

PRIVACY NOTICE

Housing – Engagement

Who we are

Moray Council, Council Office, High Street, Elgin, Moray, IV30 1BX, 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

Engagement

The Council will regularly give you the opportunity to complete feedback forms, satisfaction surveys, and housing consultations. These forms and surveys may collect your name, contact details (address, email address, phone number) and a unique way to identify you with the information. The information you provide will be used to monitor the performance of the Housing service, inform policy development and service improvements, as well as for statutory and local reporting.

The Council's Local Housing Strategy is reviewed on a regular basis. The engagement for this review is covered under a dedicated Privacy Notice available here: www.moray.gov.uk/HousingPrivacyNotices

Tenant Participation

Moray Council has a statutory duty under the Housing (Scotland) Act 2001 as a Social Landlord to actively develop and support tenant participation. Tenants have rights under the Housing (Scotland) Act 2010 to information and consultation, including to be consulted on issues that affect them and to participate in decisions that affect the services they receive. Under the 2010 Act, tenants also have the right to:

- form independent representative groups
- access information about housing policies
- be consulted on issues that affect them
- participate in decisions that affect the services they receive.

The Council has duties under the above legislation to:

- produce a Tenant Participation Strategy
- provide resources and support for tenant participation
- keep tenants and tenant groups informed on proposals for housing management, standards of service and the Tenant Participation Strategy
- take account of the views of individual tenants or tenant groups
- set up and maintain a list of Interested Tenants and Registered Tenant Organisations (RTOs), in line with Scottish Government guidance.

The Council also has responsibilities under the Scottish Social Housing Charter, to achieve set standards and outcomes for tenants including in relation to equalities, communication and participation. As such, when you are a Council tenant, we will use the contact details we hold to send you a copy of the Council's Tenants' Voice newsletter, to keep you up to date with relevant Housing information, and, let you know about any Tenants' Voice competitions or Housing prize draws.

If you choose to take part in these competitions or prize draws, we will collect personal data, including your name and contact details, so that we can enter you into the competition or prize draw, and then contact the winner(s). Some competitions, such as Tenants' Voice colouring competitions, are for children and will ask for your child's name, age, address, and the name of their parent/carer and their contact details.

Personal data may be collected from Council tenants, such as your name and contact details (address, phone number and email) if you choose to take part in a Tenant Participation survey, consultation, competition or estate walkabout.

If, you would like to be contacted by the Council to take part in future opportunities for tenant engagement we will add you to our register of interested tenants and contact you to ask if you would like to take part in future tenant events, groups and/or conferences. Additional data may be collected from you so that we can organise your attendance at tenant events, such as any transport or accessibility needs. We may also request your bank details to reimburse you for expenses incurred in connection with an event.

We may take photographs or videos at such events. This is for publicity purposes, for example to include in our Tenants' Voice newsletter. Photographs or videos of individuals will only be taken and used for those purposes with your consent.

Our legal basis

Engagement

When you choose to complete a consultation, feedback form or satisfaction survey, we understand our legal basis to be Article 6(1)(a) of the UK GDPR because you have given consent to your personal data being used for these purposes.

Tenant Participation

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)(c) of the United Kingdom General Data Protection Regulation (UK GDPR), as the processing is necessary for the Council to comply with its legal obligations under the Housing (Scotland) Act 2001 as amended.

In carrying out this task, the Council may occasionally process special categories of personal data, such as health data captured in service specific consultations or feedback forms. 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.

We understand our legal basis for taking photographs or videos of individuals at Housing events, and collecting and entering personal data into prize draws and competitions to be Article 6(1)(a) of the UK GDPR because you have given consent to your personal data being used for these purposes.

Who we share this personal data with

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.

Engagement

Responses to consultations, feedback forms and satisfaction surveys may be shared within the Housing service and with external auditors. Anonymised statistics will be shared with relevant Council Committees, such as to support Policies and Improvements.

Tenant Participation

If you opt to provide your details in order to take part in tenant events, groups and/or conferences, we may share your name and contact details with other tenant organisations such as the Tenant Participation Advisory Service (TPAS) Scotland so that you can attend TPAS Scotland training sessions and conferences.

We also may share your data with our online engagement platform provider, who administers surveys, questionnaires and engagement on our behalf, as well as printers who send hard copies of post including the Tenant's Voice, and other contractors who we commission to undertake surveys, contact you or complete consultations on the Council's behalf. Where we do so, we make sure that they process your personal data appropriately through our contractual arrangements with them.

The register of Registered Tenant Organisations (RTOs) is shared with the Scottish Government. Contact details for RTOs are also shared on the Council's website, and with new tenants in the area.

Where you have consented to have your photograph or video taken at a Housing event, with your consent, we may publish your photograph, for example in the Council's Tenants' Voice newsletter.

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

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.

You have the right to withdraw your consent to enter prize draws, competitions, engagement consultations, or to having your photograph taken at any time by contacting: TenantParticipation@moray.gov.uk

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. Alternatively, email the Council's Data Protection Officer at: 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/>