

**Shetland Islands Council**  
**Energy Efficient Scotland: Area Based Scheme**  
**Warmer Homes Scotland**  
**Data Protection Privacy Statement**

**Who we are?**

Shetland Islands Council (SIC) is a local authority established under the Local Government etc. (Scotland) Act 1994. Its office headquarters is located at 8 North Ness Business Park, Lerwick, Shetland, ZE1 0LZ, United Kingdom.

You can contact our Data Protection Officer by post at this address, by e-mail at: [dataprotection@shetland.gov.uk](mailto:dataprotection@shetland.gov.uk) and by telephone on (01595) 744550.

The Data Protection Officer for SIC is the Executive Manager, Governance and Law.

**Why do we need your personal information and what do we do with it?**

You are giving us your personal information to allow us to perform our statutory and non-statutory functions in relation to the provision of energy efficiency grant funding under the Scottish Government's Energy Efficiency Scotland: Area Based Scheme (EES: ABS) and Warmer Homes Scotland (WHS).

We will collect your personal data for the purposes of processing of EES: ABS and WHS information submitted by:

- You, through direct contact with the Council (existing queries)
- You, through direct contact with the Managing Agent (new queries)
- You, through domestic energy assessment (DEA) carried out on your property
- You, through evidence provided on the day of the domestic energy assessment

The DEA and evidence collection during the DEA will be carried out on behalf of the Council's contracted Managing Agent (Warm Works) to enable them to process and verify the information and provide a decision on funding.

The Council will use your information to provide ongoing progress reports as required by the Scottish Government.

We also use your information to verify your identity where required, contact you by post, email or telephone and to maintain our records.

**Legal basis for using your information**

We provide these services to you as part of our statutory function as your local authority. You can find more details of our role on our website. Processing your personal information is necessary for the performance of a task carried out in the public interest by the Managing Agent on behalf of Shetland Islands Council.

If you do not provide us with the information required then the Managing Agent will not be able to provide this service to you.

The Managing Agent also needs to process more sensitive personal information about you for reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for us to process it to carry out key functions as set out in law.

Where we are relying on task carried out in the public interest or legal obligation as the lawful basis for processing, we rely on various pieces of legislation. Some of the key legislation and standards we use are detailed below:

- Climate Change (Emissions Reduction Targets) (Scotland) Act 2019. An Act of the Scottish Parliament to amend the Climate Change (Scotland) Act 2009 to make provision setting targets for the reduction of greenhouse gases emissions and to make provision about advice, plans and reports in relation to those targets, with the objective of Scotland contributing appropriately to the world's efforts to deliver on the Paris Agreement reached at the 21st Conference of the Parties of the United Nations Framework Convention on Climate Change
- Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019. An Act of the Scottish Parliament to set targets relating to the eradication of fuel poverty; to define fuel poverty; to require the production of a fuel poverty strategy; and to make provision about reporting on fuel poverty.

To determine if households qualify for assistance, under the terms of the EES: ABS or WHS grant funds:

- We gather the data required direct from the household on behalf of the Managing Agent
- The Managing Agent will then process the data based on public task and substantial public interest.

### **What personal data we hold, and how we obtain it?**

The types of personal data we hold (existing clients)/collect about you can include:

<b>Field Name</b>	<b>Description</b>
Personal Information	This includes: <ul style="list-style-type: none"><li>• Name</li><li>• Address</li><li>• Date of birth</li><li>• Contact details:<ul style="list-style-type: none"><li>○ Email address</li><li>○ Telephone number</li><li>○ Mobile number</li></ul></li><li>• Preferred contact details</li></ul>

	<ul style="list-style-type: none"> <li>• Previous grant award</li> </ul>
Interest in Property	<p>Owner or tenant:</p> <ul style="list-style-type: none"> <li>• Property title</li> <li>• Tenancy agreement</li> <li>• Mortgage statement</li> <li>• Length of time in property</li> </ul>
Household Income, Benefits & Outgoings	<p>Income:</p> <ul style="list-style-type: none"> <li>• Most recent year's tax return / P60 documentation for each job and each person living in the household</li> <li>• Where additional income is being received that's not visible on the P60, additional evidence must also be provided e.g. bank statements</li> <li>• Most recent year's annual income pension statement</li> </ul> <p>Benefits &amp; Other:</p> <ul style="list-style-type: none"> <li>• Proof of benefits</li> <li>• SR1/DS1500/BASRiS forms</li> <li>• Proof of disability</li> </ul> <p>Outgoings:</p> <ul style="list-style-type: none"> <li>• Mortgage/rental payments</li> <li>• Council Tax letter</li> <li>• 12 months copies of all energy invoices showing full tariff and consumption data</li> <li>• Signed letter accompanied by proof of gas and electricity debt from the energy supplier or Citizen's Advice, showing that the household has been referred to the LA for support with their energy bills.</li> </ul>
Energy rating of property	<p>Energy performance report (collated as part of survey) is required stating:</p> <ul style="list-style-type: none"> <li>• Standard Assessment Procedure (SAP) rating of property</li> <li>• Energy efficiency improvements</li> <li>• Predicted energy consumption of property</li> </ul>

Documentation collected will be limited to information supporting your eligibility for the schemes.

All personal data is held within a secure information management system.

## **Who do we share your information with?**

We are legally obliged to safeguard public funds so we are required to verify and check your details internally for fraud prevention. We may share this information with other public bodies (and also receive information from these other bodies) for fraud checking purposes.

We are also legally obliged to share certain data with other public bodies, such as HMRC and will do so where the law requires this. We will also generally comply with request for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate.

Your information is also analysed internally and externally to help us improve our services and to comply with legislations. We provide an internal audit service because the law states we must do so. The law also states we must be audited externally. The external auditors are appointed by Audit Scotland. Our internal audit team and the external auditors may process any personal information held within the Council for its contractors and partners) in order to assess and provide assurances on the arrangements for governance, risk management and internal control within the service area. External audit will also ensure that the financial position stated in the annual accounts give a true and fair view in accordance with the law and codes of practice.

## **Will we send your information outwith the UK?**

We do not transfer your information outwith the UK. If it becomes necessary to do so, we would ensure that the appropriate safeguards are in place.

## **How long do we keep your information for?**

We will keep your information for a maximum of 3 years from the end of the scheme and your information will then be securely disposed of once it is no longer required.

In line with the principles of data protection, your information will be retained and used for as long as is necessary. Where the information is no longer required or within three years of the project ending, your information will be anonymised, for statistical use, in line with SIC's policies and processes.

We maintain a records retention and disposal schedule which sets out how long we hold different types of information for. You can view this on our website at <http://www.shetland.gov.uk/information-rights/InformationManagement.asp> or you can request a hard copy from the address above.

## **Your rights under data protection law**

### **Access to your information**

You have the right to request a copy of the personal information that we hold about you.

## **Correcting your information**

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

## **Deletion of your information**

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

- you think that we no longer need to hold the information for the purposes for which it was originally obtained
- you have a genuine objection to our use of your personal information – see *Objecting to how we may use your information* below
- our use of your personal information is contrary to law or our other legal obligations.

## **Objecting to how we may use your information**

You have the right at any time to tell us to stop using your personal information for direct marketing purposes.

## **Restricting how we may use your information**

In some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold about you or we are assessing the objection you have made to our use of your information.

This right may also apply if we no longer have a basis for using your personal information but you don't want us to delete the data. Where this right is realistically applied will mean that 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.

Please contact us as stated above if you wish to exercise any of these rights.

## **Information you have given us about other people**

If you have provided anyone else's details to the SIC, please make sure that you have told them that you have given their information. We will only use this information for a specific purpose, e.g. to assess your own entitlement to a service.

If they want any more information on how we will use their information they can visit our web site at:

<http://www.shetland.gov.uk/information-rights/DataProtection.asp>

or email [dataprotection@shetland.gov.uk](mailto:dataprotection@shetland.gov.uk).

## **Complaints**

We aim to directly resolve all complaints about how we handle personal information. If your complaint is about how we have handled your personal information, you can contact the Council's Data Protection Officer by E-mail at [dataprotection@shetland.gov.uk](mailto:dataprotection@shetland.gov.uk) or by Phone on (01595) 744550.

However, you also have the right to lodge a complaint with the Information Commissioner's Office, who can be contacted by post at:

Information Commissioner's Office  
Wycliffe House  
Water Lane

Cheshire SK9 5AF

Phone: 0303 123 1113 (local rate) or 01625 545745.

Visit their website for more information at- <https://ico.org.uk/concerns>

Please note if your complaint is not about a data protection matter or does not concern the handling of personal information, please contact us using the Council's Complaints Handling Procedure.

## **Changes to this privacy statement**

We keep our privacy statements under regular review.