

BCHG PRIVACY NOTICE

1. Background

We're Black Country Group Ltd, 134 High Street, Blackheath, West Midlands, B65 0EE, also known as Black Country Care, hereafter referred to as 'BCHG'. BCHG is a housing, social business, health and social care organisation. This privacy notice describes how BCHG collects and uses personal information about you. It applies to all services where we collect your personal data.

BCHG is a data controller of your personal data. This means that we are responsible for deciding how we hold and use personal information about you. It is important that you read this notice so that you are aware of how and why we are using such information.

BCHG's Data Protection Officer (DPO) is Sharon Woods, if you have any concerns about this Privacy Notice or regarding how your data is processed you can contact them: by writing to Sharon Woods, DPO at the above address; or by emailing data@bchg.co.uk.

2. What personal data does BCHG collect?

In order to provide you with the appropriate support we need to collect specific data about you, including where applicable:

- your name, address and contact details, including contact email address and telephone number, date of birth and gender and proof of your identity including your National Insurance number.
- proof of housing eligibility, including interest or equity in another property, your housing history and information relating to your financial circumstances including income details.
- details of family and next of kin including details of all household residents.
- bank details in order to process payments (which may be via direct debit, card, or the ALLPAY payment collection specialists, who are regulated by the Financial Conduct Authority which or card).
- records of your contact with us, such as via phone calls to our Operations team or notes of contact with you in our Housing Management System.
- current/previous details about your mental, emotional and physical health, offending and anti-social behaviour background which we may require to make adaptations or to tailor our services and may be used to safeguard our staff.
- details of any complaints made by or about you if relevant, and a list of those external statutory and/or voluntary agencies you are engaged with.
- personal information we have obtained from Credit Reference Agencies and Fraud Prevention agencies, including public (for example, defaults, CCJs) and shared credit history, financial situation and financial history.
- NHS Test and Trace data: name; contact phone number; date of visit, arrival/departure time of customers and visitors (or lead member in a group) to sites where deemed appropriate by Government guidelines in response to the COVID-19 pandemic. Please note, these records will be held securely for 21 days only before being securely destroyed and will be used for NHS Test and Trace purposes only.

We may also collect, store and use the following “special categories” of more sensitive personal information:

- information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- information about your health, including any medical condition, health and sickness records, where we require this to support funding for adaptations made to the property you are living in or where you are determined to be a vulnerable customer.
- information about disabilities or vulnerabilities to tailor our service to better meet your particular circumstances and needs. We may also use this information for safeguarding our staff.
- financial information to help resolve arrears payments and optionally to provide welfare, benefits and debt advice to help you budget and pay your bills. We may also use this information to apply for funding on your behalf.
- photo ID, bank statements, pay slips or income details when we require this
- information for processing a house sale or purchase.

We also process criminal convictions and offences data, which is afforded extra protection under the GDPR and 2018 Act.

BCHG may need to obtain, or validate, information with other external sources, such as health professionals, councils, previous housing, care and/or support service providers and government departments such as the Benefits Office, Inland Revenue or Criminal Justice agencies dependent on the service type.

We have installed CCTV systems in some of our premises that are used by members of the public. These CCTV systems are for the purposes of public and employee safety, and crime prevention or detection. In all such locations, signs are displayed notifying you that CCTV is in operation.

3. Where does BCHG collect this personal information from?

We'll collect this information from the following general sources:

- From you directly and from any family members or beneficiaries of products and services.
- From third-party organisations, who transfer your personal information to us when BCHG operates a service that the third party previously operated.
- From trusted external sources such as Fraud Prevention Agencies, Credit Reference Agencies, DWP, NHS, Local Authorities, HMRC and organisations to assist in the detection and prevention of crime, including police and law enforcement agencies.

4. Why BCHG collects your personal data

We use your personal data, including that listed in section 2 above, for the following purposes:

- to provide a comprehensive and professional service that meets your needs and considers any risks.
- to analyse/improve our services and report our performance to regulators and commissioners.

- to issue occupancy agreements (where BCHG is the landlord).
- to provide you with information about internal services that we believe you may benefit from.
- to comply with legal and regulatory obligations.
- where we need to protect your interests (or someone else's interests).
- where it is needed in the public interest or for official purposes.

Processing your personal data allows BCHG to:

- determine the terms of the agreement in place between us.
- administer the contract we have entered into with you.
- maintain accurate and up-to-date records and contact details.
- operate and keep a record of complaints.
- review our services to ensure we are acting fairly and complying with our responsibilities under the Equality Act 2010.
- respond to and defend against legal claims involving you.
- review the profile of customers who use our services in order to identify possible areas for service development and improvement; and
- identify and resolve any inaccuracies in data held by BCHG to ensure fair processing of accurate information.

We may process special categories of personal information in the following specific circumstances:

- in limited circumstances, with your explicit consent. If we need your consent, we will contact you separately about this.
- where we need to carry out our legal obligations.
- where it is needed in the public interest, such as for equal opportunities monitoring.
- where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent.
- or where you have already made the information public.

We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation and disability status, to ensure meaningful equal opportunity monitoring and reporting and to comply with relevant laws.

Some special categories of personal data, such as information about health or medical conditions, are processed to carry out Equality Act obligations (such as those in relation to customers with disabilities).

5. What are our legal grounds for processing your personal information (including sharing it with others)?

We rely on at least one of the following lawful purposes for using your personal information:

5.1. Where it is needed to provide you with our housing and/or care services, such as:

- a. Assessing your application for a service you may wish to hold with us, including acceptance of whether we can offer you that service, the price of the service, the payment methods available and the service conditions.
 - b. Updating your records, so that we may contact you for account and service management purposes.
 - c. Sharing your personal information with external agencies and service providers, for example, doctors (for medicine management).
- 5.2. Where it is in our legitimate interests to do so, such as:
- a. managing the service that we have contractually committed to deliver to you.
 - b. for management and auditing of our business operations.
 - c. to follow and implement recommended best practice of government and regulatory bodies.
- 5.3. To comply with our legal obligations.
- 5.4. With your consent or explicit consent, to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.
- 5.5. For a public interest, such as processing sensitive personal data about your health, if you are a vulnerable customer or criminal records information.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

We may have to disclose personal information about you to comply with applicable laws or other lawful requests. Dependent on the service you receive, we may also share information with:

- relevant regulators and/or commissioners.
- external agencies that are involved in any coordinated services that you receive.
- government or other statutory agencies where BCHG is an involved partner agency.
- NHS Test and Trace where they deem it necessary either because someone who has tested positive for COVID-19 has listed one of our services as a place they visited recently, or because one of our services have been identified as the location of a potential local outbreak of COVID-19. This applies to NHS Test and Trace data only.

All personal information is held securely and only accessed by those with a legitimate business interest to access it.

6. How does BCHG protect personal data?

BCHG has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed. We limit access to your personal information to those employees, agents, contractors and other third parties who have a legitimate business need to access it. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality.

When using data to monitor and report on our services, data about you will be anonymised so that it does not identify you specifically. Any personal information which directly identifies you will only be shared with your explicit permission unless it relates to meeting your support needs or where we are required to provide it by Law (e.g. reporting criminal offences).

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

7. For how long does BCHG keep personal data?

Unless we inform you otherwise, we will hold your personal information based on the following:

- for as long as we have reasonable business needs, including managing the service(s) we provide to you.
- retention periods that are in-line with legal/regulatory requirements or guidelines. Please see our Data Retention and Disposal Policy and appendices for more information.

8. Your rights under data protection laws

You have a number of rights over the way in which we process your personal data. They are listed below. If you wish to use any of them, we will explain at the time if they are valid or not.

- 8.1. The right to be informed. This Privacy Notice and subsequent updates to it will let you know exactly how your personal data is used and for what purpose(s).
- 8.2. The right to request access. You can request a copy of the Personal Data that we hold about you by using one of the following options:
 - writing to us at: Subject Access Request, Black Country Housing Group Ltd., 134 High Street, Blackheath, West Midlands, B65 0EE.
 - completing a request online or via email to our DPO will generally be a quicker process than relying upon post.

We will generally provide information electronically via password-protected PDF so that it remains secure when sent, but we can agree a relevant and secure format with you.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly excessive or repetitive. Alternatively, we may refuse to comply with the request in such circumstances.

- 8.3. The right to have personal data corrected or made complete.

If you believe that the information, we hold is incorrect or incomplete and needs to be updated, please contact a BCHG staff member and they will help to make sure that the information is updated.

- 8.4. The right to have personal information erased.
If you believe that some or all your personal data should be deleted, you can contact a BCHG staff member or BCHG's Data Protection Officer who will investigate your query. You have a right for personal data to be erased if it is not essential to the service, we provide to you.
- 8.5. The right to object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- 8.6. The right to restrict processing of your personal information. This enables you to ask us to suspend our processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- 8.7. The right to move, copy or transfer your personal information to another party if this does not affect any service BCHG is contractually or legally obliged to deliver to you.
- 8.8. The right to query automated decision making, which may have a legal impact or significant effect. The service(s) that BCHG provides to you do not include any automated decision-making processes.

We will need to request specific information from you to help us confirm your identity so that you can exercise any of these rights. This is security measure to ensure that personal information is only disclosed to the person who proves that they have a right to access it.

If you believe that BCHG has not complied with your data protection rights, you can complain to the Information Commissioners Office via the following website (<https://ico.org.uk/concerns/handling>).

9. What if your personal data changes?

You should tell us when your personal data changes so that we can keep our records up-to-date and accurate. Please refer to the Contact Us section of our website and we'll update your records if we can.

10. Transferring personal data outside of the UK/European Economic Area

We're based in the UK and will not transfer your data outside the European Economic Area.

11. Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we 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.

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.

12. Changes to this Privacy Notice

We may change this privacy notice from time to time in order to reflect changes in the law and/or in our privacy practices. You will be able to access the latest privacy notice via our website.