ social services in an emergency)
 - for a legitimate interest
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- 13.5 **Correction / Rectification** - Individuals are entitled to have their personal data rectified if it is inaccurate or incomplete. Please advise the Co-op of any changes or corrections by contacting the Housing Manager on Tel: 0207 624 1098 or email to: housingmanager@fairhazelcoop.org.uk
- 13.6 **Erasure** - You have the right to ask the Co-op in certain circumstances to erase any data held about you (the right to be forgotten) if it is no longer necessary to keep on file. You can object to the Co-op processing data unless the Co-op can establish a legitimate reason for continuing.
- 13.7 **Restricting processing** – You have the right to ‘block’ or suppress processing of any information what was previously provided with your consent. However, the Co-op has the right to override your request after considering whether or not the Co-op has legitimate grounds to deny such a request (personal data for tenancy) or the processing is for the establishment, exercise or defence of legal claims.
- 13.8 **Data Portability** – You have the right to obtain and reuse your personal data for your own purposes across different services, carried out by automated means by copying or transferring personal data more easily. You have other rights which can be seen by visiting the Information Commissioner’s Office(ICO) website at <https://ico.org.uk/>
- 13.9 **Right to Object** - You have the right to object to processing based on legitimate interests or the performance of a task in the public interest / direct marketing. You can complain about any matter relating to the Co-op’s service, including how the Co-op use your personal data:
- In the first instance please contact the Housing Manager on 0207 624 1098 or email housingmanager@fairhazelcoop.org.uk
 - If you continue to not be happy with the service you may complain in writing to the Housing Management Committee
 - If you are still not happy with the service you may complain to the Housing Ombudsman Service at <http://www.housing-ombudsman.org.uk/>
 - If you wish to complain about the Co-op’s use of your personal data you may complain to the Information Commissioner’s Office (ICO) at <https://ico.org.uk/>

14. REVIEW

This Privacy Notice will be reviewed as and when necessary, i.e. when an amendment to the notice is required.



The Co-op receives or share information with various persons, organisations and public authorities as necessary. These are listed in Table 1 below. Table 2 and 3 explain why the Co-op shares your information and the legal gateway which allows this to happen.

TABLE 1: The persons and organisations and public authorities with whom the Co-op shares personal data with as necessary.

Data Category	With whom the Co-op share/ receive data
Personal background information	Other landlords/ employers/ debt collectors/ tracing agents/ next of kin etc
Bank details	Co-op bank, credit reference agency; debt / tracing agents
Tenancy details	Other landlords/ employers, benefit authority, taxation authority
Rent Deposits	Accountant/ Stored separately on CHICS system
Immigration / Right to Rent checks and verification of tenant's / residents identity	Home Office, credit/ tracing agency
Rent and other payments	Bank, benefits authority, joint tenants/ resident's guarantor, insurers, accountant, other landlords
Recovery of Arrears, claims and possessions	Debt collectors/ tracing agents, other landlords, joint tenants/ residents guarantor, accountant, insurers
Repairs / housing conditions/ health and safety	Contractors, tradespeople, local authority, joint tenants/ guarantors, insurers
Breach of Tenancy Agreement	Neighbours, other residents affected, contractors, joint tenants/ guarantors, solicitor, court, consultancy
Council Tax liability	Taxation authority (Local authority)
Water Charges	Water Companies, flat sharers
Utilities and Services	Utility suppliers and service providers e.g Broadband, flat sharers
Universal Credit, Housing Benefit etc	Benefit authority (Department for Work and Pensions or Local authority), regulatory authority, joint tenants/ guarantors
Termination of Tenancy	Utility suppliers, other landlords, debt collectors/ tracing agent, taxation authority,
Correspondence etc	Depending on the relevance of the correspondence, it may be shared with any persons listed in section 10.3
Website	Joint tenants/ residents/ public
Insurance	Insurers, bank etc



TABLE 2 – Why the Co-op shares personal data with private persons / organisations

Categories of persons / Organisations	Purpose and Legal Gateway
Other landlords	To obtain references. This is to ensure suitability for a tenancy in the Co-op's own legitimate interest. The Co-op also provides information to prospective landlords in their legitimate interest to assist them in evaluating suitability for a tenancy. These interests are to ensure that properties are let to reliable tenants.
Contractors / Tradespeople/ Service Suppliers	Assisting in carrying out the Co-op's responsibilities under the Tenancy Agreement and for the management of the tenancy and the contractual performance of maintaining the properties. The Co-op has a duty to comply with the legal obligations in relation to housing conditions and health and safety e.g. gas, electrical and fire alarm maintenance and inspection. The Co-op will provide your contact details to contractors etc. to facilitate access to the property. On occasion the Co-op will arrange for inspections to be carried out in their legitimate interest.
Utility Companies and Service Providers e.g Broadband	Arranging for utilities / services and establishing liability of payment along with administering their supply in the Co-op's own legitimate interests and those of the provider.
Credit reference agencies	The Co-op may request and consider credit and other referencing relating to deciding the suitability of tenants and residents for a tenancy. It is a legitimate interest for the Co-op to ensure that they let their properties to reliable tenants/residents,
Debt Collecting / Tracing agents	To trace you or make a claim in the Co-op's legitimate interests. These are to enforce the Co-op's own rights.
Joint tenants	Management of the tenancy and the property for contractual performance. In the Co-op's own legitimate interests and those of joint tenants where there are arrears of rent or breaches of the terms of the Tenancy Agreement, joint tenants are either jointly or solely liable for such performance. The legitimate interests are to protect the Co-op's own property interests and to enforce the Co-op's rights
Guarantors	The Co-op informs guarantors of claims and liabilities for contractual performance of the guarantee. It is in both the Co-op and the guarantor's interests to give and receive information about non-compliance of tenancy obligations e.g. rent arrears. The Co-op's interest is to protect their property and to enforce their rights.



TABLE 2 – Continued

Categories of persons / Organisations	Purpose and Legal Gateway
Next of Kin	To make contact with them in the event of an emergency to protect your vital interests
Insurers	To arrange public and other liability insurance to make a claim. This is in the Co-op's legitimate interests and the insurer's legitimate interests. Under the terms of policies, the Co-op may be required contractually to provide information to insurers
Banks and lenders	<p>Where the Co-op has a loan, information regarding tenancies/ properties may be provided to arrange and administer loans. This is the Co-op's own legitimate interests to finance the business.</p> <p>In the case of banks information about you can be shared for the purposes of administering rental and other payments. Your information can also be shared for the purposes of preventing money laundering and fraud. This is the Co-op's own legitimate interests and those of the bank in order to detect crime. Contractually the Co-op may be required to provide information regarding insurance cover to banks providing the Co-op a loan. This is in the Co-op's legitimate interests to ensure compliance with the loan conditions and in the interests of the bank etc to</p>
Neighbours, other tenants and residents	The management of the tenancy and property. This includes information relating to complaints including alleged breaches of the Tenancy Agreement and anti-social behaviour, as well as the abandonment of the property. This is in the Co-op's legitimate interests and of the neighbours for their enjoyment of their own properties and to protect their property, interests and rights.
Web sites, portals etc	Undertaking searches and obtaining publicly available information relevant to your suitability for a tenancy relating to the management of the tenancy and the property. This is undertaken in accordance with applicable data protection law and guidance / principles.



TABLE 3 – Public Authorities / Private Persons Where Information is Shared

Public authority	Information shared and reason for sharing
Home Office	Immigration / Right to rent checks for the performance of the Co-op's legal obligation.
Benefit authority	The administration of benefits such as Universal Credit (by the Department for Work and Pensions)/ Housing Benefit (Local authority). This includes applications to them for direct payments to the Co-op. It extends to claims by these authorities for overpayment claims. This is a contractual performance and / or the Co-op's legitimate interests to ensure that the Co-op collect rents and that amounts properly due are received.
Taxation authorities	These are HM Revenue and Customs and (in the case of Council Tax and Council Tax reduction schemes) local authorities to levy taxes or charges. The Co-op is required by law to make appropriate returns.
Professional advisors	Assistance and advice regarding the management of a tenancy and the property for contractual performance. This is in the Co-op's legitimate interests to ensure they act appropriately and properly, in accordance to the law.
Police / Law enforcement agency	Prevention / detection of crime and anti-social behaviour is in the Co-op's and law enforcement agencies legitimate interests to protect their property and enforce the Co-op's rights and to enforce the law.
Regulation authorities	To carry out their functions in their legitimate interests. These are to enforce legal requirements. On occasion, the Co-op may be under a legal obligation to provide your information, particularly if a notice to that effect is served on the Co-op. This can include an ombudsman or accreditation or similar scheme of which the Co-op is a member. It also includes water / utility providers who are exercising their functions as statutory undertakers
Courts	The administration of Justice in the Co-op's legitimate interests. These are to pursue and defend claims/ seek repossession of properties
Prospective purchase of a property	In the event the Co-op proposes to sell a property any prospective purchaser will require information about the tenancy and the property. This is in the Co-op's own legitimate interests and their legitimate interests. This is part of the conveyancing and sales process for both parties. The legitimate interests are to ensure that correct information is provided and received.



Table 4: Names of persons / organisations / public authorities with whom the Co-op share information:

Email provider	G Suite by Google
Website Host	SiteGround Hosting Ltd 3 rd Floor, 11-12 St. James's Square, London, SW1Y 4LB
I.T Support	David Hastings 35 Sandford Avenue, London,N22 5EJ david@phlex.co.uk / phlex.co.uk
Housing Management Consultancy: Complaints handling	Housing Ombudsman Service PO Box 152 Liverpool L33 7WQ Tel: 0300 111 3000 info@housing-ombudsman.org.uk www.housing-ombudsman.org.uk
Landlords Bank	Royal Bank of Scotland 2 Elgin Avenue, Harrow Road, London W9 3QR www.rbs.co.uk
Landlord's Mortgagee	Royal Bank of Scotland Commercial Banking Houblon House, 62-63 Threadneedle Street, London EC2R 8HP
Bankline administrators	Treasurer Sophie Ali, Tania Roach, Fiachra Pilkington Maggie Coates and Secretary Tania Roach
Landlord's Insurance Broker	JLT Specialty Limited (or Lloyd & Partners where applicable), The St Botolph Building, 138 Houndsditch, London EC3A 7AW, http://www.jltspecialty.com Lloyd & Partners is a trading name of JLT Specialty Limited. JLT Specialty Limited is authorised and regulated by the Financial Conduct Authority.
Legal and Professional Representatives	Solicitor – James Garvey Hockfield & Co,41 Reedworth Street,London SE11 4PQ Surveyor – Andrew Lismore Andrew Lismore Associates Ltd Prospect House, 2 Athenaeum Road, London,N20 9AE Accountant – Rizwan Saeed, Barrow accountants Chartered accountants & registered auditors Jackson House,Station Road,Chingford, London E4 7BU 0208 524 8134
Legal and Professional Representatives	Auditor - Appleby & Wood (London) Limited 40 The Lock Building 72 High Street London E15 2QB Tel: 020 8534 0383 / 0388
Local Authority	London Borough of Camden Council, 5 Pancras Square, London, N1C 4AG www.camden.gov.uk



Contractors:

AERIALS	- Jamal Aerials
ALARM SYSTEM	- Call Electrical Ltd
APPROVED BUILDING CONTRACTORS	- ICB Builders - Mark Davage Property Maintenance Ltd - Rainbow Building Services
CARPENTERS	In the event of Tenants being locked out, smashed windows etc. . 1. Mark Davage Property Maintenance Ltd 2. Rainbow Building Services 3. ICB Builders
CARPETERS	- Great Western Carpets
CLEANER	Alliance Cleaning Ltd McCains (Cleans carpets)
ELECTRICIANS	Call Electrical Ltd
ENTRY PHONE SYSTEM	Call Electrical Ltd
GAS ESCAPE EMERGENCY	- TRANSCO
LOCKSMITHS	- Newmans - George locksmiths
PAINTERS	Noel Power
PLUMBERS	1. Austin O'Brien 2. No Pressure Heating Services
ROOFING CONTRACTORS	- ICB Builders - KT Roofing Ltd
SCAFFOLDERS	- ATD Structures Ltd
SEWER CHAMBERS	- M & E Drainage - Crystal DMS Ltd
WASHING MACHINE	– Royal Repairs

