

## The Mercers Company

# PRIVACY STATEMENT FOR ALMSHOUSE AND SHELTERED HOUSE RESIDENTS

### WHO WE ARE

The Mercers' Company (the "Company") is one of the 110 Livery Companies of the City of London and is incorporated under Royal Charter. It is also Corporate Trustee or shareholder of a number of charities and provides services to them. These charities are collectively known as the Mercer Family of Charities.

A list of the charitable trusts is detailed below:

- The Charity of Sir Richard Whittington
- St. Paul's Schools Foundation
- The Earl of Northampton's Charity
- Mercers' Company Housing Association
- Mercers' Charitable Foundation
- The Charter 600 Charity
- Lady Campden's Money Legacy for Loans
- Mercers' School Memorial Trust (incorporating The Merrett Bequest)
- MSM Trust (dormant)
- Old Mercers' Benevolent Fund
- Mercers' Educational Trust Fund (dormant)

The Company, on behalf of the Mercer Family of Charities collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation (GDPR) which applies across the European Union (including in the United Kingdom) from 25 May 2018. The Company is the Controller of any personal data collected and stored in order to enable members of the Mercer Family of Charities to carry out their activities.

### THE PERSONAL INFORMATION WE COLLECT AND USE

#### Information collected by us

Personal information means any information about an individual from which that person can be identified. It does not include information where the identity has been removed (anonymous information).

In the course of considering applications to become a resident and during your residency, we may collect the following personal information which we have grouped together as follows:

- Identity Information including first name and last name.
- Contact Information including current residential address.
- Special category Information including health information
- Financial information
- Family information
- Special category Data including health data and contact details of your GP
- Additional data to support the Mercers' Mindful Lifestyle Programme
- Financial data which may include your bank account details, details of government paid allowances and benefits, pension details and current expenditure details.

- Family data including next of kin
- Personal statement data to support your needs and personal interests
- Photographic records and CCTV recordings
- Safeguarding records which may be included within daily activity diary held by Scheme Managers.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes.

### **Information collected from other sources**

As well as obtaining personal information directly from you we may also obtain personal information from other sources such as a local authority that may be assisting with the provision of support to you.

### **How we use your personal information**

We will use your personal information:

- In order to provide services to you as a resident of one of our almshouses or sheltered accommodation venues.
- In order to perform any agreement we enter into with you in relation to you being a resident of one of our almshouses or sheltered accommodation venues.
- Where we have collected special category data, such as data pertaining to health, we will use this only with your explicit consent

If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact our Data Compliance Manager (details below).

### **Who we share your personal information with**

We may have to share your personal information with the parties set out below for the purposes set out above:

- External third parties – service providers based in the UK who provide IT and system administration services
- Professional advisers acting as processors or joint controllers including independent financial advisers, emergency care service providers and local authorities for safeguarding purposes.

We require all third parties to respect the security of your personal information and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal information for their own purposes and only permit them to process your personal information for specified purposes and in accordance with our instructions.

We do not transfer your information outside the European Economic Area (EEA)

### **How long your personal information will be kept**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure, the purposes for which we process the personal information and whether we can achieve those purposes through other means and any applicable legal requirements.

### **Basis for collection and use of your personal information**

The table below describes the types of personal information we will use in relation to during your time as a resident of one of our almshouses and sheltered housing venues, and the legal basis we rely on to do so.

<b>Purpose</b>	<b>Type of Data</b>	<b>Lawful Basis</b>
Enable the management and staff of The Mercers' Company to provide you with help and support during the duration of your residence within the Almshouse community	(c) Special Category (d) Mercers' Mindful Data (f) Family data (l) Safeguarding data	(a) Legitimate interest to assist with the effective management of the almshouse or sheltered housing community (b) Consent to hold special category data
Gain knowledge of the interests and aspirations of the resident	(d) Mercers' Mindful Data (g) Personal statement data	(a) Legitimate interest to assist with the effective management of the almshouse or sheltered housing community (b) Consent to hold special category data for Mercers' Mindful programme.
Management of evacuation of the premises	(c) Special Category data	Consent to process special category data (b) Legal obligation under the provision of Health and Safety
Photography to provide a residents directory and to promote Company interests	(h) Photographic records and CCTV	Legitimate interest to aid the smooth running of the almshouse or sheltered housing community. (b) Consent for the sharing of photographic images for marketing purposes
Safety and security whilst on Mercer Housing Association Company property	(c) Special category data (f) Family data (g) Personal statement (h) Photographic records and CCTV	Legal requirement to ensure the Health and Safety provision within the almshouse

		or sheltered housing estate (b) Legitimate interest for the efficient running of the community
Provision of TV licencing services	(a ) Identity data	Legal – provision of TV licencing services
Management of health, welfare and personal/pastoral care needs.	(c ) Special category data (g ) Personal statement (l ) Safeguarding records	Consent for the management of special category data. Legal to ensure the effective management of H&S and safeguarding provision
Grant funding applications for the Whittington Donation Fund	(e ) Financial data	Legitimate interest of the resident/Company to provide grant funding from The Charities
External applications for other funding, such as Attendance Allowance provided by the Local Authority	(e ) Financial data	Legitimate interest of the resident/Company to provide grant funding from external parties.

**Note:** we may process your personal information for more than one lawful ground depending on the specific purpose for which we are using your information.

## YOUR RIGHTS

You have the following rights in relation to your personal information:

- Right of access – you have the right to request a copy of the information that we hold about you. Under the GDPR, there is no longer a charge for a Subject Access Request.
- Right of rectification – you have a right to correct information that we hold about you that is inaccurate or incomplete.
- Right to be forgotten – in certain circumstances you can ask for the information we hold about you to be erased from our records.
- Right to restriction of processing – where certain conditions apply to have a right to restrict the processing.
- Right of portability – you have the right to have the information we hold about you transferred to another organisation.
- Right to object – you have the right to object to certain types of processing such as direct marketing.
- Right to object to automated processing, including profiling – you also have the right to be subject to the legal effects of automated processing or profiling.
- Right to judicial review: in the event that the Company refuses your request for access. We will provide you with a reason why and you have the right to complain as outlined below.

For further information on each of those rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioner's Office ('ICO') on individuals' rights under GDPR.

If you would like to exercise any of those rights, please:

- Email, call or write to us. All requests should be addressed to our Data Compliance Manager (details below)
- let us have enough information to identify you
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know the information to which your request relates.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

### **KEEPING YOUR PERSONAL INFORMATION SECURE**

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal information breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

### **HOW TO CONTACT US AND COMPLAINTS**

The Mercers' Company is the Controller of any personal data collected and stored in order to enable members of the Mercer Family of Charities' to carry out their activities. Our Data Compliance Manager can be contacted directly here:

- Chris Whyte, Principal Staff Officer, The Mercers Company
- Email: [chrisw@mercercs.co.uk](mailto:chrisw@mercercs.co.uk)
- Telephone: 0207 726 4991

We hope that we can resolve any query or concern you raise about our use of your information so please contact us in the first instance.

In the event that you wish to make a complaint about how your personal information is being processed by the Company, or how any query or concern has been handled, you have the right to lodge a complaint directly with the Information Commissioner's Office ('ICO'), the supervisory authority in the United Kingdom (available at [www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO.