

PRIVACY NOTICE FOR ALL CUSTOMERS OF LUMEN HOUSING LTD



Introduction

Lumen Housing is a subsidiary of Blackpool Housing Company Limited (BHC). We provide services to our customers in partnership with other group members. We are a bright and dynamic addition that supplements the work that Blackpool Council are doing to take a proactive lead in developing much needed affordable homes in neighbourhoods that are amongst the most deprived in the county.

This privacy notice applies if you're a tenant, customer, employee, applicant, or use any of our services. It also applies if you visit our website, email, call, send social media messages, write to us or visit us in person.

Identity and contact details of Controller

BHC is registered with the Information Commissioners Office (ICO) as a 'Data Controller'. Our registration number is ZA504487. We are a controller of personal information for the purposes of the UK General Data Protection Regulation ('UK GDPR') and Data Protection Act 2018 and we have a legal duty to protect any information we collect from you or have about you from other sources.

The legislation also sets out the rights of data subjects whose personal data is processed by Lumen Housing. One of those rights is the right to be informed about how we process your personal data. This is set out in the privacy information contained in this privacy notice. It is a public document available to anyone. It explains how we and appointed third party organisations use your personal information and it details your rights.

Our contact details for data protection purposes are:

Title: Data Protection Lead (DPL)
Address: 348-350 Lytham Road Blackpool FY4 1DW
Telephone Number: 01253 477222
Email address: enquiries@lumenhousing.co.uk

Under the UK GDPR it is mandatory for companies who carry out certain types of processing activities to designate a Data Protection Officer (DPO). The DPO's minimum tasks include monitoring compliance with the UK GDPR and other data protection laws.

The contact details for our designated DPO are:

- Data Protection Officer, Blackpool Council, PO Box 4, Blackpool, FY1 1NA

- or email dataprotectionofficer@blackpool.gov.uk

The personal information we collect and hold about you

We use different ways to collect data about you including the information you supply to us when applying for a tenancy/residency/employment. If you fail to provide this information we may not be able to proceed.

Tenants, residents or occupants of our homes - During your residency, we will collect and process information about you and members of your household. Examples of personal information includes the following:

- Identity and contact details including car registration
- Personal/background information including occupation/status
- Bank details
- Verification and credit status
- Deposit (if any) including return on tenancy termination
- Tenancy details including renewals, joint tenants, other residents and guarantors
- Immigration/right to rent checks (England only)
- Rent and other payments
- Recovery of arrears, claims or possession proceedings
- Repairs/health and safety/housing conditions
- Breach of tenancy terms/nuisance/anti-social behaviour
- Council Tax liability
- Water charges payable
- Utilities and services provided
- Welfare Benefits
- Termination of tenancy
- Complaints
- Insurance
- Health or disability
- Emails texts and other communications and via our website where we operate one.
- Website and online portal information.
- We also generate and use data internally, e.g. our rent records.
- We also collect and receive data about you from third parties.
 - This may be information given to us by other tenants or residents or neighbours.
 - It can include information from a guarantor where there is a guarantor for your tenancy or from a joint tenant or other residents.
 - Public bodies such as local authorities or the police, or other law enforcement agencies may give us information about you. This can include the Department for Work and Pensions or the local authority where you are receiving Universal Credit or housing benefit.
 - Information may be given to us relevant to Council Tax by the local authority.

- Utility companies or service providers may also give us personal information about you. Where the property is let or managed on our behalf by an agent the agent will supply us with information about you.
- We obtain information about you when we carry out credit checks or take up references.
- We may also receive information from you via websites or from online rental portals such as Openrent, Gumtree or Rightmove.

Staff and recruitment applicants - We collect and process personal data relating to Lumen's workforce. This includes staff, temporary workers and volunteers. We collect and process personal data for the following purposes:

- Recruitment and appointment, including suitability for the role;
- Set up employment, volunteering or supply contract;
- Administration purposes (e.g. payroll, pensions, annual and sick leave, workforce management, administering TUPE, bidding for contracts etc.);
- Managing performance and training, including conducting performance reviews and determining performance and training requirements;
- Conducting disciplinary and grievance investigations;
- Offering any necessary support requirements in your role (e.g. disability, health and safety or wellbeing support), including contacting next of kin where necessary;
- Risk assessing for lone working, where relevant;
- Complying with legal or industry standards to ensure that your tax and National Insurance contributions are paid, that you are eligible to work in the UK, undertake DBS checks and suitability for the role and to meet Health and Safety Requirements.
- Conducting transactional surveys to monitor and improve our services (for example, following training courses);
- Monitoring diversity in our applicants and workforce, as recommended by the Equality and Human Rights Commission;
- Monitoring our premises for security and safeguarding reasons (e.g. access card data, CCTV, email/internet traffic etc).

Closed Circuit Television (CCTV) and photographs

Our main office has CCTV and you may be recorded when you visit us. CCTV is used to provide security and to protect both our visitors and our community. CCTV will only be viewed when necessary (e.g. to detect or prevent crime) and footage is stored for a set period of time after which it is securely disposed. Lumen Housing complies with the ICO's CCTV Code of Practice and we put up appropriate CCTV signage to make all of our visitors aware that recordings are taking place.

We may take photographs at our events, at our properties and in our communities to use for general marketing and publicity. However, photographs of individuals will only be used for those purposes with your consent, which will be obtained before any activity takes place. All consent forms (both tenant and staff related) will be processed and held by the Lumen Housing Business Support Team.

Sharing data with others

We process your personal information in accordance with the principles of UK GDPR, we will treat your personal information fairly and lawfully and we will ensure that information is:

- Processed for limited purpose
- Kept up-to-date, accurate, relevant and not excessive
- Not kept longer than is necessary
- Kept secure

Your personal information will be kept secure and confidential with appropriate technical and organisational measures put in place. Our staff and volunteers have restricted access to personal information on a “need to know” basis.

When sharing personal information, we will comply with all aspects of the UK GDPR and will only share information where this is necessary. Occasions when we will need to share personal information with third parties for the purposes outlined or where we are legally required to do so. Third parties information sharing will include contractors we work with such as our repairs and maintenance contractors, third party cloud hosting and IT infrastructure providers, agencies and authorities we work with, such as Local Authorities, Social Services, Police, and other social landlords.

We will share certain information in appropriate circumstances with our regulators, funders, or purchasers or potential purchasers of our business. We will also share relevant information with others when Lumen Housing believes it is in your, or the public’s, interest to do so, such as to keep customers, staff or visitors safe, or as required by law.

When we allow third parties acting on behalf of Lumen Housing to access to your information, we will always have complete control of what they see, how long they see it for and what they are allowed to do with it. We do not sell or share your personal information for other organisations to use.

We do not transfer our data outside of the EU, UK, EEA, or a country with ‘adequacy’ status.

Why we collect and use your personal data

This privacy notice tells you what to expect when Lumen Housing collects and stores personal and sensitive information. It tells you the purposes for which we will process your personal information and the legal basis for the processing (‘processing’ includes us keeping your personal information).

All processing of personal data must have a legal basis. Below are the most common legal bases which apply to the processing described above are:

- You consent. **Consent** may be requested in certain cases, e.g. to obtain a reference but generally we do not rely on your consent to process your personal data.

- Where we need to take measures to enter into and then **perform a contract** we have entered into with you (provision of services set out in a tenancy agreement);
- Where we need to comply with **legal obligations** (e.g. housing regulations, health and safety, safeguarding, tenancy fraud investigation);
- Where it is necessary for our **legitimate interest** (or those of a third party) and your interests and fundamental rights do not override those interests (e.g. verifying credit worthiness, maintaining security of our property, processing complaints, undertaking customer satisfaction surveys and market research).
- Where this is in your **vital interests**, e.g. if there is a life-threatening situation, contacting next of kin etc., in an emergency.

Processing personal data includes recording, storing, altering, using, sharing or deleting data. We only need one of these “gateways”. In some cases, we will rely on more than one gateway depending on the particular purpose for which we are using your data.

Some personal data is more sensitive than other data. Special category data (e.g. health, ethnicity, sex life and sexual orientation, religious beliefs, political affiliations, biometric data etc.) and criminal convictions data need additional protections.

Where possible we will seek your explicit consent to process sensitive personal data. In cases where consent may not be appropriate the following conditions for processing may apply:

- Legal obligations relating to social security and social protection (especially where we act on behalf of local authorities);
- Vital interests (e.g. where your life or that of another individual is in danger and you aren’t able to give your consent);
- Safeguarding of individuals at risk (including children);
- Monitoring equality of opportunity or treatment (where the data isn’t used to make decisions on particular individuals)

Length of storage of data

We will only use and store your information for as long as it is required for the purposes it was collected for. How long information will be stored for depends on what it is being used for. Sometimes we may also need to keep information for statutory or regulatory purposes or to deal with any legal claims.

We will hold personal data about you for the duration of your tenancy and for seven years after your tenancy has ended. This is the statutory limitation period six years plus a further year to allow for service of proceedings should proceedings commence later. We are also required to retain information for up to six years for tax purposes. If your tenancy application does not go ahead then we retain data for one year.

We have a data retention schedule, which sets out how long we keep different types of information. We follow legal requirements and best practice based on limitations of liability and guidance. Examples of main retention periods can be provided if you contact us using the Data Protection Officer (DPO) details on page 1.

Your rights under the UK GDPR

You have a number of rights under the UK GDPR. These are set out below.

- The **right to be informed** - you have the right to be told about who's obtaining and using your personal information, how it will be retained, shared and secured and what lawful grounds will be used to obtain and use your personal information.
- The **right of access** - You have a right to ask us what personal information we hold about you, and to request a copy of your information. This is known as a 'subject access request' (SAR).
- The **right to rectification** - you can ask us to correct inaccuracies, delete or restrict personal information
- The **right to erasure** - You have the right to ask us to delete personal information we hold about you. We can refuse to erase your personal information where the personal information is processed for a specific reason and will advise you of the lawful basis when and if we receive a request.
- The **right to restrict processing** - you can ask us to suspend processing of your personal data and we must then restrict processing of data. This includes where you are contesting the accuracy of a statement or the lawfulness of the processing.
- The **right to data portability** - this allows individuals to reuse their personal data for their own purposes across different services allowing them to move, copy or transfer personal data more easily.
- The **right to object** - You have the right to object to how we use your personal information in certain circumstances. We must then stop processing data unless we can establish legitimate reason for continuing, for example for us or someone else to bring or defend legal claims.
- Rights in relation to **automated decision making and profiling** – we will not subject you to decisions made automatically through the use of technology and with no human consideration where it produces a legal or similarly significant effect on you

Withdrawal of consent

If the basis on which we are using your personal information is your consent, we will seek your consent to contact you for non-essential services. You have the right to withdraw your consent to us processing your information at any time. This may affect the services that we can make available to you but this will be explained in the consent form.

We can refuse if we can rely on another reason to process the information such as our contractual obligations or legitimate interests. We will provide the exemption reason as and when we process your withdrawal request.

Complaints or concerns

Lumen Housing aims to meet the highest standards when collecting and using personal information. If you are unhappy with our use of your personal data, or anything in this notice, please talk to us directly so we can help to resolve any problem or query.

If you are still not happy with our response, you have the right to appeal directly to our regulator – the Information Commissioners’ Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. By calling 0303 123 1113 or by email casework@ico.org.uk. Their website is www.ico.org.uk

Changes to this privacy notice

We keep our privacy notice under regular review. We will update it if we undertake any new or amended processing. This privacy notice was last updated on 10th July 2024. We will bring any significant changes to your attention but to make sure that you keep up to date, we suggest that you revisit this notice from time to time.