

Housing applications and homelessness

Privacy Notice (How we use your information)

The categories of information that we collect, process, hold and share include:

- personal information (such as name, address, contact information, gender, National Insurance number and bank account details)
- characteristics (such as ethnicity, language, nationality, and disability)
- medical information & details of disabilities
- Income information (such as pensions, benefits and earned income)
- financial information (such as details of expenditure and one off payments and receipts)
- photographs
- current and former links to Armed Forces
- criminal record history (such as details of convictions)
- Immigration status & other proof of eligibility
- other personal information that will vary on a case by case basis to enable us to undertake our assessments

Why we collect and use this information

We use your data to:

- enable us to carry out specific functions for which we are responsible
- enable us to assess applications housing & homelessness
- derive statistics which inform decisions such as resourcing requirements
- provide statistics to Government departments e.g. Ministry of Housing, Communities and Local Government

The lawful basis on which we use this information

Processing is necessary for compliance with a legal obligation.

We collect and use this information under Housing Act 1996 (as amended by Homelessness Act 2002, Localism Act 2011 and Homelessness Reduction Act 2017), Allocation of Housing and Homelessness(eligibility)(England) Regulations 2006, Housing Act 2004, Criminal Justice Act (2003) and Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012.

Where we process data relating to racial or ethnic origin, and relating to health matters, this is necessary for the purposes of carrying out our obligations in the field of social protection.

Where we process data relating to criminal convictions and offences, this is necessary for the purposes of carrying out our obligations in connection with social protection and is carried out in accordance with the Council's appropriate policy document.

Collecting this information

Whilst the majority of the information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

Storing this information

We hold your data for 5 years

Who we share this information with

We routinely share information with:

- internal departments (such as Fraud & Audit, Council Tax, Customer Services, Administration Team, Housing Benefit, Finance and Community Safety Unit)
- Registered Social Landlords (such as Clarion Housing, MOAT and Hyde Housing)
- private sector landlords
- Other Local Authorities
- Local Authority Social Care Services, (such as Kent County Council)
- Clinical Commissioning Groups
- NHS Trusts and Strategic Health Authorities
- Jobcentre Plus
- Local Education Authorities
- Electronic Monitoring Providers
- Youth Offending Teams
- Police and the other emergency services
- GP's & other medical professionals
- other agencies that will vary on a case by case basis to enable us to undertake our assessments, provide the required advice & assistance and comply with statutory duties
- The Cabinet Office as part of the National Fraud Initiative

Why we share this information

We share data with internal departments (such as Fraud & Audit, Council Tax, Customer Services, Administration Team, Housing Benefit, Finance and Community Safety Unit), external agencies (such as Police, other Local Authorities, GP's & other medical professionals, Registered Social Landlords, Kent County Council) and private companies and individuals (such as private sector landlords) to help us fulfil our statutory duties under the Housing Act 1996 (as amended). This data sharing enables us to assess our applicants housing entitlements, allocate homes and give the required advice & assistance.

We share data with the Police and other agencies (such as Local Authority Social Care Services, Clinical Commissioning Groups, other NHS Trusts and Strategic Health

Authorities, Jobcentre Plus, Youth Offending Teams, Registered Social Landlords, Local Housing Authorities, Local Education Authorities and Electronic Monitoring Providers) on a statutory basis under Under section 325(3) of the Criminal Justice Act (2003). This data sharing enables us to comply with the requirement to cooperate with MAPPA.

We share data with the Police other agencies involved with Multi-Agency Risk Assessment Conference (MARAC). Disclosures are made under the Data Protection Act, the Human Rights Act and Caldicott Guidelines, where relevant information can be shared when it is necessary to prevent a crime, protect the health and/or safety of the victim and/or the rights and freedoms of those who are victims of violence and/or their children. Disclosures must be proportionate to the level of risk of harm to a named individual or known household.

We share data with the Cabinet Office as we are required to by law for the purpose of assisting the prevention and detection of fraud.

Data collection requirements

To find out more about the data collection requirements placed on us by the Ministry of Housing, Communities and Local Government go to <https://www.gov.uk/government/collections/local-authority-housing-data>.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about them that we hold. To make a request for your personal information please contact Adrian Stanfield, the Council's Data Protection Officer at foi@tmbc.gov.uk.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Further information

If you would like further information about this privacy notice, please contact Adrian Stanfield, the Council's Data Protection Officer at foi@tmbc.gov.uk.

The Council collects and uses personal information for a number of purposes across all of its departments and functions. To find out more about how the Council uses the personal

information it collects, please refer to the Corporate Privacy Notice

<https://www.tmbc.gov.uk/privacy-notice>