

Privacy Notice for Housing



Nottingham City Council Information Compliance

**Directorate: Growth and City Development
PN-283**

04/2023

The Housing department are part of Nottingham City Council, who are the data controllers for the personal data (or personal information) that we process about you. When we process personal information relating to you, we will only do so when it is necessary and where we have a lawful reason to do so, depending on the service or reasons for interacting with you. This includes:

Social housing applicants:

- Processing your social housing application

Social housing tenants:

- Maintaining, repairing, and adapting your social housing property
- To complete support plans, risk assessments and ongoing records in order to identify support requirements for residents through the Tenancy Sustainment Team
- To process financial transactions including rent payments and benefits on behalf of other government bodies, e.g. Department for Works and Pensions
- To enrol you as a Housing volunteer and to provide updates about involvement opportunities such as; housing events, steering groups, Panels, and pilot tests
- To allow us to be able to communicate and provide services appropriate to your needs, e.g. informing relevant about your bespoke needs and requirements to support your residency
- To manage the Tenant Academy which includes tenant engagement activity, such as training, learning and support for tenants

Customers of other related services such as Nottingham On Call

- To provide you with a service to help support you living independently

Landlords

- To register you as a provider of accommodation

All of the above data subjects

- To update you on services and support
- To carry out gas safety checks and other property safety requirements
- To enable surveys to be issued to you about the quality of service we provide
- To process your correspondence through the 'Three C's Process' (Complaints, comments and Compliments).

When we process your personal information, we will comply with data protection legislation and enable you to exercise your rights contained within the legislation.

What personal information will the Council process?

The information that we collect about you to fulfil the purposes, objectives, or to deliver the services outlined above will relate to your: (this may include all, or some of the following, depending on the service).

- Name and current address
- Contact details including telephone number and email address
- Date of birth
- National insurance number
- Copies of documents for photo and non-photo identification, such as passport, driving licence, bank statements, birth certificates and letters from DWP
- Proof of citizenship status or eligibility to live permanently in the UK
- Household data (details of who you live with)
- Records of contact between you and our staff
- Financial information (rent arrears, bank account details)
- Information you have shared with us voluntarily
- Record of non-criminal anti-social behaviour
- References from previous landlords
- Details of any social care involvement

The information we process about you may include the following 'special categories of personal data':

- Physical or mental health – relating to your application and your tenancy

- Race or Ethnic origin - (optional and relating to equal opportunities monitoring of your application for tenancy)
- Religious beliefs - (optional and relating to equal opportunities monitoring of your application for tenancy)
- Sex life or sexual orientation – (optional and relating to equal opportunities monitoring of your application for tenancy)

Lawful basis for processing

There are several lawful bases under Articles 6 of the UK GDPR which we use your personal information, depending on the purpose; these mainly include:

- Article 6(1) e) - necessary for the performance of a task carried out in the public interest by the Council or in the exercise of official authority vested in the Council. This is a result of the powers or duties contained in: the Housing Acts 1985, 1996 and 2004, the Allocation of Housing (England) Regulations 2000 SI 2000/70, the Homeless Act 2002, the Housing and Regeneration Act 2008, the Prevention of Social Housing Fraud Act 2013, and the Care Act 2014.
- Article 6 (1) b) - the performance of a contract – we will need to process certain information to fulfil agreements we have with you.

Occasionally, we may also rely on the following lawful bases:

- Article 6 (1) (a) consent – for example, if you have completed a mutual exchange form to consent to your contact details being shared, so we can help you move to a new house.
- Article 6 (1) (d) vital interests – this would only be relied upon to process your personal data in the unlikely event that yours or another person's life was in danger

Under Article 9 of the UK GDPR, the condition under which we process special categories of personal data is that such use is necessary for reasons of substantial public interest under the following provisions of the Data Protection Act 2018 at Schedule 1 Part 2; statutory and government purposes (Paragraph 6), quality of opportunity or treatment (Paragraph 8), regulatory requirements relating to unlawful acts and dishonesty (Paragraph 12), and safeguarding children and individuals at risk (Paragraph 18).

The information being processed may also include your personal data relating to criminal offences, for example any previous criminal offences which could impact on your tenancy. The condition under which this information is processed is Schedule 1 Part 1 Paragraphs 10 (preventing or detecting unlawful acts) and 18 (safeguarding of children and individuals at risk) of the Data Protection Act 2018.

Will my information be shared with other organisations or used for other purposes?

The Council will only share your personal information with other departments within the Council, and with other organisations when it is necessary to provide the services to you, and when we have a lawful reason to do so. The Council may also share your information when we are obliged to by law.

In relation to this service, the Council may share your personal information with:

- Nottingham City Homes Registered Provider
- Nottingham City Homes Enterprise Limited
- Utility providers regarding payment matters
- The Regulator of Social Housing
- The Housing Ombudsman
- The Department for Levelling Up, Housing & Communities
- Third party providers of maintenance or repair works to your property
- Third parties we may engage to carry out surveys on our behalf

The information may also be used for the purpose of any other function carried out by the Council. This may include sharing your information across the Council, or with external organisations. Information about these functions and the legal basis on which information is used for them can be found at <http://www.nottinghamcity.gov.uk/privacy-statement/> The information will only be used for another purpose where it is lawful to do so.

Do I have to provide the information?

Depending on the purpose and legal basis for which we process your personal data, you **may be** obliged by statute or contract to provide the information that is specified here, such as for social housing applications. For other purposes, if we were not able to process your personal data we may not be able to provide you with the relevant service.

How long will the Council retain the data for?

The information that you have provided will be kept for 6 years; either from the date your social housing application was accepted, or the end of your tenancy. The Council publish an Information Asset Register (IAR), this will outline the retention periods for the personal data we process. You can find this IAR on our website <https://geoserver.nottinghamcity.gov.uk/information-asset-register/>

Information Rights

The UK General Data Protection Regulation provides for the following rights as prescribed by the legislation:

A right to request a copy of your information

A right to request rectification of inaccurate personal data

A right to request erasure of your data known as 'the right to be forgotten'

A right to in certain circumstances to request restriction of processing

A right in certain circumstances to request portability of your data to another provider

A right to object to processing of data in certain circumstances

A right regarding automated decision-making including profiling

However, Nottingham City Council can restrict the above rights in certain circumstances for example to avoid obstructing an investigation, avoid prejudicing the prevention, detection, investigation or prosecution of criminal penalties or to protect the rights and freedoms of others.

Data Protection Officer

The Data Protection Officer is Naomi Matthews. You can contact the data protection officer at:

Loxley House,

Station Street,

Nottingham,

NG2 3NG

or at data.protectionofficer@nottinghamcity.gov.uk .

Information Commissioner's Office

The Information Commissioner's Office (ICO) website provides guidance on data protection and privacy matters, you can visit the website at www.ico.org.uk. You also have the right to complain to the ICO if you consider that the Council have processed your personal data incorrectly or that we have breached our obligations to you. You can contact the ICO at:

Wycliffe House,

Water Lane

Wilmslow,

Cheshire

SK95AF

www.ico.org.uk

Further Information

For more information about these rights please refer to our detailed privacy statement at <https://www.nottinghamcity.gov.uk/privacy-statement>