

## GROUP PRIVACY STATEMENT

### About us

Phoenix Community Housing Association Bellingham and Downham LTD (“Phoenix Community Housing”, “Phoenix”, “We”, “us”) is a Community Benefit Society (registration number 30057) with registered office at The Green Man, 355 Bromley Road, London, SE6 2RP.

Phoenix Community Housing is the parent of a wholly owned subsidiary Home Makers, The Property People Limited (Trading as Home Makers), registration number 11418010.

Phoenix Community Housing is the parent of a wholly owned subsidiary Phoenix Agency Services LTD (Trading as Phoenix Repairs Service), registration number 8436155.

Data Protection People Limited have been appointed to act as our Data Protection Officer.

### Registration with the Information Commissioner’s Office

Phoenix Community Housing is registered with the Information Commissioners Office with registration number Z1309257

Home Makers, The Property People Limited is registered with the Information Commissioners Office with registration number ZA1309257.

Phoenix Repairs Service is registered with the Information Commissioners Office with registration number ZA249958.

### Aim of this notice

Your information is protected by law. Data Protection law allows us to collect and use your personal information if we have a lawful reason to do so. This privacy notice is to let you know how we handle your personal data under the Data Protection Act, General Data Protection Regulation (GDPR) and any acts or legislation that supersede them.

### What is personal data?

Personal Data means any information relating to an identified or identifiable natural person. It includes name address, location data an on line identifier or one or more factors specific to the physical physiological, genetic, mental economic cultural or social identity of that natural person.

### Our Privacy Promise

Phoenix Community Housing Association promises:

- To keep your personal information safe and secure
- Never to sell your personal information
- To tell you how we use your personal information.

## What information do we collect?

We collect information about you when you make an application to us or a request is made by you for one of our services. We also collect information when you voluntarily complete customer surveys, provide feedback or where there is general correspondence and communication. Further information may be collected during the course of your tenancy, lease or during the period we provide services to you.

The table below sets out what personal data we process, our purpose for doing so and the lawful purpose for processing it.

### If you are receiving services from us:

What personal data we process	Our purpose for doing so	Our lawful justification
Applications for housing and updated details (if you have a tenancy or lease with us, or active housing application) about you and your children, including name, date of birth, address, contact details, identification (including National Insurance number employment details, details of any disabilities in your household related to your housing needs), other documents provided to us.	Allocating homes, delivering and managing our services as set out in your tenancy or lease, identifying you are who you say you are.  For the prevention and detection of crime.	Performance of a contract, legitimate Interest, legal obligation.
Details about you including name, date of birth, address, contact details, identification (including National Insurance number), current and past employment details, welfare benefits. Number of children, disability.	To provide you with services at our Job Club.  To provide you with financial inclusion support.	Consent.
Details about your home, household and your housing needs and tenancy agreement.	Allocating homes, delivering and managing our services as set out in your tenancy or lease.	Performance of a contract.
Welfare benefit referrals, housing benefit and Department of Work and Pensions notifications, rent and service charge statements.	Delivering and managing our services as set out in your tenancy or lease.	Performance of a contract legal obligation.
Applications for the Right to Buy and Right to Acquire and supporting documents.	To process your application for the prevention and detection of crime.	Performance of a contract legal obligation, legitimate interest
Rent and service charge information, including details of any arrears.	Allocating homes, delivering and managing our services, making financial arrangements related to your home (setting up council tax payments), informing relevant local authority departments and the Department of Work and Pensions to enable you to claim benefits.	Performance of a contract, legitimate interest.
Financial information, including any credit checks, income details, bank	To make financial arrangements related to your home, such as to enable	Performance of a contract, legal obligation, legitimate interest.

<b>What personal data we process</b>	<b>Our purpose for doing so</b>	<b>Our lawful justification</b>
<p>details, housing benefit information and any guarantor details.</p>	<p>automatic rent payment through direct debit, housing benefit payments, benefits direct from the Department of Work and Pensions and set up your council tax payments To set up arrangements relating to your home, such as informing the Local Authority departments of your tenancy arrangements for council tax and housing benefit purposes.</p> <p>To help other people or companies to provide services or utilities to your home or to contact you. This may include where they need to contact you when you first move in to set up payments or about any unpaid bills while you live at your home and/or after you leave your home.</p>	
<p>References received about you (e.g. from your employer or previous landlord).</p>	<p>Allocating homes, managing our services, administration.</p>	<p>Performance of a contract.</p>
<p>Medical information &amp; emergency contact details, next of kin &amp; any advocate, information about any accidents or incidents which involve you or your home.</p> <p>(Any medical information shared will be limited to a need to know basis)</p>	<p>To provide information to our staff to enable them to provide services to you to meet your needs when managing and delivering the services set out in your tenancy or lease and to train and protect them where necessary.</p> <p>To deal with any medical or other emergencies and to carry out your wishes or requirement's such as any religious or cultural wishes; to act in someone's best interests such as where we have concerns about a person's health or welfare and may need to involve agencies such as Social Services or the Police.</p>	<p>Explicit consent, social protection law or protecting vital interests in extreme circumstances.</p>
<p>Information about any complaints made by you or which relate to you.</p>	<p>To handle any complaints. Delivering and managing our services as set out in your tenancy or lease.</p>	<p>Performance of a contract, legitimate interest, legal obligation.</p>
<p>The way in which you conduct your tenancy if you are in breach of your tenancy conditions.</p>	<p>Delivering and managing our services as set out in your tenancy or lease.</p>	<p>Performance of a contract, legitimate interest, legal obligation.</p>

<b>What personal data we process</b>	<b>Our purpose for doing so</b>	<b>Our lawful justification</b>
If we deem there to be a risk to the safety of individuals, we may place a flag over your tenancy. When we do so, we will inform you and ensure that these flags are regularly reviewed.	Delivering and managing our services.	
Information regarding your marketing preferences.	To deliver marketing materials such as information about our Job Club.	Consent.
Any photographs taken of you or your property.	Monitoring defects, assessing any health & safety risks, managing and delivering services as set out in your tenancy or lease. Checking you are who you say you are	Performance of a contract, legitimate interest, legal obligation.
Any marketing materials/photos of you and or your children taken at events.	To promote our services.	Consent.
Ethnicity data, sexual orientation and religious beliefs.	To ensure fair and equal access for all to our services; to help us put together statistics to give to our regulator or other government organisations (in this instance your details will be anonymised).	Your consent for equal opportunities monitoring
Convictions, proceedings and criminal acts.	To respond to legal claims, to deliver our services, safeguarding, the apprehension or prosecution of offenders.  To meet Social Protection Law, legal obligation, employment law, prevention and detection of crime.	Performance of a contract, legal obligation.
Call recordings.	To investigate complaints related to services we provide as set out in your tenancy agreement or lease. To improve our services.	Performance of a contract, Legal obligation.
Survey responses (this will be anonymised as soon as possible).	To check on and improve our services as set out in your tenancy agreement or lease.  To check on and improve our services	Performance of a contract, legal obligation.
CCTV footage.	For the prevention and detection of crime.	Legitimate interest.

### **Applying for a job**

If you apply to work for Phoenix, Home Makers or the Phoenix Repairs Service (Phoenix Agency Services), we will use your personal information to process your application and to produce and monitor recruitment statistics. We will not take up

references without your prior permission. We will not share or disclose your information when you have applied for a job, unless you have given us your consent or we are required to by law. Where we are required to carry out a Disclosure and Barring Service (DBS) check we will comply with the law and your rights when carrying out these checks.

Please see our separate recruitment privacy notice. ([Hyperlink back to Phoenix Site – Data Protection – recruitment Privacy](#))

### **What are Legitimate Interests?**

A wide range of interests may be legitimate interests. They can be Phoenix's interests or the interests of residents, third parties or commercial interests as well as wider societal benefits. When we rely on any legitimate interest, we will ensure that we take a balanced approach and have appropriate safeguards in line with your expectations. If we rely on any legitimate interest, we will tell you what that is.

Our legitimate interests include:

- Having appropriate security, for our offices and on our sites. This includes CCTV and identification photographs.
- Keeping our records up to date.
- Collecting unpaid debt.
- Recording threatening behaviour.
- Official communications.
- Working out which of our services may interest you and telling you about them.
- Seeking your consent when we need it to contact you.
- Sharing your information with local utilities providers in the event of unpaid debts.

### **Data Retention**

We have data retention guidance which sets out how long we will keep personal data and in what circumstances. This is available on our website [www.phoenixch.org.uk](http://www.phoenixch.org.uk) , by [emailinginfo@phoenixch.org.uk](mailto:emailinginfo@phoenixch.org.uk) or by calling us on 08000285700.

### **How will we collect this information?**

Information will be collected from you personally when you enter into an agreement / contract with us. This will be in the form of applications and any other forms which may be completed in order to apply for one of our properties or to update your details.

It is possible that we will receive referrals containing your information from public bodies or voluntary organisations, but this should be done with your consent and knowledge of why they are making the referral to our services.

We may generate further personal data regarding our tenants during the course of the tenancy. This could be in the form of general correspondence, or this may need to be generated to satisfy our statutory obligations.

## Who will we share it with?

Where information is used for the reasons listed above, we may need to share the information about you and the people you live with to other organisations. This may include:

Who we share your information with	The purpose for sharing it	Our justification for sharing
Companies which provide services or utilities to your home (such as the gas or electric companies) and the relevant council tax department.	Payment of these services.	Legitimate interest, legal obligation.
People who provide services on our behalf, such as a managing agent or contractors carrying out any repairs.	Delivering services in your tenancy agreement or lease .	Performance of a contract.
A credit reference agency, your bank and mortgage company or other financial institutions and (where necessary) a debt collection and/or tracing agency.	Allocating and managing properties and your tenancy or lease.	Performance of a contract.  Where debt collection agencies are involved, this will be in our legitimate interest.
An agency who will add your rent payment history into your credit report.	To treat homeowners and tenants equally by including payment history to inform your credit reference.	Consent.
The Housing Benefit department and other Government departments which provide funding for your housing services. In particular, we may be legally required to give information about any changes in your financial circumstances to the Housing Benefit department.	Legal requirement.	Legal obligation.
Resident Panel Members, Designated Officer, the Housing Ombudsman involved in the final stage of our complaints process.	Delivering Services in your tenancy agreement or lease.	Consent, performance of a contract.
A doctor, hospital, paramedic or health worker.	Where you require medical attention and are unable to provide the information yourself.	Your consent, in line with Social Protection Laws, Amendment 85.
Our legal advisors, the courts and the police. This may include information about antisocial behaviour.	Reducing ASB and fraud, the prevention and detection of crime.	Handling legal claims.
People or agencies who provide services to you or who work with us to provide services to you, such as your care/support provider.	To deliver services.	Consent.
The bodies involved with your care/support such as the relevant Local Authority departments, or Social Services and any alarm call centre.	When the information is requested.	Explicit consent.
Our regulator or other bodies which look at how we provide services as your landlord &	Legally required.	Legal obligation.

Who we share your information with	The purpose for sharing it	Our justification for sharing
other people where we are legally required to provide information to them.  (Your details will be anonymised)		
Your next of kin or other people acting on your behalf in an emergency and a member of your church or religious leader, where you have requested this.	When the information is requested.	Consent.
To another landlord or housing association where you are looking to move or exchange your property (e.g. where they request your details &/or a reference from us).	When the information is requested.	Consent.
Relevant Local Authority departments (including housing benefit, council tax, elections, adult services, fraud teams, fire brigade etc).	Legal requirement.	Legal obligation.
To relevant people and authorities such as the Police, adult and child protection and social services.	Social Protection, Prevention and Detection of Crime.	Social Protection law, Prevention and Detection of Crime.
Companies who process information on our behalf such as an external mailing company (who send out our newsletter), our archiving company, our confidential waste disposal company. Providers of our information technology services or software, companies doing surveys or research on our behalf.	To enhance and deliver our services, maintaining records.	Legitimate Interest. Performance of a contract.

### **Sub-Contract Processing**

Phoenix contracts organisations to process personal data under written contracts or service level agreements which defines that they must meet our data privacy requirements. These organisations include but are not limited to:

- The secure hosting of databases
- The provision of email or text services
- Management services for leaseholders
- Carrying our services in your tenancy agreements and leases e.g. repairs
- Carrying out or hosting the results of surveys
- Processing payments for rents and service charges

### **International Transfers**

Phoenix will not transfer your information outside of the European Economic Area without adequate safeguards. Phoenix does not transfer any personal data internationally, besides information transferred to SurveyMonkey, Event Brite and Campaign Monitor which are all covered by the Privacy Shield.

If we did decide to transfer any personal data internationally, this will be in line with our internal procedure and the terms in this privacy notice will be updated.

## **Keeping your information secure**

We store personal information both electronically and in paper form.

We implement security processes and technical security solutions to protect the personal information we hold from:

- Unauthorised access
- Improper use or disclosure
- Unauthorised modification
- Unlawful destruction or accidental loss

When you contact us, we may ask you to provide us with some information so that we can confirm your identity. If other people (e.g. family members, support workers, solicitors) act on your behalf we will take steps to ensure that you have agreed for them to do so. This may include asking them to provide us with supporting information to indicate your consent. We do this to protect you and to make sure that other people cannot find things out about you that they are not entitled to know.

Employees and third parties who have access to, or are associated with the processing of your personal information, are also required to make reasonable efforts to safeguard it.

## **Automated Decision Making and Profiling**

We do not make any decisions about you using automated means and we do not envisage this changing in the near future. If the situation does change, we will notify you in writing.

Phoenix does carry out profiling in the form of Rent Sense by Mobysoft in order to help facilitate rent payments and assist in the performance of our contract with you. To quote the RentSense website:

*“RentSense is a series of complex algorithms that analyse a housing organisation’s tenants’ transactional history, which is coupled with a predictive analytical application that then predicts which tenants will and won’t pay their rent. It then produces a list of tenants, in priority order, that need contacting that week regarding their rent.”*

## **Marketing**

We ask for people’s consent to market information. Further direct marketing may be conducted by post or by telephone under our legitimate interests.

If you do not wish to receive marketing material, or you would like to edit your preferences, please contact us. Unsubscribe options will also be offered

Please note, opting out of marketing does not remove the ability for Phoenix to contact you regarding the delivery of services related to your tenancy or lease.

## **Visiting our websites**

When you visit one of our websites, we collect standard internet log information for statistical purposes.



- We use cookies to collect information in an anonymous way, including the number of visitors to the site, where visitors have come to the site from and the pages they visited. To find out more about how we use cookies please see our Website Privacy Notice.
- We do not make any attempt to identify visitors to our websites. We do not associate information gathered from our sites with personally identifying information from any source.
- When we collect personal information, for example via an online form, we will explain what we intend to do with it on the form

Our websites contain links to various third party websites. We are not responsible for the content or privacy practices of any external websites that are linked from our sites.

## Changes

We will notify you of any changes to this privacy policy.

## Access to your information and correction

You have the following rights regarding your personal data:

Right available	Description of right
Right to be informed	Individuals have the right to be informed about the collection and use of their personal data.
Right of access	You have the right to obtain confirmation from Phoenix as to whether or not personal data concerning you are being processed, and, where that is the case, access to that personal data.
Right to rectification	You have the right to oblige Phoenix to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.
Right to erasure (right to be forgotten)	You have the right (under certain circumstances, but not all) to oblige Phoenix to erase personal data concerning you. This will never include current tenancy or lease details necessary to fulfil our contractual obligations, or any information we are required to process under law.
Right to restriction of processing	You have the right (under certain circumstances, but not all) to oblige Phoenix to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.
Right to data portability	You have the right (under certain circumstances, but not all) to oblige Phoenix to provide you with the personal data about you which you have been provided in a structured, commonly used and machine-readable format. You also have the right to oblige Phoenix to transmit that data to another controller.
Right to withdraw consent	If the lawful basis for processing is consent, you have the right to withdraw that consent. If you wish to withdraw your consent, contact us immediately.
Right to object to direct marketing	Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.

Right available	Description of right
Rights in relation to automated decision making and profiling	Phoenix does not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.

Phoenix is not a scheduled body under the Freedom of Information Act and therefore does not have to respond to any requests under the Act.

For more information about any of your rights, please visit:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

### Contacting Us

Please contact us if you have any questions in relation with this notice or the information we hold about you:

The Green Man,  
355 Bromley Road, London,  
SE6 2RP.

[data.protection@phoenixch.org.uk](mailto:data.protection@phoenixch.org.uk)

0800 0285 700

If you are not satisfied with the response you receive you have the right to lodge a complaint with the supervisory authority and the right to judicial remedy. In the United Kingdom this is:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

(t) 0303 123 1113

(e) [casework@ico.org.uk](mailto:casework@ico.org.uk)

### Other relevant documents

Staff Privacy Notice

Recruitment Privacy Notice

Data Protection Policy

Website Privacy Notice

Terms and Conditions of Gold Membership Scheme