

NIFHA Privacy Policy

May 2018

Contents

1. Identity and Contact details of Data Controller
2. Data Collection
3. Policy Responsibility
4. Legislation
5. Data Protection Officer
6. Consent
7. Subject Access Requests
8. Right to Erasure
9. Individual rights under GDPR

Appendix 1

Summary of the different groups that NIFHA will hold data on and how we will protect that data

1. Identity and Contact details of Data Controller

The Northern Ireland Federation of Housing Associations (NIFHA) is an umbrella body for housing associations in Northern Ireland. As an organisation, we seek to:

- Be the voice for the housing association sector
- Influence government policy
- Lobby and campaign on issues that affect our members
- Support and promote the work of our members
- Provide a range of services and activities that assist our members to deliver to their tenants

Our contact details are:

Office: NIFHA, Unit 6C Citylink Business Park, Albert Street, Belfast. BT12 4HQ
Tel: 028 9023 0446
Web: www.nifha.org
Email: dpo@nifha.org

We are a Company Limited by Guarantee (NI011996)

2. Data Collection

NIFHA needs to gather and use certain information about individuals. These can include housing association tenants and service users, housing association staff, our commercial partners, organisations that are not members or partners of NIFHA, our Board and Sub-Committees and applicants to NIFHA.

As an organisation, we will only hold the information that is absolutely necessary to us carrying out our range of tasks and roles. We are committed to ensuring the secure and safe management of data held by us. Our staff members have a responsibility to ensure compliance with the terms of this policy, and to manage individuals' data in accordance with our data management procedures. We will ensure that we are transparent and accountable in the processes that we undertake to be fully compliant with data protection regulation.

The table in Appendix 1 outlines the different groups that we will hold data on and how we will protect that data.

3. Policy Responsibility

The Board of NIFHA has overall responsibility for this policy. The Chief Executive is responsible for ensuring that it is complied with, maintained, regularly reviewed and implemented throughout the organisation. The Data Protection Officer has overall responsibility for the day-to-day application of this policy. All NIFHA staff, regardless of level or grade, have a responsibility to adhere to this policy at all times.

4. Legislation

It is a legal requirement that NIFHA processes data correctly. We must collect, handle and store personal information in accordance with the relevant legislation. The relevant legislation in relation to the processing of data is:

- i. the General Data Protection Regulation (EU) 2016/679 ("the GDPR");
- ii. the Privacy and Electronic Communications (EC Directive) Regulations 2003 (as may be amended by the proposed Regulation on Privacy and Electronic Communications); and
- iii. any legislation that, in respect of the United Kingdom, replaces, or enacts into United Kingdom domestic law, the General Data Protection Regulation (EU) 2016/679, the proposed Regulation on Privacy and Electronic Communications or any other law relating to data protection, the processing of personal data and privacy as a consequence of the United Kingdom leaving the European Union.

5. Data Protection Officer

NIFHA's Data Protection Officer's (DPO) contact details are as follows:

Deputy Chief Executive
NIFHA
Unit 6C Citylink Business Park
Albert Street
Belfast
BT12 4HQ
Email: dpo@nifha.org
Tel: 028 9033 0446

6. Consent

NIFHA will seek and hold clear, explicit, and defined consent for an individual's data to be processed for a specific purpose. Consent as a ground of processing will be required to be used from time to time by us when processing Personal Data. It will be used by NIFHA where no other alternative ground for processing is available.

In the event that NIFHA is required to obtain consent to process a data subject's Personal Data, it shall obtain that consent in writing. The consent provided by the data subject must be freely given and the data subject will be required to sign a relevant consent form if willing to consent.

Any consent to be obtained by the NIFHA must be for a specific and defined purpose (i.e. general consent cannot be sought).

7. Subject Access Requests

An individual has the right to receive confirmation that their data is being processed, and to have access to that data. NIFHA DPO is responsible for responding to SAR's and in doing so must provide an individual with a copy of the information they request, free of charge within one month of their request. Data may be provided in a variety of formats including electronic formats. If complying with the request is complex or labour intensive, the deadline may be extended by two months in consultation with the DPO however the data subject must be informed within one month of this decision.

NIFHA retains the right to refuse to fully respond to certain requests, and can, in circumstances of the request being manifestly unfounded or excessive, charge an appropriate fee. If the request is for a large quantity of data, NIFHA DPO can request that the individual specify the information they are requesting.

8. Right to Erasure

Individuals have a right to have their data erased and for processing to cease in the following circumstances:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected and / or processed
- Where consent is withdrawn
- Where the individual objects to processing and there is no overriding legitimate interest for continuing the processing
- The personal data was unlawfully processed or otherwise breached data protection laws
- To comply with a legal obligation
- The processing relates to a child under the age of 18

NIFHA can only refuse to comply with a right to erasure request in the following circumstances:

- To exercise the right of freedom of expression and information
- To comply with a legal obligation for the performance of a public interest task or exercise of official authority
- For public health purposes in the public interest
- For archiving purposes in the public interest, scientific research, historical research or statistical purposes
- The exercise or defence of legal claims

9. Individual rights under GDPR

Under GDPR, every data subject has the following rights:

- **Access** – every data subject is entitled to request any information which is processed by our organisation. Please contact dpo@nifha.org with the subject title 'Subject Access Request'. We will require you to provide two pieces of ID to ensure that we are giving the information to the right person. We will respond to your request within one month. There is no charge for a subject access request, but repeated and burdensome requests may incur a charge.
- **Rectification** – you, as the data subject, have the right to have any inaccurate data held on you updated without delay. Please contact dpo@nifha.org with the subject title 'Data Rectification' and we will deal with your enquiry within 10 working days.
- **Erasure** –if you request for us to delete your information, we will do so. Please contact dpo@nifha.org with the subject title 'Data deletion' and we will deal with your enquiry within 10 working days.
- **Restriction of processing** – you are entitled to restrict what we use your data for. If, at any time, you no longer wish to receive a particular category of information from us then please let us know so we are able to restrict what we contact you about. Please contact dpo@nifha.org with the subject title 'Data Processing Restriction' and we will deal with your enquiry within 10 working days.
- **Object to processing** – you have the right to object to our processing of your data at any point. If you no longer wish for us to hold data on you, then please contact dpo@nifha.org with the Subject line 'Objection to Processing' and we will deal with your enquiry within 10 working days.

Appendix 1

Summary of the different groups that NIFHA will hold data on and how we will protect that data.

Data relating to our Member Housing Associations	Data relating to Non-Members	Data relating to Our Commercial Partners (Corporate Partners, Associates, Sponsors, Exhibitors)	Data relating to NIFHA Board Members	Data relating to Applicants for employment with us	Data relating to Tenants of our member housing associations
Data Collected and Purpose of Processing					
<p>We collect data to inform our members, about:</p> <ul style="list-style-type: none"> • The activities we have undertaken or are undertaking on your behalf • The outcomes of work that we have completed • Consultations on policies and political changes • The services we provide including conferences and training • The meetings and members fora we organise <p>We will also ask members from time to time to complete surveys about our range of services to ensure that we can deliver what you, our members want/need and to hear where we can improve.</p>	<p>We collect data to inform non-members about:</p> <ul style="list-style-type: none"> • what is happening within the sector • NIFHA events or training that may be of interest to you 	<p>We collect data to inform commercial partners about:</p> <ul style="list-style-type: none"> • Your individual partnership agreement with us • Information about the sector • Invitations to events and briefings that are part of your partnership with us • Networking opportunities 	<p>We collect data to which is essential for us to facilitate your role as a Board Member.</p> <p>Some of the reasons why we will process your data include:</p> <ul style="list-style-type: none"> • To distribute information • To arrange meetings • To shortlist candidates 	<p>We collect data which is essential for us to carry out a fair selection process. Data is generated from applicants responding to a public recruitment advert or via a recruitment agency.</p>	<p>We collect data which is required of us to hold in order to process statutory payments that are due to your landlord or to provide statistical analysis of our sector.</p> <p>We collect data on new tenants and the property they rent for purposes of strategy and policy</p>

Data relating to our Member Housing Associations	Data relating to Non-Members	Data relating to Our Commercial Partners	Data relating to NIFHA Board Members	Data relating to Applicants for employment with us	Data relating to Tenants of our member housing associations
<i>Information we will collect from you</i>					
<p>We will only collect the following information from you:</p> <ul style="list-style-type: none"> • Name • Organisation • Email • Job title • Phone Number • Opinions • Photos 	<p>We will only collect the following information from you:</p> <ul style="list-style-type: none"> • Name • Organisation • Email • Job title • Phone Number 	<p>We will only collect the following information from you:</p> <ul style="list-style-type: none"> • Contact Person • Organisation • Email • Address • Job title • Partnership Details • Phone Number 	<p>We will only collect the following information from you:</p> <ul style="list-style-type: none"> • Name • Organisation • Email • Job title • CV • Phone Number • Prior Knowledge and Experience • Skills matrix • Equal Opportunities Form 	<p>We will only collect the following information from you:</p> <ul style="list-style-type: none"> • Name • Job title • Email • CV / application form • Phone Number • Equal Opportunities Form • Selection tests (where used) 	<p>We will only hold some or all of the following information from you, which we will obtain from your landlord or DfC or NIHE for the purposes of calculating payments or analysing statistics:</p> <ul style="list-style-type: none"> • Name • Address • Housing Benefit Ref No. • Amount of Benefit • Rent, Rates, Service Charge • HB Entitlement • Marital Status, • Household Characteristics • Community Affiliation, • Ethnicity, • Nationality, • Weekly Income, • Rent, Rates, Service Charge • Previous living circumstances,

Data relating to our Member Housing Associations	Data relating to Non-Members	Data relating to Our Commercial Partners	Data relating to NIFHA Board Members	Data relating to Applicants for employment with us	Data relating to Tenants of our member housing associations
Sub-Processors					
NIFHA has a data sharing agreement with our sub-processors which ensures that they only use and store your data in a way that we have specified. Our sub-processors include our website and email hosting providers, SurveyMonkey, Northern Ireland Housing Executive and NICORE (NIHE & NICORE - members' tenant data for sector analysis). SurveyMonkey is signed up to the US Privacy Shield and is therefore considered as an 'adequate data processor'.					
Data relating to our Member Housing Associations	Data relating to Non-Members	Data relating to Our Commercial Partners	Data relating to NIFHA Board Members	Data relating to Applicants for employment with us	Data relating to Tenants of our member housing associations
Legal basis for processing					
<p>We hold this information under the Article 6 of the GDPR, for processing under public interest and legitimate interests, as it is in the interests of both of us that we are able to contact you.</p> <p>Our aims as your trade body are to influence, connect, support and inform so you, our members can continue to invest in communities and change lives. As part of your membership your senior management have authorised us to contact your organisation. We will constantly update our data base to ensure we are contacting people with information which is relevant, timely and of value. Individual members can withdraw this consent at any time. The process for this is covered in the subsequent</p>	<p>We hold this information for processing under legitimate interests, as it is in the interests both of us that we are able to contact to you.</p> <p>For marketing materials, we will ask your consent to send you this information. You are able to withdraw this consent at any time. The process for this is covered in the subsequent section: Individual Rights under GDPR</p>	<p>We hold this information under the Article 6 of the GDPR, for the performance of an agreed partnership arrangement. This agreement means that we have to hold this data on you for us to contact you about the service we provide and how we can promote your interests to our members.</p> <p>We will not provide you with the names of our members but will contact them on your behalf if they have expressed a preference to receive information from you.</p>	<p>We hold this information under the Article 6 of the GDPR, for processing under legitimate interests.</p> <p>For us to facilitate your role on the Board, it is essential that we hold this information on, so we are able to communicate with you and demonstrate that there has been a fair and transparent process in your appointment.</p>	<p>We hold this information under the Article 6 of the GDPR, for processing under legitimate interests.</p> <p>For us to consider you for a particular role, we need to know what your job history has been, as well as the skills and qualities you possess, which are essential for the successful performance of the role.</p>	<p>We hold this information under the Article 6 of the GDPR, for processing under legitimate interests.</p> <p>We will not use this information to contact you directly, as the information is for processing purposes only.</p>

section: Individual Rights under GDPR					
Data relating to our Member Housing Associations	Data relating to Non-Members	Data relating to Our Commercial Partners	Data relating to NIFHA Board Members	Data relating to Applicants for employment with us	Data relating to Tenants of our member housing associations
<i>Recipients or categories of recipients</i>					
<p>All staff at NIFHA are able to access the database of information, which we hold on our members, non members and commercial partners. However, the computers and laptops, which are used to access it, are password protected. It is also our policy that if a member of staff is found to be misusing data, they will be subject to disciplinary procedures.</p> <p>We will not pass your data on to any third party, unless we are explicitly asked by you to do so or unless so required by a legal requirement, such as the police or by housing policy within Department for Communities.</p>	<p>All staff are able to access our data on NIFHA Board and to contact the Board, as the information is stored on our internal, secured CRM system.</p> <p>The Management Team will be the only individuals who have access to Board recruitment records.</p> <p>We will not pass your data on to any third party, unless we are explicitly asked by you to do so, or we are required to by law.</p>	<p>The HR Administration Assistant will be the direct recipient of applications to us. These will be received by them by either email or hard copy. The Admin Assistant will save these to a secure folder on the internal network, as well as keeping a copy on their email.</p> <p>All applications will reviewed by the short-listing panel.</p>	<p>Our Research Officer and Administrative Support Officer will be the only staff to have access to your information. We will use the information for the processing functions required to be carried out for payments to housing associations from the Housing Executive or at an aggregated level for statistical analysis purposes on the social & affordable housing sector.</p>		

Data relating to our Member Housing Associations	Data relating to Non-Members	Data relating to Our Commercial Partners	Data relating to NIFHA Board Members	Data relating to Applicants for employment with us	Data relating to Tenants of our member housing associations
<i>Retention period or criteria applied</i>					
<p>We will keep the information we hold on you for as long as you allow us to. You are able to withdraw your consent to be contacted by us at any point. We will also update our contact details annually, to ensure that the information we hold is as accurate as possible.</p> <p>Survey data, held on SurveyMonkey, will be kept up to 3 years and then deleted.</p> <p>Consent will be sought before the collection of any photographs to ensure you are happy with us to do so. Photographs will be stored on our password protected network main drive for up to 5 years.</p>	<p>We will keep the information we hold on you for as long as you allow us to. You are able to withdraw your consent to be contacted by us at any point. We will also update our contact details annually, to ensure that the information we hold is as accurate as possible.</p>	<p>The information you provided to become a commercial partner will be stored by us in our secure hard drive for a period of 3 years. The membership agreement between us will be renewed at the point at which it is dictated in the partnership agreement.</p> <p>If you choose to not renew your agreement with us, then we will retain the relevant information we have on you for a period of one year, but we will not use the data which has been given.</p> <p>Consent will be sought before the collection of any photographs to ensure you are happy with us to do so. Photographs will be stored on our password protected network main drive for up to 5 years.</p>	<p>The information of an individual as a Board Member will be stored on our systems, both electronic and physical copies, until 6 months after the individual has stepped down from their position as a Board Member.</p> <p>Consent will be sought before the collection of any photographs to ensure you are happy with us to do so. Photographs will be stored on our password protected network main drive for up to 5 years.</p>	<p>All applications will be saved to the secure internal drive and will only be printed off for the shortlisting process.</p> <p>Applications will not be discussed amongst the interview panel except during the process of shortlisting.</p> <p>All applications will be stored up to 12 months after the interview date, as well as any notes that have been made during the interview process. This will provide the basis of feedback which will be given by the Manager leading on the HR function to all unsuccessful shortlisted candidates.</p> <p>The information collected about the prospective employee will constitute part of their Recruitment Record, which will be kept for the whole time of their employment and for 6 years after they have left NIFHA. This will also include the references that they have supplied us with after they were offered the position.</p>	<p>We will keep the information we hold on you for as long as we are legally required to.</p>

