

## Privacy Notice - How we use your personal information

### Who are we

emh group is a non-asset owning parent company, with two largely ring fenced functional divisions: emh Housing and Regeneration Limited, trading under the name emh homes, which is a Registered Provider regulated by the Regulator of Social Housing and emh Care and Support whose regulated activities fall within the remit of the Care Quality Commission.

### Our Privacy Promise

#### We promise:

- To keep your data safe and secure
- Treat any data concerns you may have as priority

### What is the purpose of this notice

This privacy notice aims to give you information on how we collect and process your personal information throughout your care with us. It makes you aware of how and why your personal information will be used, namely for the purposes of the performance of our contract with you as our customer, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation (EU) 2016/679 ('the GDPR'), Data Protection Act 2018 and any subsequent legislation.

This notice primarily covers how we use information relating to our service users. It makes you aware of how and why your personal information will be used, namely for the purposes of managing your service level agreement, and how long we will usually keep your personal information for. In these cases, we will be the "data controller" for the purposes of data protection law.

### What information we collect about you

#### What information we collect, why we collect it, the legal basis for doing so, and how long for:

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What	Why	Basis	Retention
Contact information <ul style="list-style-type: none"> <li>• Name</li> <li>• Date of birth</li> <li>• Previous address</li> <li>• IP (Internal Protocol) address</li> <li>• Telephone numbers</li> <li>• Email address</li> </ul>	Your tenancy agreement is a contract between you, any other person in your household (should you hold a joint tenancy) and East Midlands Housing Group.  This data is used to set up and maintain your tenancy account with us.	B	Life of tenancy + 6 years after tenancy ends
<ul style="list-style-type: none"> <li>• National insurance number</li> <li>• Financial information</li> </ul>	To assess your benefit entitlement and council tax.	F	NI number – life of

			tenancy/ Financial information 6 months
Details of unspent convictions/ criminal offences attracting a custodial sentence/on a register/person of interest	We use unspent conviction information to house you appropriately.	F	Life of tenancy but regularly reviewed. If no issues when conviction spent data will be deleted after 1 year following suspension
<ul style="list-style-type: none"> <li>• Details of any support needs you have</li> <li>• Details of those people providing additional support</li> <li>• Next of kin details/emergency contacts</li> <li>• Disability information</li> </ul>	As required by our regulator and to provide information on extra services we provide – such as tenancy support.	F	Life of tenancy but regularly reviewed
<ul style="list-style-type: none"> <li>• Authority to Act or Power of attorney</li> </ul>	We use this information to ensure we deal with the most appropriate person dealing with your affairs	F	Life of tenancy but regularly reviewed
References from previous landlords	We use this information to provide you with support	F	Deleted after 1 year of tenancy being granted
Proof of right to rent		C	Life of tenancy
<ul style="list-style-type: none"> <li>• Ethnicity</li> <li>• Religion</li> <li>• Sexuality</li> </ul>	For analysis purposes, as required by our regulator and to provide information on extra services we provide.	C C	Destroyed after data is recorded
Details of who is living with you	Used to ensure you are not overcrowded or under- occupying a property.	B	Life of tenancy but regularly reviewed

#### Types of Legal Basis (Personal Data)

<b>A – Consent</b>	<b>B – Contract</b>	<b>C – Legal obligation</b>	<b>D – Vital interests</b>	<b>E – Public task</b>	<b>F – Legitimate interest</b>
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#### What particularly sensitive information we collect about you

#### What information we collect, why we collect it, the legal basis for doing so, and how long for:

What	Why	Basis	Retention
Details of unspent convictions/ criminal offences attracting a custodial sentence/on a register/person of interest	We use unspent conviction information to house you appropriately.	F	Life of tenancy but regularly reviewed. If no issues when conviction spent data will be deleted after 1 year following suspension
Disability information	As required by our regulator, in accordance with our legal obligations under the Equality Act 2010 and to provide information on extra services we provide – such as tenancy support.	B	Life of tenancy but regularly reviewed
<ul style="list-style-type: none"> <li>Ethnicity</li> <li>Religion</li> <li>Sexuality</li> </ul>	For analysis purposes, as required by our regulator and to provide information on extra services we provide.	B	Destroyed after data is recorded
Support files including <ul style="list-style-type: none"> <li>Support plans and Risk assessments and associated documents</li> <li>Medication Administration Records</li> </ul>	As required by our regulator, in accordance with The Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2015	C	6 years after date of last contact

#### Types of Legal Basis (Special Category Data)

A – Consent	B – Social protection law obligation	C – Vital interests	D – In the public domain	E – For legal claims	F – Public interest

### Purposes for which we use your personal information

We need all the categories of information in the list above (see **what information we collect about you** above) primarily to allow us to perform our contract with you and to enable us to comply with our legal obligations. In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests.

The situations in which we will process your personal information are listed below:

- To register you as a customer.
- To communicate with you about your tenancy or support package
- To administer our waiting lists.
- To administer housing, property care and support services.
- To perform our contract or service to you.
- To manage our relationship with you, including notifying your about changes to our contract or services or asking you to provide us with feedback.
- To administer and protect the organisation and this website.



- To maintain our accounts and records.
- To support and manage our employees, agents and contractors.
- As part of our marketing and promotional activities (if you agree).

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **How we use your information**

Data Protection law says that we are allowed to use personal information only if we have a proper reason to do so. The law says we must have one or more of these reasons:

- To fulfil a contract we have with you, or
- When it is our legal duty, or
- When it is in our legitimate interest, or
- When you consent to it.

Generally, we do not rely on consent as a legal basis for processing your personal information other than in relation to sending direct marketing communications to you via email or text message. You have the right to withdraw consent to such marketing at any time.

## **Sharing your information**

Personal information we have on you is used to make sure the services we offer continue to be the most appropriate for you.

We will use your information to manage our relationship with you for example keeping our records up to date and to enable us to assist in the coordination of support services.

We will also use your information to carry out the contractual obligations we have to our customers for example arranging repairs, planned maintenance, surveys and inspections to the properties.

We will not normally share your information with anyone else. However, there are certain circumstances where we will be required to share your information with other organisations, we will comply with Data Protection law when disclosing this information. Where it is required or necessary in accordance with Data Protection law, we may share information:

- To third parties under the provisions of Crime and Disorder Act.
- To the Housing Benefits department.
- In response to legislative or court orders.
- To collection agencies and legal representatives for the purpose of collecting rents or other monies owed to us.
- To regulatory authorities in response to formal requests.
- To repairs contractors and service providers.
- To financial organisations.

- To central government.
- To our auditors.
- To survey and research organisations.
- To other housing associations, trusts or local authorities.
- To health authorities.
- To security organisations.
- To health and social welfare organisations.
- To professional advisers and consultants.
- To Homes England.
- To probation services.
- To police forces.
- To courts and tribunals.
- To professional bodies.
- To insurers.
- To the press and the media.

If information is requested from a third party not covered by the above, we will seek written consent from the customer where required under Data Protection law.

## How do we keep information secure

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and the Information Commissioner's Office of a suspected breach where we are legally required to do so.

## Marketing

From time to time we would like to send you information about services of ours and other members of the group we feel may be of interest to you.

Despite your consent to receive marketing information, should you change your mind you have the right at anytime to stop us using your information for marketing use by withdrawing your consent. Consent can be withdrawn by contacting us, see how to contact us below.

## Access to and correction of the information we hold on you

You can find out if we hold any personal information about you by making a 'subject access request' under the GDPR. If we do hold information about you, we will:

- Give you a description of it;
- Tell you why we are holding;
- Tell you who it has been disclosed to; and
- Let you have a copy of the information in an intelligible form.

You may also have the right for your personal information to be transmitted electronically to other organisations in certain circumstances.



You can access your personal information we hold by writing to us at this address:  
emh group, Quality standards Team, Memorial House, Stenson Road, Coalville, and Leicestershire, LE67 4JP.

You have the right to question any information we have about you that you think is wrong or incomplete. Please contact us if you want to do this. If you do, we will take reasonable steps to check its accuracy and correct it.

## Your rights

You may also have the right, in certain circumstances, to request that we delete your personal information, to block any further processing of your personal information or to object to the processing of your personal information. There are some specific circumstances where these rights do not apply and we can refuse to deal with your request.

If we are processing your personal information based upon your consent (e.g. as part of our marketing or promotional activities or to make a voluntary referral to an external agency), you have the right to withdraw your consent at any time.

If you require any further information about your right to rectification, erasure, restriction of or object to processing or you wish to withdraw your consent please contact us (see **How to contact us** below).

## Complaints

We take any complaints we receive about the collection and use of personal information very seriously. We would encourage you to bring it to our attention if you think that our collection or use of information is unfair, misleading or inappropriate. You can make a complaint at any time by contacting us (see **How to contact us** below).

If you think our collection or use of personal information is unfair, misleading or inappropriate or if you have concerns about the security of your personal information, you also have the right to make a complaint to the Information Commissioner's Office. You can contact the Information Commissioner's Office at the following address:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## How to contact us

Please contact us if you have any questions about our privacy policy or the information we hold about you. You can do so via one of the contact details below;

- **Email** - [dataprotection@emhgroup.org.uk](mailto:dataprotection@emhgroup.org.uk)
- **Post** – Quality & Standards Team, Memorial House, Stenson Road, Coalville, Leicestershire, LE67 4JP.
- **Telephone** - 01530276000

We have appointed a Data Protection Officer to oversee our compliance with this privacy policy. Our Data Protection Officer is Kasandra Silcott. If you have any questions about this privacy policy or how we handle your personal information, please contact our Data Protection Officer using the details above.