



## **PRIVACY NOTICE**

### **Housing - Council Tenancy - Repairs, Improvements and Maintenance Works**

#### **Who we are**

Moray Council, Council Office, High Street, Elgin, Moray, IV30 1BX, [moray.gov.uk](http://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**

Moray Council has statutory obligations as a Local Authority Social Housing Landlord, to carry out repairs to Council owned properties under the Housing (Scotland) Act 2001 (amended 2010 and 2014).

When we identify a housing repair, programme of works or a requirement to undertake investigations to establish if any improvement upgrades are needed; we will verify your name and address by cross-referencing it with our systems and will contact you to let you know about any required work.

When you contact the Council to request a housing repair, for example by contacting the Council's Customer Contact Centre, we will collect your name, address and contact details (telephone number and/or email address), and details of the repair requested. We will verify your name and address by cross-referencing it with our systems.

Under the [Scottish Social Housing Charter](#) introduced by Section 31 of the Housing (Scotland) Act 2010, the Council, as a Social Landlord must meet set standards and outcomes. These include making sure that tenants' homes meet the [Scottish Housing Quality Standard \(SHQS\)](#), which includes relevant energy efficiency measures.

#### **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, or in the exercise of official authority vested in the Council, and the task or function has a clear basis in law. The Council's basis in law is set out under legislation, including the following:

- Housing (Scotland) Act 1987
- Housing (Scotland) Act 2001
- Housing (Scotland) Act 2010
- Housing (Scotland) Act 2014

In carrying out this task, the Council may process special categories of personal data, such as health data relevant to a repair, or improvement. We understand our legal basis in data protection law for processing this type 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 above legislation.

## Who we share this personal data with

We will share limited personal data with contractors who are carrying out services such as inspections, repairs or improvements on our behalf. Personal data such as name, property address and details of contact preferences (e.g. via telephone, letter or email) for you, or your representative, will be provided to the contractor so that they can contact you to arrange a time to access the property. Contractors and sub-contractors will only use the personal data provided to them to undertake work in fulfilment of their contractual obligations to the Council. We make sure that they manage your personal data appropriately through our contractual arrangements with them.

Anonymised statistical data is shared with the Scottish Housing Regulator, who monitor the Council's performance as a Social Landlord; including the Council's compliance with applicable legislation such as the Housing (Scotland) Act 2001, the Scottish Social Housing Charter and the SHQS.

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, such as 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 this 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: [http://www.moray.gov.uk/moray\\_standard/page\\_41220.html](http://www.moray.gov.uk/moray_standard/page_41220.html). 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/>