

# Fair Processing Notice

Orkney Housing Association Limited – Housing Applicants

(updated May 2026)



**The Data (Use and Access) Act 2025 (“DUA”) and associated legislation/regulation will make changes to data protection law meaning that the functions of the Information Commissioner will be transferred to the Information Commission. At the time of preparing this Notice these changes are yet to come into force. Until such time as these changes come into force references in this Notice to the “Information Commission” (and any associated expressions) should be treated as a reference to the Information Commissioner.**

## How we use your personal information:

Orkney Housing Association (incorporating Orkney Housing Enterprises) is known as a “Controller” of the personal data provided to us and is registered with the Office of the Information Commission (IC) under registration number Z4942508. We take the issue of security and data protection very seriously and strictly adhere to guidelines published in the Data Protection Act 2018 and UK GDPR, together with any domestic laws subsequently enacted.

If you have any questions relating to this notice and our privacy practices you should contact our Data Protection Officer, who is the central point of contact for data protection purposes, by email [dataprotection@ohal.org.uk](mailto:dataprotection@ohal.org.uk) or by calling the office on 01856 875253.

## The personal information we may collect about you includes:

- Personal details: name, addresses, date of birth;
- Contact details: home phone number, mobile phone number and email address;
- Further details: NI number, gender, ethnicity, disability, medical details, marital status, signature; and
- Household composition: details of existing accommodation arrangements and family members seeking accommodation with applicant.

We may also record factual information when you contact us, as well as any action we take, so we have a record of what happened.

We need to know your personal data to provide you with the housing services you have engaged with us to provide, and to communicate effectively with all data subjects as required by the Scottish Housing Regulator.

We will not collect any personal data from you that we do not need.

## We need your personal information to allow us to:

- Process and manage housing applications;
- Sign up new tenants to suitable properties;
- Meet our legal and statutory obligations including information we have to provide to regulators and statutory authorities;
- Adhere to statutory regulation and provide annual returns and statistics;
- Reply to enquiries and contact all customers when required; and
- Issue service information.

We may receive information from third parties in the format of letters or information from Doctors or other health professionals.

### Sharing of your information:

All personal data we process is processed by our staff in the UK. We sometimes need to share personal information with other organisations, however, where this is necessary we are required to comply with all aspects of the Data Protection Act 2018. We do not give anyone else access to your information in return for payment, marketing or commercial purposes.

We may send reference requests to your current, or previous, landlords with whom we would have to provide the name, address and tenancy dates provided in your application in order for them to provide us with the required information, we will not share your personal information.

We are also required to share information with statutory bodies governing finance and housing sectors or for auditing and inspection purposes. However, this will be restricted to the actual information required and will mainly be viewed within the Association's office, with strict permission set on our electronic file system to ensure use is controlled. We will also encrypt and limit the content of any files that do have to be sent either electronically or otherwise.

### Special Category Data:

There are certain occasions where it will be necessary to perform our functions as a social housing landlord for us to share information containing special categories of data. Currently the only sensitive information we share are:

- ethnic origin, which is shared anonymously with statutory bodies and reported as a statistical breakdown of housing or job applicants only, not including any actual personal data;

- medical information with relevant professionals at NHS Orkney, Orkney Health & Care and Orkney Islands Council.

### Third Party Access:

Any 3<sup>rd</sup> party who the Association gives access to our electronic files is called a Data Processor as they are processing data on our behalf. Although the Data Controller and Data Processor are two separate entities, we are required to ensure all 3<sup>rd</sup> party access is given in compliance with all Data Protection principles, and to this effect will have a 3<sup>rd</sup> party access agreement in place.

Only IT maintenance/support contractors, specialist finance/housing software providers and auditors are given controlled access to our electronic network for reasons of security, maintenance, or any specific purposes outlined in their 3<sup>rd</sup> party agreement.

### Power of Attorney:

If you wish anyone to deal with your affairs on your behalf there is a specific consent form for this on our website or available on request from the office. This allows you to request a named person to discuss specific or all of your personal data with the Association as required.

We will not share your personal information with anyone who claims to represent you unless we are satisfied that you have appointed them, they hold a Power of Attorney or they act in some recognised official capacity. There may be a delay to us dealing with requests whilst we confirm the caller's identity, or check that we have your approval to deal with them.

### Protection of our staff and 3<sup>rd</sup> parties:

If you display challenging, abusive or violent behaviour to Association staff, customers or other residents, we may decide to place a "flag" on your customer record to protect Association staff. If we do this, we will write and tell you why, you will have the right to appeal against our decision as per our Unacceptable Actions Policy. We will share this information with, for example our contractors or the Fire Service to protect their staff also.

### Storage of your personal information:

The Association is committed to holding your personal information securely. This means only those staff and contractors that need to see it have access.

Where we store your personal information and can do so solely on computers we will, however there will be cases where we have paper copies instead, or in addition to this. All computers are kept in secure locations and are password protected. Electronic files kept on the shared network accessed by our computers are controlled by strict access permissions so data is only available to those who need to use it. Paper files containing personal or sensitive information are kept in locked drawers, cabinets or rooms.

Our computer systems are located at our offices in Victoria Street. We occasionally may use computers or laptops offsite, however these are at all times secure and under our control.

We will keep your personal details for no longer than necessary. Once the information is no longer required for the lawful purpose for which it was obtained it will be destroyed

securely. More information on the document retention can be found by contacting the Data Protection Officer.

### Your Rights:

You have the right at any time to:

- ask for a copy of the information about you held by us in our records;
- ask us to correct any inaccuracies of fact in your information;
- request that we restrict your data processing or object to our processing in certain circumstances;
- data portability (in certain circumstances);
- make a request to us to delete what personal data of yours we hold; and
- submit a complaint to us if you believe your personal data has been handled in a way that does not comply with data protection law.

If you would like to exercise any of your rights above please contact us at [dataprotection@ohal.org.uk](mailto:dataprotection@ohal.org.uk). **You should note that your rights under the UK GDPR and 2018 Act are not absolute and are subject to qualification.**

If you have any complaints about the way your data is processed or handled by us, please contact [dataprotection@ohal.org.uk](mailto:dataprotection@ohal.org.uk) or call 01856 875253.

If you 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:

The Information Commission—Scotland  
6th Floor,  
Quartermile One  
15 Lauriston Place  
Edinburgh  
EH3 9EP

Telephone: 0303 123 1113  
Email: [Scotland@ico.org.uk](mailto:Scotland@ico.org.uk)

A full Fair Processing Notice including details of how we collect, process, share and manage data from all clients can be found on-line or by contacting our office.

**The accuracy of your personal information is important to us. Please help us keep our records up-to-date by informing us of any changes. Thank you.**

**Orkney Housing Association Ltd**

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Kirkwall, KW15 1DN

Registered Scottish Charity No: SC031734  
Registered Housing Association No: HAL164  
Financial Conduct Authority Registration No: 2201R(S)

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