

Privacy Notice

The Housing Executive is committed to protecting your privacy and maintaining your trust and confidence in how we handle your personal information. In this privacy notice we have provided as much information as we can on when and why we collect your personal information, what we do with it and the limited conditions under which we may disclose it to others.

We have a Data Protection Officer who will monitor our compliance with the data protection legislation. For further details on how your information is used, how we maintain the security of your information and your rights to access information we hold on you, you can email us at dataprotection@nihe.gov.uk or write to: Data Protection Officer, Northern Ireland Housing Executive, 4th Floor, 2 Adelaide Street, Belfast, BT2 8PB.

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What is personal data?

Personal data is anything that identifies or relates to a living person either by itself or when put together with other information. For example, this could be your address and car registration.

What is special category data?

Special category data is sensitive personal information, for example, details about your physical or mental health or sexuality. This type of personal information needs more protection.

Why we need your personal information

We need to know your personal information so that we can:

- Assess and determine applications for housing or transfer/exchange.
- Assess and determine homeless applications.
- Facilitate the provision of Temporary Accommodation under Homelessness.
- Provide housing advice and assistance.
- Provide homelessness advice and assistance.
- Make appropriate site provision for members of the Irish Traveller Community.
- Manage allocations for dwelling houses and community lettings.
- Manage applications and allocations for garages.
- Manage tenancies and community lettings.
- Determine your housing rights and entitlements such as succeeding to another's tenancy.
- Receive and process rent, service charges, other payments and to pursue arrears.
- Provide a repair, maintenance, adaptations and works service.
- Investigate complaints and anti-social behaviour.
- Assess and administer applications for housing benefit.
- Assess and administer applications for Private Sector Grants, Group Repair and Energy Efficiency Schemes.
- Assess and administer applications for Social Enterprise awards.
- Assess and administer applications for community involvement/cohesion grants.
- Assess and administer applications for a Rural Community Award.
- Assess and administer applications for a Heritage in Housing Grant.
- Assess and administer applications for Rural Development Match Funding.
- Assess and administer applications for Small Pockets of Deprivation (SPOD) Funding.
- Identify and regulate the registration of Houses in Multiple Occupation (HMO).
- Deliver the Social Housing Development Programme (SHDP).
- Deal with unoccupied premises (empty homes).
- Perform data matching to prevent/detect crime, fraud/money laundering.
- Process applications relating to the sale or purchase of land or property.
- Administer and manage Supporting People funding.
- Carry out research in relation to any of our functions.

- Carry out latent demand testing for housing.
- Meet our legal obligations to our sponsor body.
- Perform equality monitoring.
- Assess tenders, procure and pay for goods, works and services.
- Assess and determine claims for compensation.

If you do not provide the personal information we need, this may impact on our ability to carry out our functions and to provide our services to you, for example, you may not be able to hold a tenancy or lease with us, receive help and housing advice in finding a home, or obtain housing benefit.

Where we can, we will only collect and use personal information if we need it to deliver a service or meet a requirement. If we do not need your personal information we will not ask you for it. We will anonymise your personal information for research purposes.

What personal information we collect?

We collect the following personal and special category information across the range of services we provide:

- Name
- Address
- Date of Birth
- Private Landlord or Tenant details
- Sex
- Telephone/Mobile Number
- Email address
- Marital status
- Proof of Ownership (e.g. lenders statement)
- Household members' details (Name, DOB, NINO (16+), Medical Details)
- Race or ethnic origin
- Membership of a Trade Union
- Nationality
- Criminal Convictions
- Membership of a Closed Organisation
- Household composition details
- Occupancy details
- National Insurance Number
- Nominated representative details
- Title deeds
- Employment details
- Education details
- Bank Details
- Financial details (including assets and relevant tax details)
- Copy of primary and secondary Identification (e.g. passport and utility bill)
- Religious Affiliation
- Health/Medical Details
- Sexuality
- Your Photograph
- Social Media details

When do we collect your personal information?

We collect personal information:

- When a person applies for a home, transfer or exchange.
- When a person presents as homeless.
- When a person contacts us about a housing solutions matter (e.g. housing advice)

or homeless assistance).

- When a person applies for a garage.
- When a person applies for Housing Benefit, a Private Sector Grant, Group Repair or an Energy Efficiency Scheme.
- When a person applies for a Social Enterprise award.
- When a person makes an application for a community involvement/cohesion grant.
- When a person makes an application for a Rural Community Award.
- When a person makes an application for a Heritage in Housing Grant.
- When a person makes an application for Rural Development Match Funding.
- When a person makes an application for Small Pockets of Deprivation (SPOD) Funding.
- When a person advises us of a change of circumstance.
- When a person contacts us via social media.
- When a person signs a tenancy agreement.
- When a person telephones us.
- When a person emails us.
- When a person contacts us in writing.
- Where a person contacts us regarding data protection rights.
- When a person makes an application to buy or sell land or property.
- When a person visits our website.
- When a person reports a repair.
- When a person applies for a job with us.
- When a person is a member of our community involvement/ community cohesion framework.
- When a person makes an enquiry about a Social Enterprise award.
- When we identify or receive an application for registration of a House in Multiple Occupation (HMO).
- When we fund supported housing services.
- When we receive a claim for compensation.
- When we receive and investigate complaints.
- When we receive and investigate reports of anti-social behaviour.
- When we receive a bid for a contract/tender.
- When we investigate alleged fraudulent activities.
- Where we use CCTV in our office locations.
- When we carry out equality monitoring.
- When we seek legal advice relating to any of the above circumstances.

How the law allows us to use your personal information

The law allows personal information to be collected and used for six legal reasons.

Before the change in data protection law on 25 May 2018 we collected and used personal information mainly by consent. However, as a public body the majority of our functions are governed by housing and related legislation so we will instead be processing personal information on the basis that it is necessary for us to carry out those statutory functions (when we talk about statutory functions this includes our powers and duties which are set out in law); for example, to deal with a housing

application or homeless or grant application, or registration of Houses in Multiple Occupation. This legal reason for processing personal information is known as Public Task. Public Task also allows us to process personal information where it is based on a statutory task and in the public interest.

The other legal reasons for which we process personal information are:

- **Where it is necessary for compliance with legislation** - for example, where we are obliged to provide monitoring information to the Equality Commission for Northern Ireland; to comply with our obligation to carry out annual gas inspections; or to comply with health and safety laws (for example, through floor lifts and stair lifts).
- **Contract** - where you have entered into a contract with us, for example a tenancy agreement and we need personal information to carry out work to the property; or to provide a contractor with personal information to carry out work or provide a service on our behalf.
- **Consent** - for example for research purposes where the research is not necessary for the performance of our statutory functions.
- **Vital Interest** - where we need to protect a person's health and safety or welfare.

We will seek your consent where it is the only basis on which we can collect or use your personal information. Where consent is needed we will seek your explicit consent, which you can withdraw at any time.

How long we keep your personal information

The length of time that data will be kept may depend on the reasons for which we are processing and holding the information and on the law or regulations that the information falls under. For example, limitation laws, financial regulations, health and safety regulations or any contractual obligations we might have.

We have a disposal schedule which sets out how long we keep different types of information. This complies with the legal requirements for the keeping and destruction of documentation and records by a public body. This schedule will be reviewed and amended as required.

Who we share your personal information with

We may share your personal data with other departments within the Housing Executive when necessary for example, to allow us to process a payment, conduct internal audit investigations or progress compensation claims.

We may also share your information with others, but only where this is necessary, either to comply with our legal obligations or where we are permitted to do so by the data protection legislation.

We may share your personal information where necessary to allow a third party working for us or acting on our behalf to provide a service, for example to carry out a repair or to complete disabled adaptation work to your property or process Housing Benefit. There is a written contract in place which obliges them to keep personal information safe and to use it only for purposes of the contract.

Where we have your consent to share your personal information with another agency, body, organisation or person or your consent and authorisation for them to share your personal information with us, you can withdraw this at time. However, this may reduce the options available to you or may delay or prevent you from getting the help you need.

In certain circumstances your personal information may have to be shared without your consent. This would be the case if there is a legal duty to provide personal information or where we have the power and are permitted to do so by the data protection legislation, for example:

- We must give information to courts if there are legal proceedings or to another party under a court order.
- We must give information to other bodies responsible for auditing or administering public funds or for the prevention and detection of fraud. As a public body we have a duty to manage and protect public funds and their proper use, for example, we take part in the Cabinet Office's National Fraud Initiative and must provide particular sets of data for matching to assist in the prevention and detection of fraud.
- A person is allowed to share personal information with us about the behaviour of a tenant or anyone living with the tenant or visiting them which we can use to take legal proceedings, withhold consent to a mutual exchange, or decide a person is not eligible for housing.

A list of who we share information with is available at: www.nihe.gov.uk/who_we_share_data_with.pdf. This will be reviewed and amended as required.

We do not transfer personal information outside the European Economic Area (EEA) unless you have given us your consent to do so or there is a contract in place with the intended recipient which provides equal protection of your data and rights. Requests to transfer data outside of the EEA will be considered on a case by case basis.

What are your rights?

The law gives you the following rights in relation to your personal information:

The right to be informed

This right is met by the information contained in this privacy notice.

The right of access

You can ask (either verbally or in writing) for access to the information we hold on you. When we receive a request you are entitled to receive all electronic and hard copy information we hold on you. However, we cannot let you see information which contains:

- Personal information about other people.
- Information which may stop us from preventing or detecting a crime.

The right to object

You have the right to object (either verbally or in writing) to us processing your personal information.

However, if we consider we are unable to stop processing your personal information we will explain why. If you disagree with our decision, you have the right to make a complaint to the Information Commissioner.

The right to rectification

You can ask to change information that you think is inaccurate.

You should let us know (either verbally or in writing) if you feel some of your personal information is wrong. We may not always be able to change or remove information but we will correct factual inaccuracies and can include your comments to show that you disagree with the personal information we hold relating to you.

The right to erasure (This is also known as the right to be forgotten.)

In some circumstances you can ask (either verbally or in writing) for your personal information to be deleted, for example:

- Where your personal information is no longer needed for the reason it was collected in the first place.
- Where we have relied upon your consent to use your personal information and you withdraw your consent.
- Where deleting the information is a legal requirement.

Where your personal information has been shared with others we will advise them of your request to delete your personal information.

Please note that we cannot delete your information where:

- We are required to have it by law.
- Its use involves freedom of expression.
- It is necessary to take or defend a legal claim.
- It is necessary for the performance of a statutory function i.e. Public Task.
- It is used for scientific or historical research or statistical purposes where it would make information unusable.

The right to restrict processing

You have the right to ask us (either verbally or in writing) to restrict what we use your personal information for:

- If you have identified inaccurate information and have told us about it.
- Where we have no legal reason to use the information but you want us to restrict what we use it for rather than erase the information altogether.

When personal information is restricted it cannot be used other than to securely store the information and with your consent to handle legal claims and protect others.

You have the right to ask us to stop using your personal information. However, this may cause delays or prevent us delivering services to you or performing our statutory functions.

The right to data portability

You have the right to ask (either verbally or in writing) for your personal information to be given to you or another organisation in a commonly used format.

This right only applies if we are using your personal information with consent and decisions have been made by a computer.

Rights in relation to automated decision making and profiling

Where we carry out automated decision making, you can ask to have any computer made decisions explained to you. You have the right to question and challenge decisions made about you using this method and request human intervention.

The Housing Executive does not carry out profiling.

How to contact us

If you have any concerns regarding your rights, please contact our Data Protection Officer at dataprotection@nihe.gov.uk or by post to Data Protection Officer, 4th Floor, Housing Centre, 2 Adelaide Street, Belfast BT2 8PB.

Your request will be assessed and you will be informed of the outcome in writing.

How to make a complaint

If you wish to raise a complaint on how we have handled your personal information, you can contact our Data Protection Officer who will investigate the matter.

If you are not satisfied with our response or believe we are not processing your personal information in accordance with the law, you can contact the Information Commissioner's Office (ICO) via www.ico.org.uk or email casework@ico.org.uk.

Cookies (not the kind you eat)

To make our website easier to use, we sometimes place small text files on your device. For more information on how we use cookies please visit our cookies web page at www.nihe.gov.uk/cookies.

Links to other websites

This privacy notice does not cover the links within our site linking to other websites. We encourage you to read the privacy statements on the other websites you visit.

Changes to this Privacy Notice

We will review and update this privacy notice as needed. When we make any changes, we will revise the 'last updated' date at the top of this notice and the current version will be at: www.nihe.gov.uk/privacy_notice