

ARK Housing Association Ltd

Fair Processing Notice

(How we use ARK Member and Board Member information)

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.

1. 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 The Priory, Canaan Lane, Edinburgh EH10 4SG (“we” or “us”) is committed to a policy of protecting the rights of individuals with respect to the processing of their personal data and adhere to guidelines published in the General Data Protection Regulation (EU) 2016/679, together with any domestic laws subsequently enacted. We collect and use personal data for a variety of reasons.

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.

Our Data Protection Officer is Kelly Patterson: dataprotection@arkha.org.uk 0131 447 9027. Any questions relating to this notice and our privacy practices should be sent to our Data Protection Officer.

2. We collect the following information from you through a variety of resources, either (i) directly from you, or (ii) from third parties (such as external training providers):
 - (a) Name;
 - (b) Date of Birth;
 - (c) Address;
 - (d) ARK Membership Number and dates of Membership;
 - (e) Telephone Number;
 - (f) E-mail address;
 - (g) Occupation;

- (h) Signature;
- (i) Relevant Financial information in relation to payment of Membership fees;
- (j) Relevant declarations, such as in relation to potential conflicts of interest;
- (k) In relation to Board Members, details regarding your professional experience and relevant employment History;
- (l) 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;
- (m) In relation to Board Members, training and review records;
- (n) In relation to the Chair and Depute Chair of the Board, Criminal Convictions; and
- (o) In relation to the Chair and Depute Chair of the Board, PVG Number.

We collect and use the above information and personal data for:

- (a) Administration of Membership and Board Membership records;
- (b) Administration in relation to the payment of Membership fees;
- (c) Issuing Share Certificates;
- (d) 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;
- (e) Administration of relevant meetings, including Annual General Meetings, Board Meetings and Sub-Committee Meetings;
- (f) Appraisal, training and development of Board Members;
- (g) Publishing relevant Board Member information, and records of relevant meetings, in annual accounts and on our website, in accordance with regulatory and legal expectations
- (h) Sharing Board Member (and where requested Member) information with ARK's regulators, such as the Scottish Housing Regulator; and
- (i) The administration of formal processes such as in relation to complaint investigations, or alleged code of conduct breaches, where necessary.

The above information will be collected and used in accordance with ARK's contractual relationship with you, our legitimate interests, and in order to meet our legal and regulatory obligations.

Some of the personal data that we may process in relation to you is called 'special category data'. This type of data is more sensitive, and therefore needs more

protection. We process special category data, as relevant, in relation to health, ethnic origin, and religion. We process this data in order that we can ensure that we consider equality and human rights issues properly when making decisions, in the design and review of internal and external policies, in our day-to-day service delivery, and in order to fulfil our legal and regulatory obligations. We will only process special category data in relation to you with your explicit consent.

3. We may disclose to and share information about you with third parties for the purposes set out in this notice, or for purposes approved by you, including the following:
 - (a) To process the payment of your Membership fees;
 - (b) 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;
 - (c) To manage your training, where there is involvement by external providers, verifiers or accrediting agencies; and
 - (d) 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.

4. Your information will only be stored within the UK and EEA, although we may transfer your information outside the UK and/ or EEA either by email, or to software service providers (such as SurveyMonkey in relation to surveys). In these circumstances, data may be stored in countries where data protection laws do not provide the same level of protection as those in the European Economic Area, such as the USA.

We will only share your personal data with email or software providers who transfer your personal information outside the EEA, where either the transfer is to a country which the EU Commission has decided (subject to relevant conditions) ensures an adequate level of protection for your personal information, or where the service provider itself has confirmed that its processing is compliant with UK Data Protection laws.

5. When you give us information we take steps to make sure that your personal information is kept secure and safe. We will only store relevant information in accordance with the following policies, copies of which are available on request:

- (a) Privacy Policy; and
- (b) Email, Internet & ICT Policy.

6. 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.

We will generally keep your information for the following periods:

ITEM	RETENTION PERIOD
Register of Members & Share Certificates	Permanent
AGM & EGM minutes (signed copy)	Permanent
Register of Board Members	Permanent
Board & Sub-Committee minutes (signed copies)	Permanent
Sub-Committee minutes (unsigned)	Permanent
Declarations of Interest/ Register of Interests	Permanent

7. You have the right at any time to:

- Ask for a copy of the information about you held by us in our records; and
- Require us to correct any inaccuracies in your information.

8. If you would like to find out more about how we use your personal data or want to see a copy of information about you that we hold or wish to exercise any of your above rights, please contact ARK's Data Protection Officer, at the contact details provided above.

You have the right to complain to the Information Commissioner's Office in relation to our use of your information.

The accuracy of your information is important to us – please help us keep our records updated by informing us of any changes to your personal and contact details.