

## **PRIVACY NOTICE**

### **Housing – Review of the Local Housing Strategy**

#### **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 a statutory duty under the Housing Scotland Act 2001 to produce a Local Housing Strategy (LHS), which sets out its strategy, priorities and plans for the delivery of housing and related services, and to keep this under review. The aim of the LHS is to make sure that within the Moray area there is enough housing, of good quality, of the right size and type, and in the right places, to meet the needs of local people.

The LHS covers all tenures; owner occupied and private rented housing as well as social housing. The Council's current LHS is under review. The Council has commissioned an experienced housing consultant, Arneil Johnston, to carry out the review on the Council's behalf. Personal data, including postcodes, details of housing adaptations, housing application points and housing application reference numbers, may be shared with Arneil Johnston for this purpose. Arneil Johnston will use this data to contact individuals living within Moray, including Moray Council tenants. We make sure that they process your personal data appropriately through our contractual arrangements with them.

Although the Council is obliged to conduct the review, participation is voluntary and those who take part may be asked to provide their views on Local Housing. Arneil Johnston will only collect personal data where you choose to provide it.

#### **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 the personal data is necessary for the performance of a task carried out in the public interest under the Housing Scotland Act 2001.

Personal data that counts as 'special category data', such as data about health may also be collected as part of the review. Special category data must satisfy extra conditions when processed. We understand that our legal basis in data protection law for processing this special category 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 2001. Also, UK GDPR Article 9(2)(j); as the processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

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

Personal data will be shared with Arneil Johnston. We make sure that they process your personal data appropriately through our contractual arrangements with them.

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, 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 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/>