

Shetland Islands Council
Housing Support
Data Protection Privacy Statement

Who we are?

Shetland Islands Council 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 and by telephone on (01595) 744 550.

The Data Protection Officer for Shetland Islands Council 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 the housing support service, in line with relevant housing legislation.

The collection of data ensures the following legislation is applied appropriately:

- Housing (Scotland) Act 1987, as amended.
- Housing (Scotland) Act 2001
- Regulation of Care (Scotland) Act 2001
- Homelessness etc (Scotland) Act 2003
- Housing Scotland Act 2010

The information you provide may be used for some or all of the following purposes:

- To assess eligibility and identify individual needs.
- To support you in upholding your tenancy agreement and ensuring that the terms and conditions of your tenancy are adhered to.
- To support you to manage and maintain your home.
- To monitor and evidence our performance by providing information to fulfil regulatory obligations.

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

Legal duties are placed on local authorities to assess the housing support needs of those homeless applicants who are entitled to permanent rehousing and ensure that housing support services are provided. These services can be provided by agencies involved in Housing Support, and in Shetland Housing Support is provided by SIC Housing and a wide range of partner agencies. 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.

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.

We also need 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.

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

For all purposes detailed, we collect basic personal data so that you can be identified and contacted.

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

- Name
- Address
- Phone Number/s
- Email address/s
- Date of birth
- Health / Medical Conditions
- Nationality
- Racial or Ethnic Origin
- Household Composition
- Marital status
- With You For You
- Emergency Contact details
- Education
- Police/Criminal information
- Financial
- Employment
- Third Party Personal information
- Relationship status
- Language Spoken
- National Insurance number
- Information on dependents
- Gender
- Tenancy references

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.

We may share personal information with:-

We may also share your information (if required) with:

- Other council services
- Health & Care services
- Third party contractors
- Third sector agencies
- Hjalmland Housing Association
- Household members including family members, lodgers and carers.
- The Department of Work and Pensions
- Her Majesty's Prison
- Scottish Public Services Ombudsman.
- The Scottish Government
- The Scottish Housing Regulator
- The Home Office
- Emergency Services

How long do we keep your information for?

We only keep your personal information for the minimum amount of time necessary. Sometimes this time period is set out in the law, but in most cases it is based on the business need. 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 Council, please make sure that you have told them that you have given their information to Shetland Islands Council. 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.

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.

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 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 the Council's Complaints Handling Procedure.