



## **Pivotal Group Holdings and Pivotal Housing Association – General Privacy Notice**

### **This document explains how we use your personal data.**

Pivotal Group Holdings Limited and Pivotal Housing Association (hereafter known as Pivotal) is committed to protecting your privacy and takes its responsibilities regarding the security of user information very seriously. This privacy statement sets out how Pivotal complies with the UK General Data Protection Regulations 2018 and the Data Protection Act 2018.

Pivotal Group Holdings is a private limited company registered at Ebenezer House, 5A Poole Road, Bournemouth BH2 5QJ. Registered in England and Wales number: 11764780. It is the holding company of a group of companies comprising, Pivotal Homes Property Ltd and Pivotal Support Group Ltd.

Pivotal Housing Association is a private limited company and a registered charity, registered at Unit 1, St Stephen's Court, 15-17 St Stephen's Road, Bournemouth, BH2 6LA. Registered in England and Wales number 06211760.

**If you are a Pivotal Customer** – this General Privacy Notice should be read in conjunction with the Privacy Notice – Customers. This can be found on our website at our Customer Page or obtained from us on request.

**If you are a Pivotal Employee, Job Applicant or Volunteer** – this General Privacy Notice should be read in conjunction with the Privacy Notice - Employees, Job Applicants and Volunteers. This can be found on our website at our Careers Page or obtained from us on request.

**In all other cases** (including contractors and suppliers) - this General Privacy Notice applies.

Information regarding all our data processing can be obtained from us by:

- Post, using the Housing Association postal address given above.
- Using our website to contact.
- Telephone, on the contact number published on our website.
- Email, using the email address published on our website.

If you wish to submit a Data Protection Request for removal, access or correction please use our Contact Us page: <http://www.pivotalhomesgroup.com/contact-us/>.

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## 1. How we use your personal data

Under the UK General Data Protection Regulation (UKGDPR) personal data is defined as “any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.

The personal data we may collect and process from you are:

Contact details, such as name, postal address, telephone number and email address either through you contacting our different housing group email addresses, or by completing our ‘Contact Us’ online Enquiry Form.

Our cookie policy explains the extent to which our website monitors traffic flow, which pages are the most popular and any information that we may collect. For information about how we use Cookies please see our Cookie Policy at: <http://www.pivotalhomesgroup.com/cookie-policy/>

For information about other data that we may collect from you across our other groups and services can be found on our specific Privacy Notices for:

- a) Pivotal Customers [https://www.pivotalhomes.co.uk/wp-content/uploads/2024/02/24\\_02\\_20-Privacy-Notice-Customers-Version-4.0.pdf](https://www.pivotalhomes.co.uk/wp-content/uploads/2024/02/24_02_20-Privacy-Notice-Customers-Version-4.0.pdf)
- b) Employees, Job Applicants and Volunteers [https://www.pivotalhomes.co.uk/wp-content/uploads/2024/02/24\\_02\\_20-Privacy-Notice-Employees-Job-Applicants-and-Volunteers-V-2.0.pdf](https://www.pivotalhomes.co.uk/wp-content/uploads/2024/02/24_02_20-Privacy-Notice-Employees-Job-Applicants-and-Volunteers-V-2.0.pdf)

**Other processing activities.** In addition to the specific purposes for which we may process your personal data set out above, we may also process any of your personal data where such processing is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person. For example, if you were to have an accident and we needed to contact the emergency services on your behalf. Please do not supply any other person's personal data to us, unless we prompt you to do so.

## 2. Providing your personal data to others

**To our group companies/Pivotal Housing Association.** We may disclose your personal data to any member of our group of companies or Pivotal Housing Association (this means our subsidiaries, our ultimate holding company and all its subsidiaries) insofar as reasonably necessary for the purposes set out in this notice.

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**Our insurers/professional advisers.** We may disclose your personal data to our insurers and/or professional advisers insofar as reasonably necessary for the purposes of obtaining and maintaining insurance coverage, managing risks, obtaining professional advice and managing legal disputes.

**Where we provide your personal data to any third party.** Where we share your personal data with any third party, we will ensure this processing is protected by appropriate safeguards including a suitable data processing agreement with that third party.

**To comply with legal obligations.** In addition to the specific disclosures of personal data detailed above, we may also disclose your personal data where such disclosure is necessary for compliance with a legal obligation we are bound to comply with, or in order to protect your vital interests or the vital interests of another individual.

### 3. Transfers of your personal data outside of the UK

Where your personal data is transferred outside of the UK, we will ensure that either:

- (a) We have made an "adequacy decision" with respect to the data protection laws of the country to which it is transferred, or
- (b) We have entered into a suitable data processing agreement with the third party situated in that country to ensure the adequate protection of your data. Transfers outside of the UK will be protected by appropriate safeguards.

### 4. Retaining and deleting personal data

Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes. We will retain and delete your personal data in accordance with our Data Retention Schedule. We may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

### 5. Your rights

You may instruct us to provide you with any personal information we hold about you. Provision of such information will be subject to your request not being found to be unfounded or excessive, in which case a charge may apply, and:

- The supply of appropriate evidence of your identity (for this purpose, we will usually accept a photocopy of your passport or driver's license certified by a solicitor or bank.)
- We may withhold personal information that you request to the extent permitted by law.
- You may instruct us at any time not to process your personal information for marketing purposes.

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- In practice, you will usually either expressly agree in advance to our use of your personal information for marketing purposes, or we will provide you with an opportunity to opt out of the use of your personal information for marketing purposes.

**Under data protection law you have the right to:**

- Access your data.
- Rectification of inaccurate data.
- Erasure.
- Restrict processing.
- Object to processing.
- Data portability.
- Complain to a supervisory authority.
- Withdraw consent.

**a) Your right to access your data.** You have the right to ask us to confirm whether or not we process your personal data and, to have access to the personal data, and any additional information. That additional information includes the purposes for which we process your data, the categories of personal data we hold and the recipients of that personal data. You may request a copy of your personal data. The first copy will be provided free of charge, but we may charge a reasonable fee for additional copies. We should respond to your request within one calendar month.

**b) Your right to rectification.** If we hold any inaccurate personal data about you, you have the right to have these inaccuracies rectified. Where necessary for the purposes of the processing, you also have the right to have any incomplete personal data about you completed.

**c) Your right to erasure.** In certain circumstances you have the right to have personal data that we hold about you erased. This will be done without undue delay. These circumstances include the following:

- It is no longer necessary for us to hold those personal data in relation to the purposes for which they were originally collected or otherwise processed; you withdraw your consent to any processing which requires consent.
- The processing is for direct marketing purposes and the personal data have been unlawfully processed.

However, there are certain general exclusions of the right to erasure, including where processing is necessary for:

- Exercising the right of freedom of expression and information.
- Compliance with a legal obligation.
- Establishing, exercising or defending legal claims.

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**d) Your right to restrict processing.** In certain circumstances you have the right for the processing of your personal data to be restricted. This is the case where:

- You do not think that the personal data we hold about you is accurate.
- Your data is being processed unlawfully, but you do not want your data to be erased.
- It is no longer necessary for us to hold your personal data for the purposes of our processing, but you still require that personal data in relation to a legal claim and you have objected to processing, and are waiting for that objection to be verified.

Where processing has been restricted for one of the above reasons, we may continue to store your personal data. However, we will only process it for other reasons:

- With your consent, in relation to a legal claim.
- For the protection of the rights of another natural or legal person.
- For reasons of important public interest.

**e) Your right to object to processing.** You can object to us processing your personal data on grounds relating to your particular situation, but only as far as our legal basis for the processing is that it is necessary for the performance of a task carried out in the public interest, or in the exercise of any official authority vested in us or the purposes of our legitimate interests or those of a third party. If you make an objection, we will stop processing your personal information unless we are able to:

- Demonstrate compelling legitimate grounds for the processing, and that these legitimate grounds override your interests, rights and freedoms.
- The processing is in relation to a legal claim.

**f) Your right to object to data portability.** You can object to us processing your personal data for direct marketing purposes. If you make an objection, we will stop processing your personal data for this purpose. To the extent that the legal basis we are relying on for processing your personal data is consent, and where the processing is automated, you are entitled to receive your personal data from us in a structured, commonly used and machine readable format. However, you may not have this right if it would adversely affect the rights and freedoms of others.

**g) Complaining to a supervisory authority.** If you think that our processing of your personal data infringes data protection laws, you can lodge a complaint with the Information Commissioner’s Office (see page 9), the supervisory authority responsible for data protection.

**h) Your right to withdraw consent.** To the extent that the legal basis we are relying on for processing your personal data is consent, you are entitled to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

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**Exercising your rights.** You may exercise any of your rights in relation to your personal data by written notice to us in addition to the other methods specified above.

### Data protection requests

If you wish to make a Data Protection Request for removal, access or correction please use our Contact Us page: <http://www.pivotalhomesgroup.com/contact-us/>.

## 6. Disclosing your Personal Information to 3rd Parties

To the extent necessary or appropriate, and without notifying you, Pivotal may disclose your Personal Information to external 3rd Parties (who are not members of the Pivotal) in the following circumstances:

- To companies and individuals we employ to perform business functions and services on our behalf. Examples of service providers include: providing payroll services to enable us to pay our employees and temporary workers who work on client premises; background screening and verification services; data storage facilities including in the US and the Cloud; hosting our Web servers; analysing data and producing statistics and legal, accounting, audit and other professional services.
- To government agencies including: HM Revenue & Customs; UK Border Agency; Home Office; Police and other law enforcement agencies; regulatory and supervisory authorities (such as the UK Information Commissioner); credit reference agencies; the Disclosure and Barring Service; and 3rd parties performing sanctions and terrorism checks.
- To comply with applicable laws, the service of legal process, or if we reasonably believe that such action is necessary to:
  - Comply with the law requiring such disclosure.
  - Protect the rights or property of Pivotal or its group companies.
  - Prevent a crime, protect national security or for fraud detection or prevention.
  - Protect the personal safety of individuals using our website or members of the public.
  - 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, we will let you know.
  - IT consultants carrying out testing and development work on our IT systems, service providers who we may appoint as data processors and to other service providers who may be based outside the UK.

Where applicable, we will impose appropriate contractual, security, confidentiality and other obligations on to third party service providers and processors we have appointed, based on the nature of the services they provide to us. We will only permit them to process your Personal Information in accordance with the law and our instructions. We do not allow them to use your

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Personal information for their own purposes and when our relationship ends we will ensure your Personal Information is securely returned or destroyed.

Some of these third parties are also controllers responsible for processing your Personal Information for their purposes, for example, HM Revenue & Customs is a controller for tax purposes. We may not be able to impose obligations or restrictions on these controllers in connection with how they process your Personal Information.

## 7. The Legal Basis for processing your Personal Information

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

- To fulfil a contract we are about to enter into or have entered into with you.
- Where it is in our legitimate interests.
- When it is our legal or regulatory duty.
- When you consent.

A legitimate interest is when we have a business or commercial reason to use your information in conducting and managing our business. We will consider and balance any potential impact on you and your legal rights when we process your Personal Information for our legitimate interests.

We do not use your Personal Information for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required to do so for compliance with a legal or regulatory obligation or we are permitted to do so by law).

We have set out a short description of the main ways we will collect, store, process, share and disclose your Personal Information and the legal basis we rely on to do so. We have also identified what our legitimate interests are, where appropriate.

Purpose/Activity	Type of Personal Information	Lawful basis for processing Personal Information
To register you as a client for Pivotal Support services	<ul style="list-style-type: none"> <li>a) Identity</li> <li>b) Medical information</li> <li>c) Personal details such as age and gender</li> <li>d) Other background information that may be relevant such as benefits information.</li> <li>e) Contact information</li> </ul>	Fulfil a contract
Keeping your personal information secure to prevent it from being lost, used, accessed, disclosed or altered in an unauthorised way	<ul style="list-style-type: none"> <li>a) Identity</li> <li>b) Medical information</li> <li>c) Personal details such as age and gender</li> <li>d) Other background information that may be relevant such as benefits information.</li> </ul>	Legal or regulatory duty Legitimate interests Fulfil a contract
	<ul style="list-style-type: none"> <li>a) Identity</li> <li>b) Medical information</li> </ul>	

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To investigate issues, disputes and complaints between us, and you and our other clients and to seek to resolve them	c) Personal details such as age and gender d) Other background information that may be relevant such as benefits information.	Legitimate interests Fulfil a contract
To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	a) Identity b) Medical information c) Personal details such as age and gender d) Other background information that may be relevant such as benefits information. e) Technical data	Legitimate interests Legal or regulatory duty
For marketing communications, make suggestions and recommendations to you about other relevant services that may be of interest to you (e.g. the Pivotal Newsletter)	a) Identity b) Contact c) Technical data d) Usage data e) Profile data	Legitimate interests Where we have a business relationship with you, sending you marketing based on the 'soft opt in' Your consent
To deliver relevant website content and measure or understand the effectiveness of our advertising	a) Identity b) Contact c) Profile data d) Usage data e) Marketing and communications f) Technical data	Legitimate interests (to study how customers use our products/services/website, to develop them, to grow our business and to inform our marketing strategy)
To help us respond to queries, complaints or for other reasons such as responding to requests from regulators, government and law enforcement agencies such as the Police	a) Contact information	Legitimate interests Legal or regulatory duty

## Making a Complaint

If you are unhappy with the way that we have processed or handled your data then you have a right to complain to the Information Commissioner's Office (ICO). The ICO is the supervisory body authorised by the Data Protection Act 2018 to regulate the handling of personal data within the United Kingdom. The contact details for the Information Commissioner's Office are:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
SK9 5AF  
Telephone: 0303 123 1113  
Website: <https://ico.org.uk/concerns/>

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