



Care & Support

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, 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 a 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 do we collect about you?



We collect information when you register with us or express interest in any of the services we provide. Information about you may be passed on to us via local authority bodies as we are providing social housing / care and support. For further information please see our general needs Privacy Notice which covers [Customers and Residents](#)

If you apply to work for us or you work for us the information we hold about you will have been provided by yourself, we also collect information about you from internal sources, such as your manager, and in some cases, external sources, such as referees and government agencies like the Disclosure and Barring Service. For further information please see our Privacy Notice for [Job Applicants and Employees](#).

We also collect information from you if you or you act on behalf of anyone who receives care and support from us. For further information please see our [Privacy Notice for Customer and Residents](#)

What information we collect, why we collect it, the legal basis for doing so, and how long we keep it for:			
What	Why	Basiss	Retention
Contact information <ul style="list-style-type: none"> • Name • Date of birth • Previous address • IP (Internal Protocol) address • Telephone numbers • Email address • Supporting documents that may also contain photographs of you and any joint applicants 	Your tenancy agreement is a contract between you, any other person in your household (should you hold a joint tenancy) and your landlord. This data is used to set up and maintain your tenancy account with us. To help prevent tenancy fraud	B	Life of tenancy + 6 years after tenancy ends
<ul style="list-style-type: none"> • National insurance number • Financial information 	To assess your benefit entitlement and council tax. To help prevent tenancy fraud	C E F	NI number – life of tenancy/ Financial information 6 months
<ul style="list-style-type: none"> • Details of any support needs you have • Details of those people providing additional support • Next of kin details/emergency contacts 	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"> Disability information 			
<ul style="list-style-type: none"> Authority to Act or Power of attorney 	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	To ass your entitlement to rent	C	Life of tenancy
<ul style="list-style-type: none"> Ethnicity Religion Sexuality 	For monitoring and analysis purposes as required by our regulator, for compliance with the Equality Act 2010, and to provide information on extra services we provide.	B	Life of tenancy, but regularly reviewed.
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
Closed Circuit Television (CCTV)	Some of our locations and offices have Closed Circuit Television (CCTV) and you may be recorded when you visit them. CCTV is used to provide security and protect both our visitors and communities. CCTV will be only be viewed when necessary (e.g. to detect or prevent crime) and footage is stored for set period of time after which it is recorded over. emh complies with the Information Commissioner's Office CCTV Code of Practice and we put up notices so you know when CCTV is used.	F	CCTV recordings will be retained for 30days and deleted within one week thereafter

Types of Legal Basis (Personal Data)					
A – Consent	B – Contract	C – Legal obligation	D – Vital interests	E – Public task	F – Legitimate interest

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 we keep it for:			
What	Why	Basis	Retention
Details of unspent convictions/ criminal offences attracting a custodial sentence/on a register/person of interest	To ensure that we house you appropriately. To ensure that specialised support can be offered where required.	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"> • Ethnicity • Religion • Sexuality 	For monitoring and analysis purposes, as required by our regulator, for compliance with the Equality Act 2010, and to provide information on extra services we provide.	B	Life of tenancy, but regularly reviewed
Support files including <ul style="list-style-type: none"> • Support plans and Risk assessments and associated documents • Medication Administration Records 	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



When using our websites we collect four main types of information from visitors:

- Feedback (general questions and specific feedback on the website)
- Requests for information
- Survey responses
- Site usage information (from session cookies and log files)

We do not pass on any personal information you have given us to any other site. The system will record your email address, and other information if volunteered to us by you, for example on the Feedback forms. This will be treated as proprietary and confidential.

The website contains links to other websites. This privacy policy applies only to sites administered by emh. You should always be aware when you are moving to another site and read the privacy statement of any site which collects personal information.

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 you 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 protect the organisation from tenancy fraud
- To comply with any legal or regulatory obligation.
- 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.



We do not use automated decision making or profiling however there may be occasions where inadvertently we identify special category information about you. For example, your ethnicity, religion, sexual orientation or disability may be evident from:

- Photographs
- Video footage
- Face to face meetings
- Statements you provide to us
- Declaration of Interests
- Social media.

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
- When it is our legal duty
- When it is in our legitimate interest
- 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 with:

- Third parties under the provisions of Crime and Disorder Act.
- Housing Benefits department.
- Collection agencies and legal representatives for the purpose of collecting rents or other monies owed to us.



- Regulatory authorities in response to formal requests.
 - Repairs contractors and service providers.
 - Financial organisations.
 - Central government.
 - Our auditors.
 - Survey and research organisations.
 - Other housing associations, trusts or local authorities.
 - Health authorities.
 - Security organisations.
 - Health and social welfare organisations.
 - Professional advisers and consultants.
 - Regulators or funders.
 - Probation services.
 - Police forces.
 - Courts and tribunals.
 - Professional bodies.
 - Insurers.
 - The press and the media
- Or
- In response to legislative or court orders

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.

All personal information you provide to us is stored on our secure servers within the UK. However there may be occasions where your information may need to be stored in or sent to companies, service providers, agents, subcontractors and regulatory authorities in countries outside of the European Economic Area ('EEA') which may not have the same level of security and protection as we have under UK legislation. If we have to do this, we will make sure that suitable security measures are in place.

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.



How long do we keep your information?

We will keep your personal information for as long as you are a resident, service user and or employee of emh. After you stop being a resident, service user and/or employee, we may keep your data for up to 10 years for one of these reasons:

- To respond to any questions or complaints.
- To show that we treated you fairly.
- To maintain records according to rules that applies to us.

We may keep your data for longer than 10 years if we cannot delete it for legal or regulatory reasons.

Marketing

From time to time we would like to send you information about services of our, other members of the group, and our partner agencies where we feel this may be of interest to you.

Where you consent to receive marketing information, should you change your mind you have the right at any time to stop us using your information for marketing use by withdrawing your consent. Consent can be withdrawn by contacting us at dataprotection@emh.co.uk

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 it;
- 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, Governance & Assurance Team, Memorial House, Stenson Road, Coalville, and Leicestershire, LE67 4JP.

Or by emailing us at dataprotection@emh.co.uk



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.

If any of your personal information changes, such as a contact number or email address, please let us know right away so we can update our records.

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@emh.co.uk
- **Post** – Governance & Assurance Team, Memorial House, Stenson Road, Coalville, Leicestershire, LE67 4JP.
- **Telephone** – 01530276000



We have appointed a Data Protection Advisor to oversee our compliance in line with Data Protection legislation. Our Data Protection Advisor is Hannah Adams. If you have any questions about this privacy notice or how we handle your personal information, please contact our Data Protection Advisor using the details above.

Our Data Protection Officer who is registered with the Information Commissioner's Office is Lucie Westbury, Head of Governance and Assurance. Please contact our Data Protection Officer using the details above.

Privacy Notice updates

Our Privacy Notice will be regularly reviewed, and it may change at any time in the future, we encourage you to check this Privacy Notice whenever you visit our website.

Cookies

Our website uses cookies. By using our website, you agree to this privacy statement and you consent to our use of cookies in accordance with the terms of this statement.

Emh Use OneTrust to monitor our cookie use. The technology automatically scans a website to identify all trackers and allows organizations to generate a tailorable cookie consent banner, cookie preference centre and cookie list

What are cookies?

A cookie is a small file placed on your computer hard drive that helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

There are two main kinds of cookies: session cookies and persistent cookies. Session cookies only last for the duration of your visit to the website and are deleted from your computer when you close the browser. Persistent cookies outlast user sessions and remain stored on your computer until deleted or until they reach their expiry date.

Most browsers allow you to reject all cookies, while some browsers allow you to reject just third-party cookies.

Why do we use cookies?

Cookies help us provide you with a better website by enabling us to monitor which pages you find useful and which you do not.

Cookies are specific to the server that created them and cannot be accessed by other servers, which means they cannot be used to track your movements around the web. Although they can be



used to store information which may identify a computer, they cannot be used to identify you personally.

Ways we use cookies include:

- Recognising your device so you do not have to give the same information several times during one task
- Recognising that you may already have given a username and password so you do not need to do it for every web page requested
- Measuring how many people are using services so they can be made easier to use and there is enough capacity to ensure they are fast
- Our customer account service MyHomeOnline uses cookies to remember your font size preferences and help us identify that you are the only person accessing your account

Google Analytics

We use Google Analytics to analyse the use of this website. Google Analytics generates statistical and other information about website use by means of cookies. The information generated relating to our website is used to create reports about its use which we can use to improve the site.

Cookies do not contain any information that personally identifies you. A cookie in no way gives us access to your computer or any information about you.

You can learn more about these small files and how to manage them yourself on www.aboutcookies.org