

Privacy Notice for Tenancy and Estate Management



Nottingham City Council Information Compliance

Service Area: Housing Services
Directorate: Growth and City Development
PN- 0336

11/2023

The Tenancy and Estate Management team 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.

We will use the information provided by you for a number of reasons, depending on the service or reasons for interacting with you. This includes:

- Processing your social housing application
- Adapting your social housing property
- To complete support plans, risk assessments and ongoing records in order to identify support requirements for you through the Tenancy Sustainment Team
- 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 you about relevant information which are bespoke to your needs and what requirements are needed to support your residency
- To support you to maintain your tenancy

- To provide maintenance for your garden (where eligible)
- To help you resolve anti-social behaviour and hate crime issues
- To process your correspondence through our complaints process

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 (such as rent arrears, bank account details)
- 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':

- Race or Ethnic origin
- Religious beliefs
- Physical or mental health
- Sex life or sexual orientation
- Record of non-criminal anti-social behaviour

Lawful basis for processing

The basis under which we use your personal information for these purposes is that 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

- 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.
- Article 6 (1) b) - the performance of a contract – we will need to process certain information to fulfil agreements we have with you.

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; 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.

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
- The Care Act 2014.

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:

- 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
- Information will be shared with external organisations where they are involved with the you as the tenant (such as the Police, Solicitors, GPs, Support Worker etc.)

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?

You are not obliged by statute or contract to provide the information that is specified here. However, if we were not able to process your personal data If we are 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. Tenancy agreements will be retained permanently.

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
SK9 5AF

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> .