

## Ark Housing Association Ltd

### Privacy Notice – Members and Management Board Members

#### How we use your personal data

This notice explains what information we collect, when we collect it and how we use this. During the course of our activities we will process personal data (which may be held on paper, electronically, or otherwise) about you and we recognise the need to treat it in an appropriate and lawful manner. The purpose of this notice is to make you aware of how we will handle your information.

This privacy notice is for Members and Management Board members. Separate Privacy Notices are available for housing applicants, tenants, visitors to our website and premises, job applicants, contractors and suppliers as well as Employees and Supported Personnel.

#### Who are we?

We are Ark Housing Association Ltd, a Scottish Charity (Scottish Charity Number SC015694), a registered society under the Co-operative and Community Benefit Societies Act 2014 with Registered Number 1899RS and having our Registered Office at Ground Floor, West Suite, Lochside House, 3 Lochside Way, Edinburgh Park EH12 9DT. Ark takes the issue of security and data protection very seriously and strictly adhere to guidelines published in the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR), together with any domestic laws subsequently enacted.

We are notified as a Data Controller with the Office of the Information Commissioner under registration number Z9714372 and we are the data controller of any personal data that you provide to us.

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

Our Head of People & Organisational Development [michael.catlin@Arkha.org.uk](mailto:michael.catlin@Arkha.org.uk) 0131 447 9027  
Ground Floor, West Suite, Lochside House, 3 Lochside Way, Edinburgh Park EH12 9DT

Our Data Protection Lead Officer [dataprotection@Arkha.org.uk](mailto:dataprotection@Arkha.org.uk), 0131 447 9027  
Ground Floor, West Suite, Lochside House, 3 Lochside Way, Edinburgh Park EH12 9DT

Our Data Protection Officer [info@rgdp.co.uk](mailto:info@rgdp.co.uk) 0131 222 3239  
RGDP LLP Level 2, One Edinburgh Quay 133 Fountainbridge, Edinburgh EH3 9QG

#### The information we collect from you, or from third parties, includes:

- Name
- Date of Birth
- Address
- Ark membership number and dates of membership
- Telephone number
- E-mail address
- Occupation
- Signature
- Relevant financial information in relation to payment of membership fees
- Relevant declarations, such as in relation to potential conflicts of interest

- In relation to board members, details regarding your professional experience and relevant employment History
- In relation to board members, information in relation to protected characteristics in terms of the Equality Act 2010, such as health requirements (disability), religion, sexual orientation and race or ethnic group, if relevant
- In relation to board Members, training and review records
- In relation to the Chair and Depute Chair of the Board, criminal convictions; and
- In relation to the Chair and Depute Chair of the Board, PVG Number

### Why we need this information about you and the legal bases for processing

We need your information and will use your information for:

- Administration of membership and board membership records
- Administration in relation to the payment of membership fees
- Issuing share certificates
- Updating entries in relevant Ark registers, such as the register of members and the register of board members, and making these publicly available as necessary in accordance with Ark's rules and regulatory expectations
- Administration of relevant meetings, including annual general meetings, board meetings and sub-committee meetings
- Appraisal, training and development of board members
- Publishing relevant board member information, and records of relevant meetings, in annual accounts and on our website, in accordance with regulatory and legal expectations
- Sharing Board Member (and where requested Member) information with Ark's regulators, such as the Scottish Housing Regulator and
- The administration of formal processes such as in relation to complaint investigations, or alleged code of conduct breaches, where necessary.

When we use your information, we are required to have a lawful basis to do so. The lawful bases we may rely on include:

- **Consent:** where you have given us clear consent for us to process your personal information for a specific purpose. This will only apply in limited circumstances where we have clearly asked for your consent;
- **Contract:** where our use of your personal information is necessary for a contract we have with you, or because you have asked us to take specific steps before entering into a contract. This includes where you apply for housing and in order to enter into and perform your tenancy agreement;
- **Legal obligation:** where our use of your personal information is necessary for us to comply with the law. This includes our regulatory obligations, such as those imposed on us by the Scottish Housing Regulator;
- **Vital interests:** where our use of your personal information is necessary to protect you or someone else's life;
- **Public task:** where our use of your personal information is necessary for us to perform a task in the public interest or for our official functions and the task or function has a clear basis in law. This may apply to our public functions as a registered social landlord; and
- **Legitimate interests:** where our use of your personal information is necessary for our legitimate interests or the legitimate interests of a third party (unless there is a good reason to protect your personal information which overrides our legitimate interests).

Some of the personal data that we process in relation to you is called 'special category personal data'. This type of data is more sensitive and therefore needs more protection including an additional legal basis. We process special category data, as relevant, in relation to gender, health and ethnic origin. We process this data so that we can provide our housing service in accordance with the substantial public interest involved in our work as a Registered Social Landlord.

## **Sharing of Your Information**

The information you provide to us will be treated by us as confidential and will be processed only by our employees within the UK, subject to the comments in the 'Transfers outside the UK' section below. We may disclose your information to other third parties if we are required to by law or if they act for us for the purposes set out in this notice or for other purposes approved by you, including the following:

- To process the payment of your membership fees
- To comply with the legal and regulatory expectations of our regulators, such as the Scottish Housing Regulator, the Care Inspectorate, and Disclosure Scotland, as well as with the work of our auditors
- To manage your training, where there is involvement by external providers, verifiers or accrediting agencies, and
- If we enter into a joint venture with or are sold to or merged with another business entity, your information may be disclosed to our new business partners or owners

Unless required to do so by law, we will not otherwise share, sell or distribute any of the information you provide to us without your consent.

## **Transfers outside the UK**

When required, eg, if you reside outside the UK and we need to contact you, we may transfer your information outside the UK as follows:

- To EU/EEA countries or countries which have an adequacy agreement with the UK or EU.
- To countries outside the EU/EEA where there is no adequacy agreement. In these instances we will ensure that appropriate safeguards are in place.

## **Security**

When you give us information we take steps to make sure that your personal data is kept secure and safe. We will only store relevant information in accordance with our Data Protection policy and associated policies, copies of which are available on request.

## **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, as required by law or as set out in any relevant contract we have with you. Our Retention procedure and schedule is available from our office on request.

## **Your Rights**

You have the right at any time to:

- Access information about the personal data we process and to obtain a copy of it;
- To change incorrect or incomplete data;
- To erase or stop processing your personal data (in certain circumstances);
- To stop sending you marketing messages;
- To object to processing in certain circumstances.

If you would like to exercise any of your rights, have any questions or would like to complain about the way that we process your personal data, please contact the Data Protection lead at:

Ark Housing Association Ltd  
Lochside House, 3 Lochside  
Way, Edinburgh Park  
EH12 9DT

Telephone: 0131 447 9027  
Email: [dataprotection@arkha.org.uk](mailto:dataprotection@arkha.org.uk)

Any requests received by us will be considered under applicable data protection legislation.

You also have the right to complain to the Information Commissioner's Office in relation to our use of your information. The Information Commissioner's Office's contact details are below:

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

[www.ico.org.uk](http://www.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.

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