



Shetland Mid-Market Homes

Application and Allocation Data Protection Privacy Statement

Who we are?

Shetland Mid-Market Homes is an Arm's Length External Organisation (ALEO) that was set up by Shetland Islands Council and Scottish Futures Trust. This ALEO was established under the Local Government etc. (Scotland) Act 1994 in order to provide Mid-Market Rental properties in Shetland. Its office headquarters is located at 8 North Ness Business Park, Lerwick, Shetland, ZE1 0LZ, United Kingdom.

Shetland Islands Council acts as a Data Processor on behalf of Shetland Mid-Market Homes to process personal data. This means that Shetland Islands Council receives, processes and stores your personal data on behalf of Shetland Mid-Market Homes.

You can contact our Data Protection Officer by post at this address, by e-mail at: dataprotection@shetland.gov.uk and by telephone on (01595) 744 550.

The Data Protection Officer for Shetland Mid-Market Homes is the Executive Manager – Governance and Law of Shetland Islands Council.

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 consider your application and possible allocation of Mid-Market Rent properties.

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 council and it is necessary for the performance of a contract with you (or to take steps to enter into a contract with you).

If you do not provide us with the information we have asked for then we will not be able to provide this service to you.

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:-

- Housing (Scotland) Act 1987
- Housing (Scotland) Act 2001
- The Local Government (Scotland) Act 1973

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

The types of personal data we hold and process about you can include:

Name, Financial Information, Current and Former Address, Employment Information, Date of Birth, Contact Information, Landlord Information and Contact Details

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.

Information is shared between Shetland Islands Council's Housing Service and Shetland Mid-Market Homes in order to process applications and consider in line with the allocation policy. Tenancy checks are carried out with previous landlords as required. Credit checks are also carried out in order to confirm affordability. These checks are carried out by Shetland Islands Council's Housing and Finance Services.

Your information is also analysed internally and externally to help us improve our services and to comply with legislation.

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 will ensure that the appropriate safeguards are in place.

How long do we keep your information for?

We only keep your personal information for the minimum amount of time necessary. We will keep all information provided for a minimum period of 12 months if the application is unsuccessful. If the application is successful, the data provided will be kept for the duration of the tenancy plus a minimum period of 5 years. We maintain a records retention and disposal schedule which sets out how long we hold different types of information for. You can request a hard copy from the address listed 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 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. 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 Shetland Mid-Market Homes or the Council, please make sure that you have told them. We will only use this information for a specific purpose, e.g. to contact those people in the event of an emergency, to assess your own entitlement to a service or to contact them in order to take up references in the event that you are successful in your job application.

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.

Profiling or automated decision-making processes

Those who meet the allocation criteria will be shortlisted and considered in line with our allocation preferences. The property will be offered to the applicant whose circumstances best match the required criteria and Shetland Mid-Market Homes allocation preferences, with a random ballot being used to assign a numerical order when applications exceed the number of homes available and are otherwise comparable. This process does not involve automated decision making and is all carried out by officers within the Council's Housing Service

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 Shetland Islands Council's Data Protection Officer by E-mail at dataprotection@shetland.gov.uk or by Phone on (01595) 744 550.

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
Wilmslow
Cheshire SK9 5AF

Phone: 0303 123 1113 (local rate) or 01625 545 745.

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 Shetland Mid-Market Homes' Complaints Handling Procedure.