

Privacy Notice

DECEMBER 2021

settle.

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PART 1: INTRODUCTION

1.1 **The General Data Protection Regulation (UK GDPR)**

1.1.1 The EU Data Protection Directive [95/46/EC], implemented as UK GDPR came into effect on the 25 May 2018. In the UK, the Data Protection Bill contains the UK GDPR and will remain applicable even when the UK leaves the EU.

1.1.2 For independent advice about data protection and privacy concerns in the UK, you can contact the Information Commissioner (ICO) online at www.ico.org.uk or by phone on 0303 123 1113.

1.1.3 settle group and each of its subsidiaries are registered with the ICO as follows:

	ICO Notification Number
settle group	Z7725378
Rowan Homes Limited	ZA245168

1.2 **The Notice**

1.2.1 settle group (“the Group”) is a non-profit making social business limited by guarantee and registered with the Regulator of Social Housing (RSH). Where we refer to “we” or “us” in this Privacy Notice, we are referring to settle group or one of our subsidiaries. The Group consists of one subsidiary, Rowan Homes Limited.

1.2.2 Service delivery within the Group is governed and controlled by a series of intra group and service level agreements that clearly set out the services to be provided by each Company, their rights and responsibilities and ensures the smooth running of the organisation.

1.2.3 settle group and its subsidiary, Rowan Homes Limited are “data controllers” of your personal identifiable information. The data controller is responsible for determining the means of collection and the use of this information.

1.2.4 settle group (“the Group”) needs to collect and process personal data to deliver services such as:

- Tenancy management & property maintenance services,
- Providing, managing and developing affordable housing,
- Delivering independent living services,
- Helping to support individuals to prosper and contribute to their community.

1.2.5 We are committed to handling your personal information fairly, lawfully and securely in line with current data protection laws.

- 1.2.6 We take your privacy seriously and this privacy notice explains the categories of personal data we process and for what purposes. It explains the personally identifiable information we will collect and hold about you. This information may be provided by you or from a third party.
- 1.2.7 By reading this notice you will understand what to expect when settle group processes your personal information and your rights in relation to your data. It applies to information about tenants, home owners, housing applicants, potential home buyers, employees, job applicants, board members and other service users.
- 1.2.8 We keep our privacy notice under regular review and we will place any updates on our website (www.settlegroup.org.uk) if you would like to receive a printed copy of our privacy notice, please contact our customer contact centre. This privacy notice replaces any previous notices that we have published about using your personal identifiable information.
- 1.2.9 If you have any questions about how we use your personal information, 'the Groups' Data Protection Officer can be contacted by email at dpo@settlegroup.org.uk or by post at "The Data Protection Officer", Blackhorse Road, Letchworth Garden City, Hertfordshire. SG61HA

PART 2: YOUR EIGHT PRIVACY RIGHTS

2.1 **The right to be informed**

This privacy notice informs you of who is obtaining and using your personal information, how this information will be retained, shared and secured and what lawful grounds will be used to obtain and use your personal identifiable information.

2.2 **The right of access**

You have the right to obtain a copy of the personal information we hold about you. This is known as a "subject access request" (SAR). SARs need to be made in writing. You can telephone or email us to request subject access request form. We ask that your request is accompanied by proof of your address and identity. In accordance with the Data Protection Act (DPA) we must provide you with the information pertaining to your request within 30days.

If you are seeking to obtain specific information, it helps if you clarify the details of what you would like to receive in your request. If someone is requesting information on your behalf, they will need written confirmation from you to evidence your consent in order for us to release this and proof of ID (both yours and theirs).

2.3 **The right to rectification**

You can ask us to rectify your personal data if it is inaccurate or incomplete. Please help us to keep our records accurate by keeping us informed if your details change.

2.4 **The right to erasure**

The right to erasure is also known as “the right to be forgotten”. In some circumstances, you can ask us to delete or remove personal data where there is no compelling reason to continue to hold it. This is not an absolute right, and we will need to consider the circumstances of any such request and balance this against our need to continue processing the data, and any legal/regulatory requirements for the data.

2.5 **The right to restrict processing**

You can object and ask us to restrict processing if you feel that we are using your personal information unlawfully and/or holding inaccurate, inadequate or irrelevant personal identifiable information which if used may have a detrimental impact on you and/or has an impact on your rights.

2.6 **The right to object**

You have the right to object to how we use your personal identifiable information in certain circumstances as well as the right to obtain a copy of the personal identifiable information we hold about you.

2.7 **The right to data portability**

For such companies as utility providers (e.g. gas, electricity suppliers), you can request that information you have provided to them, such as meter readings be transferred to another company. If the situation arises where it would be helpful for you to move, copy or transfer personal data we hold about you, across different services, you may be able to ask us to do this.

2.8 **Rights in relation to automated decision making and profiling**

You can ask us to review any decisions that are determined by automated means, and object to our use of your personal data for profiling activities.

PART 3: CONTACT AND COMPLAINTS

3.1 To make enquiries for further information about exercising any of your rights in this privacy notice, then please contact us by email at dpo@settlegroup.org.uk or by post at “The Data Protection Officer”, Blackhorse Road, Letchworth Garden City, Hertfordshire. SG61HA

3.2 You can also make a complaint to the relevant data protection supervisory authority. Where your personal identifiable information is held and processed in the UK, you can complain to the Information Commissioner’s Office, at www.ico.org.uk.

PART 4: LAWFUL REASONS FOR USING YOUR PERSONAL INFORMATION

4.1 We only use personal information where it is permitted by the laws that protect your privacy rights:

- We need to use the information to comply with our legal obligations;
- We need to use the information to perform a contract with you;
- We determine it is fair to use the personal information either in our interests or someone else's interests, but there is no harm to you as a result – this may include where it is in our interest to contact you about relevant products or services or collaborate with others to improve our services;
- Where we need to seek your consent – If we ask for your consent, you have the right to subsequently withdraw it. We will let you know how to do that at the time we gather your consent.

4.2 Special protection is given to certain kinds of personal information that is particularly sensitive.

This is information about your health status, racial or ethnic origin, political views, religious or similar beliefs, sexual orientation, or criminal convictions and allegations. We will only use this kind of personal information where:

- We have a legal obligation to do so (e.g. to protect vulnerable people);
- It is necessary for us to do so to protect your vital interests (e.g. if you have a severe and immediate medical need);
- It is in the substantial public interest;
- It is necessary for the prevention or detection of crime;
- It is necessary for insurance purposes; or
- You have specifically given us consent to use the information.

4.3 We use your information to provide you with our services we may collect and use your information as follows:

- To assess service eligibility and complete tenancy sign-ups; to complete our assessments (e.g. affordability) and subsequently if we sign-you-up to our services we will collect detailed personal information about you and other household members, including age, gender, date of birth, ethnicity, income, National Insurance number, income and benefits details, employment status, gender identity, relationship status, any disabilities, any communication and accessibility requirements, religion, sexuality, nationality, caring responsibilities, access to financial services such as banks and credit unions, bank details, benefits, council tax, medical information or details of any unspent criminal convictions.

- We have a legal duty to confirm a person(s) eligibility for housing and their right to reside in the country. We will need to obtain details your citizenship, previous countries you have lived, and a copy of identification documents (such as passport, home office residence papers and driving license).
- To help support our customers who have a vulnerability and/or receive a support service from us we might also need health and social care information (such as physical, social or mental health information or medication).
- Some of the information requested will form the basis of our contract with you. Without this information, we will be unable to accept an application for services.
- Information relating to other occupants is collected as it is in our legitimate interests to know who will be living in our premises, to ensure that accommodation offered is adequate for current and the short/medium term needs of your family, to check that household members' needs are being met and to ensure that the surrounding community will have quiet enjoyment of their homes.
- To manage and administer our tenancies, leasehold agreements or support services.

4.4 We may use personally information to meet the conditions set out in the contract/ agreement with you or to meet our legal or regulatory obligations, as follows:

- Up to date contact details (telephone number and email address) so we can reach you when we need to discuss your services, e.g. payments, essential servicing, access for repairs, maintenance and improvements, to resolve or investigate complaints or housing management issues such as antisocial behaviour and to enforce the terms of your tenancy/lease.
- We may ask you for supporting information about any change in circumstances or to make changes to your tenancy. For example; if you have a medical need that means your housing requirements need to be re-assessed; or if you want to change your name on our records.
- We will hold records of all our contact with you, your contact with us, and any contact from third parties representing you or about you. This may include call recordings.
- We will keep financial records about the money you have paid us, any amounts outstanding and our actions to recover that money. Depending on how you pay; we may hold your bank account details, or share/receive information from payment bureaux such as AllPay. Where you are in receipt of certain benefits we will receive information from and share information with relevant agencies.
- We may also use your contact information to communicate with you about products or services which may help you sustain your tenancy, and news stories relating to settle group.

- 4.5 Without this information, we may be unable to adequately provide your services.
- 4.6 To fulfil our health & safety and crime prevention obligations and to support our vulnerable people:
- We process your personally identifiable and special category information for this purpose to meet our legal and regulatory obligations for health and safety and crime prevention.
 - We may hold information about vulnerabilities or your behaviour if we need to ensure services are tailored to meet your needs, or to look after our staff or anyone else working on our behalf.
 - Indicators may be placed on your record and shared with contractors and subcontractors to ensure health and safety measures are in place. We would have informed you of the reason for this indicator, when it will be applied and for how long. For example, a marker is applied for a tenant with a mobility restriction, to ensure that sufficient time is given for the tenant to answer the door.
 - We may capture your image on our CCTV systems if you visit one of our offices or residential buildings covered by this facility. Signage at each location provides details of the purpose of the system.
- 4.7 **To report or share information with agencies where it is believed you or other persons' vital interests are at risk:**
- We use your personally identifiable and special category information for this purpose because it is necessary to protect the vital interests of you or others and to meet our legal and regulatory obligations.
 - We do this where you or another person is at risk of physical, mental, sexual, harm or damage.
 - Where you or another person needs to be protected as a vulnerable person from significant harm or serious exploitation.
 - When you engage with our teams to obtain extra support, guidance or advice.
- 4.8 We use your personally identifiable information for this purpose because it is in our legitimate interest to ensure our tenancies are sustainable, and it is necessary to fulfil the contractual relationship formed with you when you engage with us. Where information relates to other household members, it is in our legitimate interests to ensure that we are providing the correct advice based on your exact circumstances. By choosing not to provide information it may not be possible to provide the correct advice and fully benefit from the service.
- 4.9 Our training and employability teams may hold information about your education, job history and skills and experience. Or, if we support you to improve your financial circumstances our Financial Inclusion advisors may hold detailed information about your household income and expenditure.
- 4.10 Our governance team may hold information about Board and Committee members as part of their duties, recruitment, skills appraisals and remuneration.

4.11

To monitor our performance:

- It is in our legitimate interests to use your personally identifiable information for this purpose to understand how we are performing so we can meet our goals and objectives.
- We may use your contact details to carry out research and customer satisfaction surveys to help us to monitor our performance and to improve our services to our customers.
- We under take call recordings for training and quality monitoring purposes.
- To perform statistical analysis to manage and reduce complaints, or to help us target our resources and prioritise services.

4.12

There may also be a legal obligation for us to process the information or to demonstrate to our regulator that we are fulfilling our obligations, for example equality laws.

4.13

Keeping in touch with you, understanding your needs, and inviting you to events:

- To fulfil our contractual obligations, we will process your personal information to communicate with you for operational purposes using the most appropriate contact details you have given us e.g. by post, email, text message, or social media.
- It is in our legitimate interests to communicate with you about products and services which relate to services you already receive from us, and to keep you up to date with news and events which meet our objectives around social inclusion and helping to build communities.
- Where you have given us consent to receive marketing, you can withdraw consent and update your marketing preferences by contacting us.

4.14

We may use your personally identifiable information to meet the legal or regulatory obligations set out for us by our regulators.

PART 5: THE DATA WE HOLD AND HOW WE COLLECT IT

5.1 Depending on the products and services we deliver to you, the types of personally identifiable information used will vary. We will only collect personal information when we need it. When you provide your information, we will explain why we need it. We will also explain when information is optional and the impact of not providing this.

5.2 For most products and services, we need to use some or all the following items of personally identifiable information about you, occupants of your home, or your representatives:

a) Personal information

- Contact details – name, address, email, home and mobile telephone numbers;
- Age–date of birth, age range;
- Gender;
- Identification – information to allow us to check your identity (e.g. official documents);
- Financial information – information about your financial circumstances, or where you make payment by credit/debit card;
- Photograph–information to record your identity;
- On-line computer identifiers (IP address) – information recorded when you engage with us electronically;
- National insurance numbers – information to carry out functions such as universal credit and/or personal support services, and;
- Next of kin - contact details.

b) Special category information

- Health - to support our housing functions and vulnerable customers;
- Ethnicity - to support our equality monitoring purposes;
- Religion - to support our equality monitoring purposes;
- Sexual life or sexual orientation - to support our equality monitoring purposes, and;
- Convictions – to prevent and detect anti-social behaviour, crime, fraud, anti-money laundering and to aid in the prosecution and rehabilitation of offenders.

- 5.3 We may collect a reduced set of information for the other occupants of your property unless they also have a direct relationship with us (e.g. obtain services from us directly).
- 5.4 Supplying your personally identifiable information may be essential to enter into a contract/agreement with you or to meet some of our legal or regulatory duties. Examples of these are:
- Tenancy or lease holder agreements;
 - Support Service;
 - Processing housing or council tax benefit, and;
 - Equality monitoring and regulatory reports.
- 5.5 If you choose not to supply the personal information required, then we may not be able to provide some of our housing support or products and services.
- 5.6 Most of the time the personal information we hold about you is information you have given to us or has been gathered by us when we provide products and services to you.
- 5.7 We may also obtain information from third parties such as the local authority, your doctor (or other health professional), a previous landlord or another relevant community partner. In addition, we may also obtain information from publicly accessible sources or engage the service of research organisations to validate, or where appropriate, enhance the information that we hold. Examples of our means of collecting data include:
- Directly from you - in person, by email, telephone, text message, letter or form;
 - By observing how you use our housing, support, products and services, or those of other members of the Group, for example from the transactions and operation of your accounts and online services;
 - From other organisations such as former housing and support providers, health and social care agencies, law enforcement agencies, debt collectors, energy or utility companies, benefit agencies and/or credit reference and fraud prevention agencies;
 - From other people you know and/or are linked to you - for example; a joint tenant, a relative, a person nominated to act on your behalf, your legal representative, or people who live in the same community as you (e.g. those making reports of antisocial behaviour);
 - From monitoring or recording calls as part of quality and complaint monitoring. We record these calls for training and to ensure the safety of our staff. We will not record any payment card details as part of our accounts and payments operations;
 - From the CCTV systems for the prevention and detection of crime or to detect damage/vandalism to our properties and to ensure the safety and security of our staff and individuals obtaining services from us.

PART 6: SHARING YOUR PERSONAL INFORMATION

- 6.1 We will share your personal information within settle group and with others outside the Group where we need to do that to provide products and services to you, market products and services to you, meet or enforce a legal obligation or where it is fair and reasonable for us to do so.
- 6.2 Who we share your personal information with depends on the products and services we provide to you and the purposes we use your personal information for. For most products and services, we will share your personal information if it is in our legitimate interests to do so without seeking your consent first. This maybe with:
- Our contractors to facilitate repairs,maintenance or improvement works.
 - Debt and money management advisors.
 - Local authority teams such as social services, environmental health and benefit agencies.
 - Utility companies (and their representatives) and Council Tax Departments to ensure billing details are correct.
 - Third parties providing services on our behalf. For example, a mailing company distributing our newsletter; a research company carrying out a customer satisfaction survey, or a debt collection agency pursuing former tenant arrears.
 - Agencies committed to protecting public funds and/or preventing fraud in line with the National Fraud Initiative.
 - Police and other relevant authorities (e.g. Department of Work & Pensions, Probation Service, HM Revenue and Customs) in relation to the prevention and detection of crime, the apprehension of offenders or the collection of tax or duty.
 - Other statutory organisations e.g. social services and health authorities as necessary for exercising statutory functions.
- 6.3 Where the information is of a sensitive nature, for example about your health, we will generally obtain consent from you prior to sharing this information, unless we are required or permitted to share this by law.
- 6.4 We may also share information when required by law for example where ordered by the Court or to protect an individual from immediate harm.
- 6.5 settle group will never sell your personal data to third-party organisations for marketing purposes.

PART 7: AUTOMATED DECISION MAKING

Sometimes we use your personal identifiable information in automated processes to make decisions about you, for example determining your position on a housing waiting list or eligibility for a mutual exchange. We do this to help ensure decisions are made accurately, fairly and efficiently and to offer you services tailored to you. You have a right to challenge the validity of any decisions made in this way. You may also ask us not to process your information in this way. Contact us if you would like more information.

PART 8: TRANSFERS OUTSIDE THE UK

To ensure the safety and security of information you provide, it will not generally be transferred or processed outside of the UK and EU. There may be occasions where we need to process your information outside of the European Economic Area (EEA), for example where we use a third-party computer system within the USA to distribute marketing emails or complete internet-based surveys. Where we do this, any personally identifiable information will be limited, we will communicate where the information you provide will be stored, and we will take all necessary steps to ensure that your information remains as secure as possible.

PART 9: RETAINING AND STORING YOUR PERSONAL INFORMATION

- 9.1 The length of time we keep your personal information for depends on the services we deliver to you. We will never retain your personal identifiable information for any longer than is necessary for the purposes for which we need to use it.
- 9.2 settle group will apply appropriate technical and organisational measures to ensure your personal information is secure.
- 9.3 When we need to engage a contractor or third-party suppliers to process your personal information, our contracts with them shall include strict controls on their security and confidentiality protocols.
- 9.4 To help us ensure confidentiality of your personal information we will ask you or anyone contacted on your behalf security questions to confirm your identity. We will not discuss your personal information with anyone other than you unless you have given us prior written authorisation to do so or where we have received a clear verbal instruction from you.
- 9.5 If we need to share your personal information with one of our third parties it will be protected with suitable encryption software.

PART 10: ONLINE ACTIVITY

10.1 **Information we collect when you visit our website**

- Cookies are small text files that are placed on your computer's hard drive by your web browser when you visit any website. They allow information gathered on one web page to be stored until it is needed for use on another, allowing a website to provide you with a personalised experience and the website owner with statistics about how you use the website so that it can be improved. Some cookies may last for a defined period of time, such as one day or until you close your browser. Others last indefinitely. Your web browser should allow you to delete any you choose. It also should allow you to prevent or limit their use.

10.2 We use cookies in the following ways:

- to track how you use our website.
- to record whether you have seen specific messages we display on our website;
- to keep you signed into our site;

Analytical/performance purposes – this allows us to recognise and calculate the number of visitors and to see how visitors navigate around the website when they are using it. Therefore, helping us improve our website functionality for example, by ensuring that users can find what they are looking for easily;

Functionality purposes – to help us recognise you when you return to our website. This allows us to personalise our content for you and remember your preferences and settings (e.g. your choice of language or region);

Recruitment statistics – to allow us to monitor the download statistics of job packs and other downloadable content.

Please see our information on cookies and privacy here <https://www.settlegroup.org.uk/cookies-and-privacy>

When you first visit our website, we ask you whether you wish us to use cookies. If you choose not to accept them, we shall not use them for your visit except to record that you have not consented to their use for any other purpose. By choosing this option, you will not be able to use all the functionality of our website.

10.2 **Personal identifiers from your browsing activity**

- Requests by your web browser to our servers for web pages and other content on our website are recorded.
- We may record information such as your geographical location, your Internet service provider and your IP address. We also record information about the software you are using to browse our website, such as the type of computer or device and the screen resolution.
- We use this information in aggregate to assess the popularity of the web pages on our website and how we perform in providing content to you.
- If combined with other information we know about you from previous visits, the data possibly could in theory be used to identify you personally, even if you are not signed in to our website.

10.3 **Third party advertising or notices on our website**

- We do not currently have any third party advertisements on our website. If this changes in future, we will update this notice accordingly.
- At present, we may provide information about third party events or services, with a click through link to further information. In doing so, those parties, their agents or other companies working for them may use technology that collects information about you when you use such a link.
- They may also use other technology such as cookies or JavaScript to personalise the content of, and to measure the performance of their adverts.
- We do not have control over these technologies or the data that these parties obtain. Accordingly, this privacy notice does not cover the information practices of these third parties.

10.4 **Use of our website by children**

- We do not provide services to children directly though we recognise they may be part of the household of one of our residents.
- If you are under 18, you may use our website only with consent from a parent or guardian.
- We collect data about all users of and visitors to these areas regardless of age, and it is possible that from time to time some of those users and visitors will be children.