

Privacy Notice Housing Services

When you are accessing or applying for services provided by Housing you will need to provide us with some personal data or information.

As the 'data controller' for the personal information – or data – we hold about you, **South Ayrshire Council** decides how your personal information is used/processed, and what it is used for.

This statement provides more details about how Housing Services uses your personal data and provides information on how to get in touch with us if you need to know more.

Your personal data – what is it?

Personal data is information relating to a living person who can be identified from that data. Identification can be based on the information alone, or in conjunction with any other information. The processing of personal data is governed by the General Data Protection Regulation 2016 (GDPR) and supplemented by the Data Protection Act 2018.

What Personal Data will we collect from you?

We will only collect the personal information we need to provide you with relevant information, services and support. The personal data we will collect may include:

- Name
- Date and place of birth
- Address
- Land line telephone number
- Mobile telephone number
- Email
- Gender
- Disability
- Health conditions
- National Insurance number
- Criminal convictions

How will we use your information?

The information will be used to manage all housing related matters. We will collect personal data in order to oversee the provision of housing advice and services.

South Ayrshire Council is responsible for:

- Letting, managing and maintaining the Council's housing stock
- Processing housing application/mutual exchange requests
- Maintaining the statutory homelessness service.
- Providing Housing services to Council tenants, leaseholders, sheltered housing and temporary accommodation residents
- Carrying out day to day repairs (maintenance programmes) including providing a gardening maintenance scheme
- Carrying out major repairs

- Dealing with general enquires and complaints including complaints about antisocial behaviour
- Processing rent payments
- Processing home content insurance for housing clients
- Processing Redecoration allowance/housing loss payments

What is the legal basis for using/sharing your information?

The legal basis is it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller as per Article 6(1) (e) of the GDPR. This is because we have a duty under the Housing (Scotland) Acts 1987 and 2001 and the Homelessness etc. (Scotland) Act 2003 to provide housing services.

Special category data and criminal convictions

For some activities, we also need to process more sensitive personal information about you known as special category data, for example health information and criminal convictions data. Processing is necessary for reasons of substantial public interest as set out in Article 9(2) (g) of the GDPR and meets a condition in Part 2 of schedule 1 of the Data Protection Act 2018.

Who will we share your information with?

Where necessary your information will be shared with:

- Police Scotland
- Department of Works and Pensions
- Governing bodies
- Housing Support Agencies
- Council appointed contractors
- Scottish Courts
- Sheriff Officers
- Regulatory bodies
- NHS
- Scottish Prison Services
- Registered Social Housing Landlords
- Other Council Services, as appropriate

When you sign your tenancy agreement for your property we will share your name and address with our power supplier to enable them to transfer the billing of future utilities to you.

How long do we keep hold of your information?

We keep your personal data for no longer than reasonably necessary. Your information will be retained in line with our Corporate Records Retention Schedule as follows:

| Purpose we collect your personal data | Trigger – event that prompts start of retention period | How long we hold your data |
|---|---|-----------------------------------|
| Letting, managing and maintaining the Council's housing stock | Termination of tenancy | Current plus 10 years |

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|--|---|---|
| Processing housing application/mutual exchange requests | Date of decision | Successful applications 10 years after termination of tenancy |
| | Date of decision | Unsuccessful or withdrawn applications held current plus 10 years |
| | Date superseded | Home exchange requests current only |
| Maintaining the statutory homelessness service. | Termination of tenancy | Application successful file transfer to tenant file. Current plus 10 years |
| | Application unsuccessful and person does not get permanently housed | Current plus 10 years |
| Providing Housing services to Council tenants, leaseholders, sheltered housing and temporary accommodation residents | Date of last action | Temporary accommodation current plus 5 years |
| | Date of last action | Sheltered housing current plus 7 years |
| Carrying out day to day repairs (maintenance programmes) including providing a gardening maintenance scheme | Date of notice | Repairs current plus two years |
| | Date of last action | Maintenance work current plus 5 years |
| | Date of last action | Gardening scheme current plus five |
| Housing repairs | Date of last action | Major repairs (over £50,000) current plus 10 years |
| | Date of last action | Minor repairs (under £50,000) current plus 5 years |
| Dealing with general enquires and complaints including complaints about antisocial behaviour | Date of last action | Enquiries current plus 1 year |
| | | Complaints current plus 5 years |
| Processing rent payments | Date closed | Current plus 7 years |
| Processing home content insurance for housing clients | Date closed | Current plus 7 years |
| Processing Redecoration allowance/housing loss payments | Date closed | Current plus 10 years |

What are your rights?

The lawful basis for processing/using your personal data directly impacts which rights are available to you. For example, some rights will not apply, in this case we are not required to:

- erase your personal information.
- enable the right to data portability

However, you do have the following rights and can ask us to:

- correct your personal information if it is inaccurate;
- complete your personal information if it is incomplete;
- restrict the processing of your personal information in certain circumstances

You also have the right to object to the processing of your personal information.

What about Automated Decision- Making?

Our services does not use automatic decision making.

What are the consequences of failing to provide personal information?

Where the provision of your information to the Council is a statutory or contractual requirement, or a requirement necessary to enter into a contract, you are obliged to provide the information. If the required information is not provided then housing advice and services may be limited.

Do you require this statement in a different format?

Please contact us if you require this information in an alternative format.

How can you get in touch with us?

If you wish to obtain any records held by the Council relating to you, or if you have any general data protection queries, please contact the Council's Data Protection Service at:

Data Protection Officer
South County Buildings
Ayrshire Council
Wellington Square
Ayr
KA7 1DR

Email: DataProtection@south-ayrshire.gov.uk

Telephone: 01292 612 223

Are you dissatisfied with the way your Personal Information has been handled?

If you are unhappy with the way we have dealt with your personal information, you can complain to the Council's Data Protection Officer using the contact details noted above.

If you remain dissatisfied after contacting us, you have the right to complain to the Information Commissioner (<https://ico.org.uk/for-the-public/>):

Information Commissioner's Office – Scotland
45 Melville Street
Edinburgh
EH3 7HL

Email: Scotland@ico.org.uk

Telephone: 0303 123 1115