



ARK HOUSING ASSOCIATION SUPPORTED PEOPLE PRIVACY NOTICE

How we use your Personal Information

Introduction

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.

The purpose of this privacy notice is to explain to you the reasons why we may hold and process your personal data and explain your rights under the current data protection laws.

This privacy notice is for supported people. Separate privacy notices are available for housing applicants, tenants, visitors to our website and premises, job applicants, contractors and suppliers, Employees and our Management Board members.

Ark controls and processes a range of information about you. In this privacy notice your 'personal information' means your personal data i.e. information about you from which you can be identified. Your personal information does not include data where your identity has been removed (anonymous data). It is important that the personal information that we hold and process about you is accurate and up to date. Please keep us informed if your personal information changes during your engagement with us

Who Are We?

Ark, Recognised Scottish Charity No SC015694, Scottish Housing Regulator No 66, Co-operative and Community Benefit Societies Act No 1899RS, Property and having their Registered Office at Lochside House, Ground Floor, West Suite, Lochside Way, Edinburgh Park EH12 9DT. We take the issue of security and data protection very seriously and strictly adhere to guidelines published in the Data Protection Act of 2018 (the 2018 Act) and the UK General Data Protection Regulation (UK GDPR), the Data (Use and Access) Act 2025 together with any domestic laws subsequently enacted.

We are registered as a Data Controller with the Office of the Information Commission (IC) under registration number Z9714372 and we are the data controller of any personal data that you provide to us. Our Data Protection Officer (DPO) is:

RGDP LLP, Level 2, One Edinburgh Key, 133 Fountainbridge, Edinburgh EH3 9QG

Tel: 0131 222 3239

Email: info@rgdp.co.uk

Any questions relating to this notice and our privacy practices should be sent to dataprotection@arkha.org.uk.

Where does your personal information come from?

We collect information about you:

- When you ask for a care and support service from us, or another person or organisation (such as a council or legal representative) asks for a service on your behalf, or when you otherwise provide us with information about you.
- When other people or organisations involved in your life (such as family members, social workers, legal representatives, other support providers, landlords, health professionals, or advocacy services) provide us with information about you
- When you apply to become a member.
- When you contact us by email, either through our website or directly, or by post, to request a service, e.g. to report any issues about your service from us, or to make a complaint.
- From your arrangements, or the arrangements of those acting on your behalf, to make payment to us (such as bank details, payment card numbers, employment details, benefit entitlement and any other income or expenditure related information) and
- When you tell us how you feel about our services by completing our surveys and questionnaires.

The Information we collect about you:

- Your name, previous names and gender
- Your photograph
- Your address, previous address, and forwarding address (if you take and then end a service with us)
- Your telephone number(s)
- Your e-mail address
- Your signature
- Your National Insurance number, Passport number, and Driving license number
- Your financial Information, such as your bank details
- Your benefits information
- Details of people involved in your life, such as your family members, friends, carers, Social Workers, Health Professionals, advocates, landlords, etc
- Copies of relevant legal orders or documents such as Guardianship and Intervention Orders, Powers of Attorney, and Section 47 medical certificates
- Information about offences which are relevant to the service which we provide, such as Antisocial Behaviour Orders, and MAPPA Orders

- Your health information, such as your diagnosis (e.g. learning disability), mental health, physical disabilities or conditions, details of your prescribed medications, illnesses, pregnancy, NHS number, and Hospital Passport
- Information about your race, ethnic origin, religion, immigration status, politics, sexual orientation and sex life
- Information from your identification documents, such as your Passport, Birth Certificate, Driving License or Marriage Certificate (e.g. to support you to plan a holiday or to make an application)
- If you receive a housing service from Ark or another landlord, relevant information about your tenancy and
- Photographs and/ or videos of you if you attend Ark events and agree to this.
- When your images and audio are captured on our CCTV systems

We receive the following information from third parties:

- Information about your care and support
- Information about your finances, including benefits information
- Information about your health
- Information about any relevant legal orders in place to support you
- Information about your housing arrangements
- Payments made by you to us and
- Details of concerns raised about you or your support.

We may also process the following information about you (please note that this list is not exhaustive):

- Benefits information, including awards of Housing Benefit / Universal Credit
- Payments made by you via bank transfer, AllPay or any other method
- Complaints or other communications regarding behaviour or other alleged breaches of the terms of your contract with us, including information obtained from Police Scotland and Community Safety Glasgow
- Reports as to the conduct or condition of your tenancy, including references from previous landlords, and complaints of anti-social behaviour
- Support needs of vulnerable tenants, including medical reports for medical adaptations and Social Work reports for applications;
- Information supplied by the local authority relating to homeless applications
- New home owner details
- Tracing and employment details

We receive this information from:

- Local Authorities
- Health professionals
- Charities
- Other registered social landlords
- Legal Advisors
- Contractors and suppliers who have undertaken works on our behalf
- MPs, MSPs and councillors
- Utility companies

- Household members
- Debt collection agencies
- Department of Work and Pensions
- HMRC

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

We need your information and will use your information:

- To meet our obligations and duties to you (such as to support you with your health, finances, relationships and activities), following the terms of our contract with you (or our contract with the relevant council on your behalf)
- In connection with the last point, to develop, review and maintain relevant support planning materials, including 'Good Life support plans', risk assessments and support reviews
- To meet our legal obligations by providing information to the Police and Antisocial Behaviour Services, when we are asked to do this
- To help us to review and improve the service we provide to you, e.g. by sending you newsletters and surveys, according to Ark's legitimate interests, unless you tell us that you do not want to receive these
- To give you information that you ask for
- To respond to any complaints you make or are made on your behalf
- To meet our regulatory and legal obligations, such as reporting information to the Care Inspectorate, Scottish Social Services Council, Adult Support and Protection, Scottish Public Services Ombudsman, Health and Safety Executive, and Duty of Candour;
- To use the information we collect to help us to run and develop our business and the services we offer
- To contact you to send you information about our services and details of any changes to our services which may affect you
- For all other purposes consistent with the proper performance of our operations and business and
- To contact you for your views on our products and services

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.

Who might my data be shared with, or seen by?

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 who act for us for the purposes set out in this notice or for other purposes approved by you, including the following:

- With a legal representative acting on your behalf, according to their powers
- If you ask any other person to act for you, such as a family member or advocacy worker. If you become an Ark service user, with our bank/ ALLPAY/ WORLDPAY/ Local Authorities and benefits agencies.
- With the Local Authority which commissions and/ or oversees your support service; Information about your care and support, activities and health, with relevant carers (including other service providers), friends or family members. This is so we can provide the best service possible to you, according to our legitimate interests, unless you tell us that you don't want us to share this information.
- If you receive support to manage your health, with the relevant health professionals who provide a service to you.
- If you ask for our support to make an application for benefits, or if we become your Corporate Appointee for benefits, with the relevant benefits agency or agencies.
- If we need to open an In Trust bank account with our bank, to support you to manage your finances, with our bank.
- If we are required by law to provide information, with the relevant solicitor, Sheriff Officer, or the Police, as appropriate.
- If we enter into a joint venture with or merge with another business entity, your information may be disclosed to our new business partners or owners.
- If we support you with your housing or maintaining your tenancy, with your landlord, people you live with, utility companies, and with any relevant

contractors hired by your landlord to provide you with a service in your home.

- If we need to conduct an investigation, for example about a complaint, Health and Safety related incident, whistleblowing or disciplinary action etc. information may be given to the Scottish Public Services Ombudsman, Police Scotland, Local Authority departments, the Care Inspectorate, Scottish Social Services Council, Scottish Fire & Rescue Service, the Health and Safety Executive, and others involved, whether investigating or otherwise.
- If we need to instruct an agency to provide staff to support us to deliver your service, with the relevant agency or agencies.
- If we need to archive any of the records relating to your support, during the period that we are providing a service to you, with the organisation which provides archiving services on our behalf.
- With the relevant regulators and auditors who ask us to disclose information to them about the services we provide to you.
- If we are investigating payments made or otherwise, your information may be given to payment processors, such as the Local Authority and the Department of Work & Pensions and If we are conducting a survey of our products and/ or service, your information may be given to people assisting in the compilation and analysis of the survey results.

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.

What are the legal bases for us processing your personal data?

We will only process your personal data on one or more of the following legal bases:

- contract
- consent
- our legitimate interests (including CCTV imagery, vacant property management, youth advisory panel, payment predictions, and sending service bulk SMS)
- vital interests
- public interest / official authority
- where we have a legal obligation to do so.
- Where there is a redefined legitimate interest, as defined under the Data (Use and Access) Act 2025 and by the relevant Secretary of State.

Processing special category personal data

Special categories of personal data means information about your racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; health; sex life or sexual orientation; criminal convictions, offences or alleged offences; genetic data; or biometric data for the purposes of uniquely identifying you.

The special categories of personal information referred to above require higher levels of protection. We need to meet additional legal requirements for collecting, storing, and using this type of personal information.

Our legal basis for processing your special category data is:

- (a) Explicit consent
- (b) Employment, social security and social protection (if authorised by law)
- (c) Vital interests
- (d) Not-for-profit bodies
- (e) Made public by the data subject
- (f) Legal claims or judicial acts
- (g) Reasons of substantial public interest (with a basis in law)
- (h) Health or social care (with a basis in law)
- (i) Public health (with a basis in law)
- (j) Archiving, research, and statistics (with a basis in law)

Where do we keep your data?

Your information will only be stored within the United Kingdom except where international transfers are authorised by law.

How do we keep your data safe?

When we are provided with personal data, we take steps to make sure that your personal information is kept secure and safe. All data is held in accordance with Ark Housing Association's data protection policies and procedures. Our systems are password protected and all electronic data is stored securely. All paper files are kept in locked cabinets.

How long do we keep your data?

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 / best practice, or as set out in any relevant contract we have with you and in accordance with our Data Retention Policy and Schedule.

Your rights

You have the right at any time to exercise your data subjects' rights in relation to the following:

- the right to be informed
- the right to access
- the right to rectification
- the right to object to processing
- rights in relation to automated decision making and profiling
- the right to be forgotten
- the right to data portability
- the rights to restrict processing

When you make a request, we are required to verify your identity and may ask you for specific information to fulfil this purpose. Normally, you will not need to pay a fee when you make any of the above requests, but we may charge a reasonable fee or refuse to comply if your request for access is clearly unfounded or excessive.

If you would like to exercise any of your rights above please contact us at dataprotection@arkha.org.uk in the first instance. You should note that your rights under the UK GDPR and 2018 Act are not absolute and are subject to qualification.

It is important that the personal information that we collect, hold and use about you is accurate and current. Please keep us informed of any changes by contacting our Data Protection Lead/DPO.

Use of Artificial Intelligence (AI) Tools

We use Microsoft Co-Pilot, a secure AI tool integrated into our Microsoft 365 environment, to help our staff draft documents, summarise materials, and retrieve information more efficiently.

Co-Pilot works only within our secure systems and does not use your information to train public AI models. Your personal data remains stored in our UK/EU Microsoft data centres and is protected by the same security measures and confidentiality obligations that apply to all of our files.

All outputs from Co-Pilot are reviewed by our staff before use. We do not make decisions solely by automated means.

Queries and Complaints

If you are not satisfied with our handling of your request, in the first case you should contact us with your complaint so that we can investigate. Complaints over handling your rights should be sent to dataprotection@arkha.org.uk and marked GDPR Complaint.

Our Data Protection Officer is provided by RGDP LLP and can be contacted either via 0131 222 3239 or info@rgdp.co.uk

If you still 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:

Information Commission
Telephone: 0303 123 1113
Online: [Make a complaint | ICO](#)

This Privacy Notice was last updated on 03/12/2025