



Lochaber Housing Association Fair Processing notice Resident Tenant Organisations

Who are we?

Lochaber Housing Association Ltd, 101 High Street, Fort Willim, PH33 6DG, a Scottish Charity (Scottish Charity Number SCO30951), a registered society under the Co-operative and Community Benefit Societies Act 2014 with Registered Number 151 and having their Registered Office at 101, High Street, Fort William, PH33 6DG.

Lochaber Housing Association (LHA) is registered as a Controller with the Office of the Information Commission (IC) – IC Registered number – Z9955654

Our Data Protection Officer is Jenny MacKay.

Any questions relating to this notice and our privacy practices should be sent to:

The Data Protection Officer
Lochaber Housing Association Ltd
101 High Street
Fort William, PH33 6DG
Or email: DPOLHAGroup@lochaberhousing.org.uk

How we collect information from you

We collect information about you when you become a member of a Resident Tenant Organisation (RTO) or visit one of the meetings/events.

What information we collect from you

When you become a member of an RTO or visit one of the meetings/events, we may collect the following personal information:

- your name, address, email address, contact telephone numbers, signature;
- your image and voice recording in photographic and video form, for example but not limited to video conferencing facilities or when in the vicinity of one of our personal safety devices; and
- your voice recording when telephoning one of our contact numbers.

Why we need this information about you and how it will be used

When you become a member of an RTO we need to process your personal data in order to comply with its Rules or Articles of Association (which form its constitution) and complying with our regulatory obligations. Such processing includes:

- Housing (Scotland) Act 2001, which requires registered social landlords to maintain a register of tenant organisations and keep it open for public inspection at all reasonable times;
- issue communications to keep you informed about the RTO;
- to communicate with you remotely, including via video conference facilities; and
- for training and monitoring of telephone calls (not all telephone calls will be recorded).

Lawful processing

Data protection law requires us to rely on one or more lawful grounds to process your personal information. We may process your personal data under the following lawful basis:

- Performance of a contract
- Consent
- Performance of a task in the public interest and / or with official authority
- Legal obligation
- Vital Interests
- Legitimate interests
- Recognised Legitimate Interests

Where we process your personal information in pursuit of our legitimate interests, you have the right to object to us using your personal information for the above purposes. If you wish to object to any of the above processing, please contact the Data Protection Officer at 101 High Street, Fort William, PH33 6DG or emailing:

DPOLHAGroup@lochaberhousing.org.uk

If we agree and comply with your objection, we can no longer process your personal information for the above purposes unless we can demonstrate legitimate grounds for the processing, which override your interests, rights and freedoms, or the processing is to establish, exercise or defend legal claims.

Use of special categories of personal data

Where we are required to use your personal information relating to your health, racial or ethnic origin, religious beliefs, sexual orientation, and information relating to alleged or actual criminal behaviour, we will apply one of the lawful bases above **and** under one of the following conditions:

- Explicit Consent for specific purposes;
- It is necessary to comply with obligations re employment or social security;
- It is necessary to protect vital interests of the data subject;
- It is necessary for the establishment of, exercise or defence of legal claims;
- It is necessary for reasons of substantial public interest; or

- For equality monitoring purposes as required by the Scottish Housing Regulator. We will process such personal information for equality monitoring purposes to identify and keep under review the existence or absence of equality of opportunity or treatment between groups of people within the same categories to promote or maintain equality within the LHA Group. (This information is always collected anonymously.)

Who we share your personal information with

We are required to share personal information with statutory or regulatory authorities and organisations to comply with statutory obligations. Such organisations include the Scottish Housing Regulator for the purposes of complying with our regulatory reporting requirements.

The information you provide to us will be treated by us as confidential. We may disclose your information to other third parties who act for us for the purposes set out in this notice or for purposes approved by you, including the following:

- If we enter into a joint venture with or merged with another business entity, your information may be disclosed to our new or prospective business partners or owners; and
- our professional and legal advisors for the purposes of taking advice and in the event of legal claims, as well as our internal and external auditors, where required.

These organisations will become controllers of your personal information upon receipt in most cases and you should refer to their fair processing/privacy notices and policies for further details on how they will use your personal information.

Transfers outside the UK

Your information is currently only stored within the UK (Fife and Edinburgh).

Where information is transferred outside the UK, we will ensure that there are adequate safeguards in place to protect your information in accordance with this notice.

Security

When you give us information we take steps to make sure that your personal information is kept secure and safe, either in hard copy in secure lockable filing cabinets, on our electronic filing system and or our servers based in the UK, and is only accessed by our employees for the purposes set out above.

Use of Generative Artificial Intelligence (GenAI) and Automated Decision Making Technologies

The LHA Group recognises the potential benefits of GenAI in improving administrative efficiency, supporting staff productivity, and enhancing access to information. This is covered in detail in the AI Usage Policy.

Automated decision making technologies are not used by the LHA Group and there is currently no intention to adopt any.

How long we will keep your information

We review our data retention periods regularly and will only hold your personal data for as long as is necessary for the relevant activity, or as required by law (we may be legally required to hold some types of information), or as set out in any relevant contract we have with you.

After which this will be destroyed if it is no longer required for the reasons it was obtained.

Our full retention schedule is available upon request by emailing:

DPOLHAGroup@lochaberhousing.org.uk

Your rights

You have the right at any time to:

- ask for a copy of the information about you held by us in our records;
- ask us to correct any inaccuracies of fact in your information;
- request that we restrict your data processing or object to our processing in certain circumstances;
- data portability (in certain circumstances);
- make a request to us to delete what personal data of yours we hold;
- object to receiving any marketing communications from us; and
- submit a complaint to us if you believe your personal data has been handled in a way that does not comply with data protection law.
- In addition you have certain rights where we use automated decision making in respect of you or your personal data and we will inform you of any such processing and those rights should we use any such processes. (However, we do not intend using automated decision making processes.)

You should note that your rights under the UK GDPR and 2018 Act are not absolute and are subject to qualification.

If you would like to exercise any of your rights above please contact us at:

The Data Protection Officer
Lochaber Housing Association Ltd
101 High Street
Fort William, PH33 6DG

Or email: DPOLHAGroup@lochaberhousing.org.uk

Data protection complaints

If you have any complaints about the way your data is processed or handled by us, please contact:

The Data Protection Officer
Lochaber Housing Association Ltd
101 High Street
Fort William, PH33 6DG

Complete the Online Complaints Form: <https://www.lochaberhousing.org.uk/data-protection-complaints/>

Or email: DPOLHAGroup@lochaberhousing.org.uk

For guidance on this, please refer to the document 'Guide to Making a Data Protection Complaint'.

If you remain unsatisfied after your complaint has been processed by us, you also have the right to complain to the Information Commission in relation to our use of your information. The Information Commission's contact details are noted below:

The Information Commission – Scotland
6th Floor, Quatermile One
15 Lauriston Place
Edinburgh, EH3 9EP
Telephone: 0303 123 1113
Email: Scotland@ico.org.uk

The accuracy of your information is important to us - please help us keep our records updated by informing us of any changes to your email address and other contact details.