



# Privacy Notice

We collect and handle personal data so that we can deliver services to residents of Downs estate

This privacy notice applies to any personal data collected by us or on our behalf, by any format – phone, letter, email, online, or face to face.

We collect and handle data to:

- Provide the service you've asked for - – e.g., if you apply for a service, we will use your data to process this application
- Confirm your identity and eligibility when you apply for services
- Stay in contact with you e.g., if you sign up to one of our newsletters to get information about services
- Fulfil legal obligations
- Provide information to government, including Hackney Council, when the law says we need to
- Assess our performance, ensure value for money, and to set targets for departments
- To detect and prevent fraud and crime

## What legally allows us to collect and handle information about you?

There are 6 options available to us to legally 'process' your personal data. For each service we make it clear to you what option(s) we have chosen in our lower-level privacy notices.

The most common for us will be 'legal obligation' or 'public task' because our focus is delivering services to you that are required, or permitted, by other existing laws.

Other options that we make use of are 'contract' – for example we have employment contracts for our staff; and in emergencies we may use 'vital interests' where it is a matter of life and death to use or share data.

We avoid, but may sometimes need to use 'legitimate interest' and will always explain what this legitimate interest is in the relevant lower-level privacy notice.

We avoid asking for your consent where possible because we know that most of the services, we provide aren't available from elsewhere, so the consent can't be freely-given. For services that are more optional we may use this method.

If you give us your consent to process your data, you have a right to withdraw your consent whenever you want to.



## Who do we share your data with?

### Within DEMO

We share data internally within DEMO and with Hackney Council departments, where they are jointly responsible for delivering a service. In these cases, we make sure that the sharing is reasonable, is in line with data protection law, and respects your rights.

We hold contact records for all our residents so that we can provide a better service to you, use public funds as efficiently as possible, and have the most up to date contact details for you across services to support your right to accurate data.

We want to avoid taking the same data from you many times, as storing it once is more secure and more accurate. Occasionally we will ask for updates to information to ensure the accuracy of the data to improve our provided services, but will try to keep this to a minimum.

Holding this data is also very useful to our residents as it can shorten processes, for example having to prove your address as it will already be present on our systems. This saves you having to provide physical evidence that you live there.

### Outside of DEMO

We ask a number of companies to collect, store or handle your information on our behalf to help us to deliver our services – for example our ICT system providers or our repairs contractors. We remain responsible for your information and ensure that the right safeguards are in place.

We may need to share data with other agencies such as the NHS and emergency services. In some of these cases we remain responsible for your data, and in other cases the responsibility is shared.

We ensure that the right safeguards are in place to keep your information safe and will always tell you more about this when the data is collected.

We are obliged by law to share some data with central government, and other agencies. Where possible we make this anonymous and only share statistics.

If this data is at an individual level, we will let you know when we collect it. Where your consent is required to transfer information, this will be made clear to you.

Where it is necessary to share data with third parties for research purposes, we make this data anonymous to ensure that individuals cannot be identified.

There are times where we legally need to share your data with other parties, for example if a court order asks for it.



There may be exceptional cases where we feel compelled to share your data for a reason that outweighs your right to privacy:

- to protect a child
- to protect an adult who is vulnerable or at risk
- to detect and prevent fraud and crime

This list is not exhaustive, but we will never share your information if it is not legal to do so and will always consider your rights, and whether there is another way of achieving our aim, before doing so.

## How long do we keep your data for?

Some of the things we consider when deciding how long to keep data for are:

- how long we need it to deliver the service to you
- how long other laws tell us to keep it for

This means that we will need to keep data for different lengths of time depending on what the data is used for.

Our most common length of time is 7 years because of a law called the Limitation Act which sets how long someone can take legal action.

This 7 year period is usually applied from the date that you stop receiving the service, instead of the date that you gave us the data – for example we will keep anything to do with a tenancy for 7 years from the date that the person stops being a tenant which in practice may be a long time after their data was first received.

## What rights do you have?

Data protection law gives you different rights relating to the way that we use your data, and the way that you access it. These won't all apply all of the time; we have explained this below.

### The right to know what happens with your data

You have the right to be informed about what data we process about you, for what reasons, who we share it with, how long we will do this for, your rights, and how to complain. This notice is part of us informing you, but we will try to do this in a number of ways.



## The right to access your data

You have a right to access information we hold about you, through a subject access request.

## The right to correct inaccurate data

You have the right to have information corrected or completed if it is incomplete. We aim to have complete data on residents, so please make us aware as soon as possible if something is wrong or missing. Please contact a TMO member of staff if you believe this is the case.

## The right to have your data deleted

You have the right to ask us to erase your data. This is only applicable in certain circumstances – for example if we asked for your consent to process the data. This will not apply across most, if not all of our services as we provide public services.

## The right to ask us to limit the way we use your data, or to stop entirely

You have the right to ask us to restrict the processing of your data. This may apply if:

- data about you is not accurate
- there is no legal reason for us to process the data about you, but you choose not to ask for erasure
- When it is restricted, it means we can continue to securely store it, but use of it is restricted (with some specific exceptions).

You have the right to object to us processing your data at all, but often if we do this you will no longer be able to receive the related service.

## The right to data portability

You have a right to ask for data that you provide us with to be transferred to another service provider – e.g., if you transfer to a Housing Association property as opposed to a TMO/Hackney Council property.



## Rights relating to automated decision making and profiling

Sometimes we will need to use automated decision making due to the volume of data we are handling. This is often used to filter out cases that don't need to be handled by an officer. This means that any decision that will affect you is made by a human.

We will always consider privacy and our residents' rights when we introduce new systems that involve profiling or automated decision making, and we will make our residents aware of projects like this. You have the right to ask for a human to reconsider an automated decision.

## Who to contact about data protection

DEMO is a data controller, registered with the Information Commissioner's Office.

You can contact DEMO if you have any queries about your data.

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

Or you can visit [ico.org.uk](http://ico.org.uk) or email [casework@ico.org.uk](mailto:casework@ico.org.uk).