



## **PRIVACY NOTICE**

### **Housing – Private Housing Improvement Grants (Adaptations)**

#### **Who we are**

Moray Council, Council Office, High Street, Elgin, Moray, IV30 1BX, [www.moray.gov.uk](http://www.moray.gov.uk) 01343 543451, is a Local Authority established under the Local Government etc. (Scotland) Act 1994. We are the Data Controller of the personal data being collected.

#### **Why we are collecting your personal data**

Personal data will be collected and recorded about you, including your name, address, phone number, date of birth, and, the adaptation required. This data is used to process your application for an Adaptation Grant.

As part of the Grant Application, we will also collect: proof of household income (for the applicant, and their spouse), proof of benefits received, and, a copy of the title deeds for your property.

#### **Personal data we collect from other sources**

In order to process your Grant Application, information about you will be shared amongst internal Council departments, originating from Occupational Therapy (OT). OT will, after discussion with yourself, contact the Housing Service regarding your eligibility for the Grant. In such instances, OT will share your name, address, phone number, date of birth, and, the adaptation required, so that the Housing Service can contact you to arrange the completion of the Grant Application Form.

#### **Personal data you give us about other people**

If you have provided, or have been asked to provide, someone else's personal data for a specific purpose, for example evidence of your spouse's income in support of the Grant Application, please ensure that you have told them that you have given their personal data to us for this purpose.

#### **Our legal basis**

Whenever the Council processes personal data we need to make sure we have a legal basis for doing so. We understand the Council's legal basis in data protection law to be Article 6(1)(e) of the United Kingdom General Data Protection Regulation (UK GDPR), because your personal data is necessary for the performance of a task carried out in the public interest by the Council under the Housing (Scotland) Act 1987 (as amended by the Housing (Scotland) Act 2006).

In carrying out this task the Council is may process special categories of personal data, such as data about health that relates to the adaptation required. We understand our legal basis in data protection law for processing these types of data to be Article 9(2)(g) of the UK GDPR, and Schedule 1, Part 2, Paragraph 6 of the Data Protection Act 2018, as the processing is necessary for reasons of substantial public interest for statutory and government purposes. The processing is necessary for the exercise of functions conferred under the Housing (Scotland) Act 2006.

#### **Who we share this personal data with**

As part of the application process, the name and address of the applicant will be shared with an external contractor(s) so that they can contact you to arrange a visit to your property, with OT, to survey the property/discuss the type of adaptation required and draw up a proposed plan.

When a grant payment is awarded to the applicant, a standard security containing the grant conditions will be registered against the applicant's property in the Land Register maintained by Registers of Scotland. This Register is publicly available on the Registers of Scotland website:

<https://www.ros.gov.uk/>

Statistics will also be shared with the Scottish Government (who provide funding for the Grant) for reporting and monitoring purposes.

Your personal data may be shared internally with authorised officers of the Council if having access to personal data is a necessary part of their roles to ensure records are accurate and up to date. It may also be shared with other relevant Council departments where applicable.

The Council may share your personal data with other relevant Council departments and third parties, where we are under a legal obligation to do so. For example, this may be with Police, Social Security Scotland, UK Border Agency, or other Registered Professional Bodies.

The Council is required by law to protect public funds against fraud. It may share personal data with other relevant Council departments and third parties responsible for auditing and administering public funds, or who otherwise have responsibility for preventing and detecting fraud.

### **How long the personal data is held for**

Your personal data will be securely stored by Moray Council for a pre-determined length of time. Information is only kept for the minimum amount of time necessary. We maintain a record retention schedule which sets out how long we retain different types of personal data. This is available on our website: [www.moray.gov.uk/RetentionSchedules](http://www.moray.gov.uk/RetentionSchedules) (under Section 5 of the Records Management Plan).

The Council stores information within the UK.

### **Your rights**

Moray Council is the Data Controller for this personal data. You have legal rights about the way the Council handles and uses your personal data. These include the right to ask for a copy of it, to ask us to correct it and to ask us to stop doing something with your personal data.

As so far as the legislation permits, you also have the right to request the deletion of your data, and to object to the processing.

For more information about these rights, please see the Information Management pages on the Council's website here: [www.moray.gov.uk/InformationRights](http://www.moray.gov.uk/InformationRights). Alternatively, email the Council's Data Protection Officer at: [IG@moray.gov.uk](mailto:IG@moray.gov.uk)

You also have the right to make a complaint to the Information Commissioner's Office. They are the body responsible for making sure organisations like the Council handle your personal data lawfully.

#### Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 0303 123 1113 Website: <https://ico.org.uk/>