

Individual rights – guidance for tenants

The right to be informed

PCH are required to provide you with information about what personal data we are collecting about you, why we require this information and how/what it will be used for. We must provide you with this information transparently and at the time the personal data is obtained. If PCH has obtained your personal data from a third party we are required to notify you of this within one month or at the point where we are using this personal data in communications with you.

This information is provided to you within the PCH Tenant privacy notice.

The right to erasure

You can request that all personal data held on you is deleted or removed from PCHs systems where we do not have a compelling reason for holding and processing the personal data. This is also known as the right to be forgotten.

It is also PCHs responsibility to inform any third parties that we have shared your personal data with of the erasure request.

The right to object

You are able to stop PCH from processing/using your personal data for:

- Direct marketing purposes
- If the processing of your personal data is based upon the legitimate interests of PCH or for the performance of a task in the public interest
- If your personal data is being processed for the purposes of scientific/historical research and statistics

If you exercise the right to object PCH must stop processing your personal data unless:

- We are able to demonstrate that PCHs legitimate interests in processing the data outweigh your reasons for no longer wanting your personal data processed.
- The processing is necessary for the establishment, exercise or defence of a legal claim.

If you object to PCH using your personal data for direct marketing purposes we must stop doing so immediately, there are no exemptions.

The right to rectification

If you feel that PCH is holding personal data about you that is incorrect or incomplete you have the right to have that information changed to reflect accurate personal data about yourself. It is then PCHs responsibility to inform any third parties that they have shared the personal data with about the corrections to your personal data.

The right to data portability

This gives you the right to request a copy of the personal data that you have provided to PCH hold on you in a format that enables you to reuse the data or to provide it to another organisation. It only applies to information that we hold based on your consent, or which is necessary to the performance of a contract, such as your tenancy agreement, and the processing is automated.

Alternatively you can also request that PCH provides a copy of all your personal data direct to another organisation.

The right to restrict processing

You can request that PCH temporarily stop processing all or parts of your personal data. If you restrict the processing of your personal data PCH can still store your personal data we are just unable to process/use it any further. We are also able to retain enough personal data so that we can ensure the restrictions are respected in the future.

The right to restrict the processing of your personal data applies in the following circumstances:

- If you disagree with the accuracy of the personal data we have recorded for you processing can be restricted until the accuracy of the data has been verified or corrected.
- If you have objected to PCH processing your data, while we establish whether we have grounds to continue processing your data, we can hold your data but not process it.
- If we no longer need your personal information but it is necessary to establish, exercise or defend a legal claim.
- If the processing of your personal data is unlawful but you do not wish for us to erase the data we hold.

If we have disclosed your personal information to any third parties we are also required to inform them of the restrictions on the processing of your personal data.

The right not to be subjected to automated decision making

Automated decision making is when a decision is made, about you, electronically and without any human intervention. Under the new data protection legislation you have the right not to be subject to a decision that is based on the automated processing of information.

However the right does not apply if the decision is:

- Necessary for entering into, or performance, of a contract between yourself and PCH (ie. your tenancy agreement)
- Authorised by law (ie. for the purposes of fraud or tax evasion prevention)
- Where you have given your explicit consent for the automated decision making to occur

PCH does not use automated decision making.