

## **Privacy notice – Housing Services**

### **Who will process your information**

The personal information you give to us through any of our forms relating to housing and any other personal information we hold about you in this context will be processed by East Renfrewshire Council, having its head office at Eastwood Park Giffnock G46 6UG, for the provision of housing and related services.

### **Why do we process your information?**

Your information is processed to help us administer and provide housing and related services. Your information may also be shared with other departments within the council and other organisations for the same purposes, and also to:

- Check the information we have is accurate;
- Prevent and/or detect crime; and
- Protect public funds.

Other organisations comprise bodies responsible for auditing or administering public funds, other councils, public sector agencies, government departments, regulatory and law enforcement bodies and other private companies, principally contractors providing services on our behalf and contractors providing IT systems on which housing information is held.

### **What is the legal basis for us to process your information?**

The council processes your information in order to perform a task carried out in the public interest and in the exercise of official authority, namely the task of providing housing and related services in terms of the following relevant statutory provisions made by the Scottish Government in relation to housing, homelessness and housing support services:

- Housing (Scotland) Act 1987
- Housing (Scotland) Act 2001
- Housing (Scotland) Act 2006
- Housing (Scotland) Act 2010
- Housing (Scotland) Act 2014
- Homelessness etc. (Scotland) Act 2003
- Homeless (Abolition of Priority Need test) (Scotland) Order 2012
- The Antisocial Behaviour (Scotland) Act 2004
- Private Housing (Tenancies)(Scotland) Act 2016
- Public Bodies (Joint Working) (Scotland) Act 2014.

The law gives certain types of information special significance because of its sensitivity e.g. health information. If we process this type of information about you in relation to Housing we do so on the basis that it is necessary for reasons of substantial public interest and/or to protect the vital interests of a data subject or another individual where the data subject is physically or legally incapable of giving consent.

The law also gives special significance to criminal conviction and offence data. If we process this type of information about you we do so on the basis that it is necessary for reasons of substantial

public interest in the exercise of official authority in terms of the relevant statutory provisions made by the Scottish Government in relation to housing, homelessness and housing support services.

The council can provide housing services outside of our statutory duties for housing, homelessness and housing support services. Where you wish to engage us for these additional services, we will ask you to enter into a contract with us and/or ask for your explicit consent, before processing or sharing the information you provide.

### **Do you have to provide your information?**

Without the correct information we are unable to determine your priority group for housing or provide housing services that meets your needs. Deliberately providing false information in order to gain a house or gain priority housing services is fraud and may lead to the loss of your home or withdrawal of certain housing services.

### **How do we collect information about you?**

Most of the information the council holds about you will come from you as an individual. Some of the information may come from other public sector agencies, government departments, regulatory and law enforcement bodies and other private companies working on the council's behalf.

Such information comprises:-

- Your details and those of your household
- Your housing circumstances
- Your health, care, social and support needs
- Any relevant criminal conviction and offence data
- Your housing requirements
- Your contact details and contact details of anyone acting on your behalf.

If you are a landlord we will also collect information about the properties you own and the condition of these.

### **How long will we keep your information?**

The council will hold your information in line with our [retention schedule](#). Your information will be destroyed under confidential conditions after this period.

### **Who is your information shared with?**

Your information will be accessed by council staff who need to do so to administer and provide housing and related services. If such administration is provided on the council's behalf by an external agency, that agency will also have access to your information.

The council also needs to ensure proper administration of its funds so details will be checked internally for fraud prevention and verification purposes. Information is also analysed internally in order to provide management information and inform future service delivery.

Your information may also be shared with other departments within the Council, bodies responsible for auditing or administering public funds, other councils and housing associations, public sector agencies, governmental departments and other private companies, principally contractors providing services on our behalf and contractors providing IT systems on which housing information is held.

The council also generally complies with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate.

### **Do we transfer your information outside the UK?**

In general we do not transfer personal information outside the UK. We will only transfer information outside the UK when we are satisfied that the party that will handle the data and the country it is being processed in have adequate safeguards for personal privacy comparable to those which are in place in the UK.

### **Profiling and automated decision-making**

The council do not use profiling or automated decision-making for administering or providing housing services. Some processes are semi-automated but a human decision-maker will always be involved before any decision is reached in relation to you.

### **Your rights**

You have the right to:

1. Be informed of the council's use of your information

This notice is intended to give you relevant information to meet this right.

2. Access personal data held about you

You have the right to access personal information the council holds about you by making what is known as a subject access request. You can receive a copy of your personal data held by the council, details on why it is being held, who it has been or will be shared with, how long it will be held for, the source of the information and if the council uses computer systems to profile or take decisions about you.

3. Request rectification of your personal data

We want to make sure that your personal information is accurate, complete and up to date. You have the right to ask us to correct any personal information about you that you believe does not meet these standards

4. Request that the council restricts processing of your personal data

In some cases, you may ask us to restrict how we use your personal information. This right might apply while we are dealing with a request for correction of your data or we are assessing an objection you have made to our use of your information. This right might also apply if we no longer have a basis for using your personal information but you don't want us to delete the data. When you successfully exercise this right we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

5. Object to the processing of your data

You have the right to object to the council's use of your personal data. The council will generally have to demonstrate why it is appropriate to continue to use your data but you have an absolute right to tell us to stop using your personal information for direct marketing purposes.

6. Ask us to delete your information –

You have the right to ask us to delete personal information about you where:

- I. you think that we no longer need to hold the information for the purposes for which it was originally obtained
- II. we are using that information with your consent and you have withdrawn your consent – see [Withdrawing consent to using your information](#) below
- III. you have a genuine objection to our use of your personal information
- IV. our use of your personal information is contrary to law or our other legal obligations.

Withdrawing consent to use your information – Where we use your personal information with your consent you may withdraw that consent at any time and we will stop using your personal information for the purpose(s) for which consent was given.

### **Complaints**

If you have an issue with the way the council handles your information or wish to exercise any of the above rights in respect of your information you can contact the council's data protection officer by post at:

The Data Protection Officer  
East Renfrewshire Council  
Council headquarters  
Eastwood Park  
Giffnock  
G46 6UG

or by email at [dpo@eastrenfrewshire.gov.uk](mailto:dpo@eastrenfrewshire.gov.uk)

You have the right to complain directly to the Information Commissioner's office (ICO).

The address of their head office is: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5EF

Telephone: 0303 123 1113

Alternatively, you can report a concern via their website at [www.ico.org.uk](http://www.ico.org.uk)

The ICO also have a regional office at 45 Melville Street, Edinburgh EH3 7HI

Telephone: 0303 123 1115 e-mail: [scotland@ico.org.uk](mailto:scotland@ico.org.uk)

While you can go directly to the ICO, the council would welcome an opportunity to address any issues you have in the first instance.