

Privacy Notice for Factored Owners

What we need

Hjaltland Housing Association Limited (Hjaltland) will be a "controller" of the personal information that you provide to us while the Association act as your Factor through a range of ways, including:

- Application forms,
- Direct communication via letter, email, etc.

Throughout the Factoring Service, we may ask you for the following personal information:

- Personal details
 - Name,
 - Address,
 - Email address,
 - Phone number,
 - Date of birth,
 - Details of other members of the household,
 - Next of kin,
 - National Insurance number,
 - Employment information,
- Payment details
 - Bank account number,
- Equality information
 - Disability status,
 - Religious beliefs,
 - Sexual orientation,
 - Ethnic origin,
 - Race.

Some of the information we collect about you may include Special Categories of Personal Data (as defined by the Data Protection Legislation).

Why we need your personal information

Contractual purposes

We need to collect your personal information so that we can manage the factoring service on your property. We will use your personal information for the following purposes:

- Managing your factoring services,
- Process payment of fees and factoring charges,
- Meet our obligations as per the written Statement of Service and Factoring Statement, and
- To ensure the safety and security of you and others.

If you do not provide us with all of the personal information that we need to collect then this may affect our ability to provide you with a factoring service.

Legal obligations

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

- the Protection of Vulnerable Groups (Scotland) Act 2007,
- the Equality Act 2010, which requires us to process personal information to make reasonable adjustments where necessary, and
- the Property Factors (Scotland) Act 2011.

Legitimate purposes

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

- issue communications to our customers regarding services, etc.
- undertake research to improve our services, and
- factor properties in accordance with good practice.

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. If we agree and comply with your objection, this may affect our ability to undertake the tasks above for the benefit of providing you with shared ownership and managing your occupancy agreement if successful.

Equality monitoring requirements

We are required to use your personal information relating to your health, racial or ethnic origin, religious beliefs, sexual orientation, and criminal offences or convictions:

- for equality monitoring purposes as required by the Scottish Housing Regulator. We will process such personal information to 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 Hjalmland,
- where we have a function under law and it is in the public interest,
- to prevent or detect any unlawful acts, and
- to engage with elected representatives who are acting on your behalf.

Other uses of your personal information

We may ask you if we can process your personal information for additional purposes. For example, in the newsletter, on the website, etc., and will use any additional personal information in accordance with this privacy notice or provide you with an additional privacy notice.

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 including Contractors for the purposes of, for example, instructing works to your property.

We may be required to share personal information with our professional and legal advisors for the purposes of taking advice and in the event of proposed or actual legal claims.

Hjalmland employs third party suppliers to provide services, including IT, Internal and External Auditors. 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.

Hjalmland may be required to publish personal information to meet the Scottish Housing Regulator's regulatory requirements or our legal obligations under the freedom of information legislation. Hjalmland will only publish your personal information where we believe it is lawful.

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 store your personal information

Your personal information is stored in a secure, lockable filing room and on our electronic filing system and servers based in the UK and is accessed by our employees for the purposes set out above.

Where your personal information is 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 comply with our legal obligations and to safeguard Hjaltland in the event of any claims, complaints, litigation, enquiries or investigations during or following the termination of your tenancy. Unless you ask us not to, we will review and possibly delete your personal information in line with the document retention tables included within our Data Protection policy.

We will keep certain personal information of factored owners for longer in order to confirm your identity and how long the Association acted as your factor. We need to do this in the event of a claim against Hjaltland.

We have document retention tables included within our Data Protection policy that set out the periods for retaining and reviewing all information that we hold. The tables set out different retention periods and you can request a copy at any time.

Your rights

You can exercise any of the following rights by writing to our Data Protection Officer at 2 Harbour Street, Lerwick, ZE1 0LR (mail@hjaltland.org). We have appointed Harper Macleod LLP as our Data Protection Officer.

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 the personal information that we hold about you is inaccurate or incomplete, you have a right to request that we correct or complete your personal information,
- you have a right to object to and/or request that we restrict the processing of your personal information for specific purposes,
- if you wish us to delete the personal information that we hold about you, you may request that we do so, and
- if you would like to obtain the personal information that we hold about you to reuse it for your own purposes, you may request that we do so.

Any requests received by Hjaltland 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