**Privacy Notice for Newcastle Housing Advice (NHA), delivering the Borough’s Housing Options, Homelessness and Housing Register services**

When you contact us about your housing options, are homeless or are threatened homelessness or regarding the Housing Register, we will ask you for your personal details and the personal details for your household.

Please read this Privacy Notice. It explains what happens to your information.

## **Data Controller**

Newcastle-under-Lyme Borough Council (the Council) is registered as a Data Controller with the Information Commissioner's Office (ICO). Our registration number is Z8439523. You can view it on the ICO website <https://ico.org.uk/ESDWebPages/Entry/Z8439523>. This complies with the Data Protection Act 2018 and the UK General Data Protection Regulations (UK-GDPR).

Our Data Protection Officer makes sure we respect your rights and follow the law. If you have any concerns or questions about how we look after your personal information, please email the Data Protection Officer at dataprotection@newcastle-staffs.gov.uk

Our address is Castle House, Barracks Road, Newcastle-under-Lyme, Staffs, ST5 1BL.

Our telephone number is 01782 717717.

## **Why we process your data (legal basis for processing)**

We have statutory duties on homelessness and the allocation of housing which are set out in the:

* Housing Act 1996 Parts 6 & 7 (as amended)
* Homelessness Act 2002 and
* Homelessness Reduction Act 2017

We will process your personal data for the following purposes:

* Fulfilling our duties under Part 6 and 7 of the Housing Act 1996 (as amended)
* To supply support services to tenants/leaseholders
* To carry out financial assessments/affordability checks
* Carrying out surveys
* Undertaking research
* Internal financial support and corporate functions
* Managing archived records for historical and research reasons
* Maintaining our own accounts and records
* Providing loans or grants

## **What we use your personal data for**

If you contact us about your housing options, homelessness or threatened homelessness or the Housing Register, we will use the personal data you provide to:

* assess your situation
* contact you about your situation and the information you have provided
* ask you to provide documents to prove your homelessness, threatened homelessness or housing circumstances
* contact third parties with your personal information to request further personal information about you
* refer you to third parties and / or other agencies that may be able to help you.

## **Who we may share your data with**

The third parties and / or other agencies that we may refer you to will depend on your personal situation, but may include:

* Social services and related agencies
* NHS medical professionals
* Your doctor or associated doctor's surgery staff
* Registered Providers / Housing Associations
* Staffordshire Police
* Other departments within the Council
* Citizens' Advice

This list is not exhaustive, and we may need to use your data to refer you to other third parties and / or other agencies.

## **Consent and complying with the law**

We will always ask your consent to share your personal information unless we have a legal duty or power to provide it without your consent, for example as part of the National Fraud Initiative.

Sometimes third parties may request information on your behalf about your housing application and they must provide your consent and show they are compliant with the Data Protection Act 2018 for us to do this. We have to process your personal data to comply with our legal obligations under the law on housing and homelessness.

Where you have criminal convictions or offences, we can process relevant personal information for the purposes of complying with the law on housing and homelessness. This is because:

* the processing is necessary to meet our obligations under housing and homelessness law, and
* our main privacy notice (<https://www.newcastle-staffs.gov.uk/all-services/advice/privacy-notice> ) sets out how we will comply with the data protection principles.

## **Where we get your personal data from**

### **Information you supply**

For the purposes of homelessness applications and approaches for advice on homelessness, housing options and the Housing Register, you are the applicant and are the source of the personal data about you and the members of your household.

### **Information from other sources**

We may also gather personal information about you and your household from other sources.  Examples include:

* Private sector landlords, Registered Providers / Housing Associations, lettings agents
* Mortgage lenders
* Health services
* Children, Family and Adult services
* Education services
* Department of Work and Pensions, Housing Benefit and Council Tax services
* the Police, Prisons, Probation and Youth Offending Services
* Citizens Advice and voluntary sector organisations.

## **Who processes your data and who we share it with**

Council staff and partners, such as Registered Providers (Housing Associations) involved in the administration and management of the housing register, homelessness and housing options will receive and process your data.

We may share information about you relating to your housing options, homelessness or threatened homelessness, housing application, with third parties. These include:

* Private sector landlords
* Registered Providers / Housing Associations
* Lettings agents
* Health services
* Children, Family and Adult services
* Education services
* Department of Work and Pensions, Housing Benefit and Council Tax services
* the Police, Prisons, Probation and Youth Offending Services
* Citizens Advice and voluntary sector organisations.

We may share your data with statutory partners for safeguarding purposes in the event that concerns are raised around personal safety or wellbeing (including proof of life enquiries) or to assist in a criminal investigation.

**Homelessness data for research**

We will share data with the Ministry of Housing, Communities & Local Government to evaluate and research homelessness on a national scale.  See the Homelessness information Privacy Notice for full details (<https://www.gov.uk/government/organisations/ministry-of-housing-communities-and-local-government/about/personal-information-charter#privacy-notice>)

## **Transferring your data outside the UK or European Union**

We will not transfer the personal data you have provided outside of the UK or European Union.

## **How long we keep personal data**

We will keep the personal data you have supplied for **six years** after your housing situation has been resolved and you have not contacted us again in relation to housing or homelessness.

If you apply to join the housing register and you do not renew your application, or contact us about it, we will keep your personal data for six years after the renewal date was due.

## **Automated decision making**

We will not use the personal data you provide to make any automated decisions.

## **Your rights as a data subject**

You have the right to:

* see the personal data we hold about you at any time. This is subject to certain caveats, for example, where third parties are identified.
* ask us to correct any errors in the personal data we hold about you.
* ask us to erase your personal data. This right will not apply where we are processing your personal data because it is necessary to comply with a legal obligation.
* request that we restrict the processing of your personal data.  This will only apply in certain situations, for example where:
	+ its accuracy is contested
	+ the processing is unlawful and you oppose its proposed erasure by us
	+ we no longer need to process the personal data, but it is required by you in connection with legal claims.
* object to the processing where the processing is necessary for a task carried out in the public interest or in the exercise of official authority vested in the data controller.  We will still be able to continue with the processing in certain circumstances, such as if there are compelling grounds for the processing which override your interests.

 <https://www.newcastle-staffs.gov.uk/all-services/advice/data-protection>

## **Will you use my personal data for a different purpose?**

No. If we need to make any changes under the Data Protection Act, we will publish a notice on our website explaining what has changed and update our privacy notice.

## **Right to complain**

If you have any worries or questions about how we manage your personal information, please email our Data Protection Officer at dataprotection@newcastle-staffs.gov.uk

If you are dissatisfied with how we process your personal data, you have the right to complain to the Information Commissioner - <https://ico.org.uk/make-a-complaint/>

The address is Information Commissioner's Office, Wycliffe House, and Water Lane, Wilmslow, SK9 5AF.

## **More information**

Main Privacy notice link - <https://www.newcastle-staffs.gov.uk/all-services/advice/privacy-notice>

Privacy Notice for Homelessness information (from the Ministry of Housing, Communities & Local Government) - <https://www.gov.uk/government/organisations/ministry-of-housing-communities-and-local-government/about/personal-information-charter#privacy-notice>

ICO Website Link - <https://ico.org.uk/>