



# Incommunities Group's Privacy Notice

## Introduction

Welcome to the privacy notice for the Incommunities Group, which consists of Incommunities Group Ltd, Incommunities Ltd, Sadeh Lok Ltd and BCHT Development Company Ltd.

We respect your privacy and are committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

This privacy notice is provided in a layered format so you can click through to the specific areas set out below. Please also use the Glossary to understand the meaning of some of the terms used in this privacy notice.

## 1. Important information and who we are

### Purpose of this privacy notice

This privacy notice aims to give you information on how Incommunities Group collects and processes your personal data. We have relationships with other people in many different ways such as:

- Current tenants and residents;
- Former tenants and residents;
- Applicants for a home;
- Current contractors and their staff;
- Former contractors and their staff;
- The tenants or recipients of goods or services under a contract with a third party organisation that we fulfil on the third party's behalf;
- Bidders for contracts with us, and
- Partnering organisations and their staff.

We have a separate privacy notice to give information on how Incommunities collects and processes the personal data of prospective, current and former employees.

## **Controller**

Incommunities Group is made up of different legal entities. This privacy notice is issued on behalf of the Incommunities Group so when we mention "Incommunities Group", "we", "us" or "our" in this privacy notice, we are referring to the relevant company in the Incommunities Group responsible for processing your data. Each company in Incommunities Group is a data controller and is registered with the Information Commissioner. The registered office for each company in the Incommunities Group is The Quays, Victoria Street, Shipley BD17 7BN.

We have appointed a Data Protection Officer (DPO) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the DPO using the details set out below.

## **Contact details**

Name and title of the DPO: Rob Ward, Director of Legal & Governance

Email address: DataProtection.Helpdesk@incommunities.co.uk

Postal address: The Quays, Victoria Street, Shipley BD17 7BN.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## **Your duty to inform us of changes**

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us, which includes telling us the different ways in which we connect with you e.g. you may be a tenant but also receive services from us such as support in improving your employment prospects.

## **Third-party links**

Your use of our websites, electronic applications or other electronic communication tools may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## **2. The data we collect about you**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- **Identity Data** includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth, gender, National Insurance number, and identity documents (e.g. driving licence, passport).
- **Contact Data** includes billing address, delivery address, email address and telephone numbers. It also includes next of kin and appointee contact details.
- **Financial Data** includes bank account and payment card details, welfare benefits payments information, and income and expenditure (affordability) details.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Profile Data** includes who lives in our houses, purchases or orders made by you, your interests, preferences, your username and password, feedback and survey responses.
- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- **Behaviour Data** includes a record of your compliance with your tenancy with us, information on your behaviour from partner agencies such as local authorities, policing bodies and other housing providers, and surveillance such as CCTV footage and noise nuisance recordings.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing our repairs service. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We may collect **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). We may also collect any information about criminal convictions and offences.

### **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with a tenancy for housing or goods or services). In this case, we may have to cancel an offer of housing or a product or service you have with us but we will notify you if this is the case at the time.

### **3. How is your personal data collected?**

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- make any sort of application to us;
- agree to a tenancy or other contract with us;
- communicate with us on either a on-off or ongoing basis e.g. requesting a repair;
- create an account on any of our websites, electronic applications or similar electronic tools;
- subscribe to our service or publications;
- request marketing to be sent to you;
- enter a competition, promotion or survey; or
- give us some feedback.

- **Automated technologies or interactions.** As you interact with any of our websites, electronic applications or similar electronic tools, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy for further details, which is available via link upon opening any of our websites.

- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:

- Behaviour Data from partner agencies such as local authorities, policing bodies, health service providers, support providers, and other housing providers;

- Technical Data from the following parties:

(a) analytics providers; and

(b) search information providers.

- Contact, Financial and Transaction Data from providers of technical, payment and delivery services.

- Identity, Contact, Financial and Transaction Data from the Department for Work and Pensions and other agencies administering welfare benefits.
- Identity and Contact Data from publicly available sources.
- Identity Data, Contact Data, Financial Data, Technical Data, Profile Data, Marketing and Communications Data, and Behaviour Data may be collected from partner agencies such as local authorities e.g. as part of the Voids Based Letting application process for housing.

#### **4. How we use your personal data**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you e.g. your Tenancy Agreement with us.
- Where we need to perform a contract we are about to enter into or have entered into with a third party, and the third party has a contract or other obligations to you e.g. housing we manage for other housing providers.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests e.g. we may contact your next of kin if we cannot make contact with you.
- Where we need to comply with a legal or regulatory obligation e.g. we share information with other organisations to comply with our duty relating to safeguarding of children and vulnerable adults.
- Where it is necessary in order to protect the vital interests of you or another person e.g. we may inform paramedics of known illnesses or conditions you suffer from in the event of an emergency and/or where we hold a safeguarding concern.

Generally, we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. We do sometimes ask for your consent and will rely on your consent if it is given. You have the right to withdraw consent at any time by contacting our Data Protection Officer, whose contact details are provided above.

We may sometimes anonymise your personal data and then use it for analysis purposes. In that case the data will be anonymised so that it can no longer be linked to you in order to protect your personal data from security breaches.

## Purposes for which we will use your personal data

We have set out below, in a table format, a description of the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact our Data Protection Officer, whose contact details are provided above, if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To register you as a new customer	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver services to you including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us (c) Meet our obligations to you under law and your Tenancy Agreement with us. (d) Enforce your obligations to us under law and your Tenancy Agreement with us.	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications (f) Behaviour	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)
If you are a contractor or their	(a) Identity	(a) Performance of a contract with you

<p>staff, to manage our relationship with you which will include:</p> <p>(a) Paying you monies owed under the contract.</p> <p>(b) Meeting our obligations to you under law and your contract with us.</p> <p>(c) Enforcing your obligations to us under law and your contract with us.</p>	<p>(b) Contact</p> <p>(c) Financial</p> <p>(d) Behaviour</p> <p>(e) Transaction</p>	<p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests (contract management generally and individually)</p>
<p>To administer and protect our business and our websites, electronic applications or similar electronic tools (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Technical</p>	<p>(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)</p> <p>(b) Necessary to comply with a legal obligation</p>
<p>To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Usage</p> <p>(e) Marketing and Communications</p> <p>(f) Technical</p>	<p>Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)</p>
<p>To use data analytics to improve our website, products/services, marketing, customer relationships and experiences</p>	<p>(a) Technical</p> <p>(b) Usage</p>	<p>Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)</p>
<p>To make suggestions and recommendations to you about goods or services that may be of interest to you</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Technical</p> <p>(d) Usage</p> <p>(e) Profile</p>	<p>Necessary for our legitimate interests (to develop our products/services and grow our business)</p>

Incommunities processes the following special categories of personal data with the following typical justifications:

<b>Special category of personal data</b>	<b>Justification</b>	<b>Example</b>
Racial or ethnic origin	<p>Explicit consent.</p> <p>Public knowledge brought about by the person whose personal data it is.</p> <p>Legal disputes.</p>	Incommunities monitors racial or ethnic origin for equality and diversity purposes.
Religious or philosophical beliefs	<p>Explicit consent.</p> <p>Public knowledge brought about by the person whose personal data it is.</p> <p>Legal disputes.</p>	Incommunities monitors religious or philosophical beliefs for equality and diversity purposes.
Health	<p>Explicit consent.</p> <p>Public knowledge brought about by the person whose personal data it is.</p> <p>Legal disputes.</p> <p>Vital interests.</p>	Incommunities handles health personal data when helping vulnerable tenants with normal landlord activity such as repairs. .
Sex life	<p>Substantial public interest.</p> <p>Explicit consent.</p>	Incommunities would be under a duty to make a safeguarding referral if a person's sexual activity endangered a child or vulnerable adult.
Sexual orientation	<p>Employment law obligations.</p> <p>Explicit consent.</p> <p>Public knowledge brought about by the person whose personal data it is.</p> <p>Legal disputes.</p>	Incommunities monitors sexual orientation for equality and diversity purposes.
Criminal	Statutory rights.	Incommunities processes alleged



convictions and offences (not a special category in law)		and proven criminality when tackling anti-social behaviour.
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## **Marketing**

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You may receive marketing communications from us. This is justified because you have either opted in to such marketing communications, it is necessary for the performance of a contract and/or we have a legitimate interest to send direct marketing communications that is not outweighed by your privacy rights.

## **Third-party marketing**

We will get your express opt-in consent before we share your personal data with any company outside the Incommunities Group of companies for marketing purposes.

## **Opting out**

You can ask us or third parties to stop sending you marketing messages at any time by contacting the Data Protection Officer, whose contact details are above, at any time.

## **Cookies**

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please see the information we provide about cookies when the front page of our websites are opened.

## **Change of purpose**

We will only use your personal data 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 you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact the Data Protection Officer, whose contact details are provided above.

If we need to use your personal data 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 data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **5. Disclosures of your personal data**

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- Internal Third Parties as set out in the Glossary.
- External Third Parties as set out in the Glossary.
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.
- We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## **6 International transfers**

We do not transfer your personal data outside the European Economic Area (**EEA**). This situation may change upon the UK leaving the European Union in the future.

Some of our external third parties are based outside the European Economic Area (**EEA**) so their processing of your personal data will involve a transfer of data outside the EEA. We expect and require external third parties to comply with UK data protection laws, including when they transfer personal data outside of the EEA.

## **7 Data security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

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

## 8. Data retention

### How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of retention periods for different aspects of your personal data are available in our retention policy which you can request from us by contacting our Data Protection Officer, whose contact details are provided above.

In some circumstances you can ask us to delete your data: see below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## 9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. These include the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, in response to your request.

**Object to processing** of your personal data 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 as you feel it impacts on your fundamental rights and freedoms. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information

which override your rights and freedoms, or that the processing is necessary for the establishment, exercise or defence of legal claims. You also have the **right to object where we are processing your personal data for direct marketing purposes**.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format (i.e. useable on a computer). Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent. Also, we may still be allowed to process your data following the withdrawal of consent if another lawful justification for such processing exists.

If you wish to exercise any of the rights set out above, please contact our Data Protection Officer, whose contact details are provided above.

**To lodge a complaint with the Information Commissioner**, whose details can be found at [ico.org.uk](http://ico.org.uk)

### **No fee usually required**

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

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

## **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## **10. Glossary**

### **LAWFUL BASIS**

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

### **THIRD PARTIES**

#### **Internal Third Parties**

Other companies in the Incommunities Group, acting as joint controllers or processors, and who are based in the UK.

#### **External Third Parties**

- Service providers, acting as joint controllers or processors, based in the UK, in the EEA or outside of the EEA, who provide outsourced services to Incommunities Group and/or tenants and/or employees.
- Professional advisers, acting as processors or joint controllers, including lawyers, bankers, auditors and insurers based in the UK, in the EEA or outside of the EEA, who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities, acting as processors or joint controllers, based in the UK or the EEA who require reporting of processing activities in certain circumstances.
- Partner agencies, acting as processors or joint controllers, such as policing organisations, local authorities, and other housing providers, based in the UK who we share information with where it is justified and lawful.