

Privacy Notice (How we use your information)

Homes and Neighbourhoods

At Kirklees Council – Homes and Neighbourhoods (H&N) we take your privacy and the security of your information very seriously. The Data Protection Act 2018 (“DPA”) and the UK General Data Protection Regulation (“UK GDPR”) require that we provide you with information about how and why we use personal data. We aim to process information about you fairly, lawfully, and in a transparent manner and the aim of this document is to provide you with sufficient information for you to understand what we are doing with your personal data before, during and after we collect it. This policy also explains our commitment to protecting your personal data and your rights towards those data.

Our staff are trained to handle your information correctly and protect your confidentiality and privacy. We aim to maintain high standards and adopt best practice for our record keeping and regularly check how we are doing. Our Data Protection Officer oversees our compliance with this policy. They can be contacted using the contact details below.

Scope of the Policy

This Privacy Policy is a public document available to anyone and applies to tenants, members of the public and visitors to this website, to explain how the organisation collects and processes personal information to conduct normal business activities as a housing provider. Normal activities can be summarised as:

- Providing social and other types of housing
- Property and grounds maintenance and repair
- Managing your housing, tenancy/lease account to provide housing management services.

We also provide additional optional services including:

- Organising and assisting with community events
- Offering opportunities to be involved and influence our services
- Providing welfare, benefits and debt advice
- Adaptations made to the properties we manage
- Supporting our customers with training and development
- Community regeneration and improvement activities.

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

- personal contact details such as name, addresses, telephone numbers, personal email addresses and emergency contact details;
- date of birth; gender; marital status;
- reference details, next of kin, beneficiaries, details of family members and emergency contacts;
- national insurance number and other tax or governmental identifiers; identification documents and information such as passport, utility bills, identity cards, signature, etc.
- bank account details if you pay your rent by Direct Debit;
- work/employment details including salary;
- driving licence(s);
- CCTV images, voice recording and other information obtained through electronic means such as photographs, IP address, etc.;

- records of enquiries and other correspondence with you; and
- any other personal information which we may collect during the period of your tenancy with us.

We may receive information about you from third parties including:

- Benefits office relating to your housing needs
- Previous landlords and credit agencies when you apply for housing
- Police, Council Departments, DWP, local charities etc. providing support or welfare services to you
- Councillors, MPs or other elected representatives acting on your behalf / instruction

We will only collect information about you that we need, and we will ensure that the personal information we collect is updated on our systems in a timely and accurate manner.

We may apply markers to your information (for example, in relation to your vulnerability or health status) to enable us to tailor our service delivery to meet your needs.

Special categories of personal data

In order to do this work, we also need to collect some special category data. This is personal data that needs more protection because it is sensitive.

- your race, ethnicity, religious beliefs, sexual orientation, political opinions, trade union memberships;
- your health, including any medical condition and health professional information;
- genetic and biometric data;

Criminal Data

We will also collect information regarding any criminal allegations, offences, proceedings, or convictions about you.

Under the UK GDPR, the lawful basis we rely on for processing special category data and criminal convictions data includes one or more of the following:

- i. Employment, social security and social protection purposes (if authorised by law)
- ii. It is in your vital interests
- iii. Made public by you
- iv. For legal claims or judicial acts involving you
- v. Reasons of substantial public interest (with a basis in law)
- vi. Health or social care concerning you (with a basis in law)
- vii. Public health (with a basis in law)
- viii. Archiving, research and statistics (with a basis in law)

Providing us with information about others

If you provide us with personal information about someone else, ensure that you explain to them how we collect, use, disclose and retain their personal information or direct them to this Privacy Policy.

Why we collect and use your information

The information we require from you is used to manage your tenancy, leasehold agreement or other contract between you and H&N. Please read your contract carefully for specific details as performance of a contract is usually the legal basis for processing your information and carrying out our activities. We also use your information to respond to your enquiries, provide you with services and manage your relationship with us. They can be summarised as:

- Managing your account charges and payments, including arrears;
- Managing the repairs, maintenance and adaptations of our properties;
- Ensuring tenancy (or contract) conditions are complied with, such as dealing with anti-social behaviour or fraud, etc.; and
- Complying with relevant statutory laws.

We will regularly review the personal information we hold about you and make changes to any service or information handling processes where necessary.

How the law allows us to use your information

The lawful bases we rely on for processing this information are set out in Article 6 of the UK GDPR:

(a) Consent: the individual has given clear consent for you to process their personal data for a specific purpose.

(b) Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

(c) Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations).

(d) Vital interests: the processing is necessary to protect someone's life.

(e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

(f) Legitimate interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)

If we are relying on consent to process your data, you can request to withdraw consent or restrict/object to some elements of the processing. The Council does not rely on consent in most cases because it has legal duties to do certain tasks. For example, processing planning applications, collecting council tax payments and social work tasks are based on legal duties, not consent.

If we are relying on consent to use your personal information, you have the right to remove it at any time. If you want to remove your consent, please contact the relevant service. Alternatively, contact DPO@kirklees.gov.uk and tell us which service you're using so we can deal with your request.

The legal obligation we rely on can be found in some government legislations that dictate what actions can and should be taken by local authorities. This includes:

- Care Act 2014
- Health and Social Care Act 2015
- Housing Act 1996
- Housing Growth & Regeneration Act 2008
- Homelessness Reduction Act 2017
- Housing & Planning Act 2016

How we store your personal information

Your information is safely stored on Kirklees Council's secure network drives.

We will keep your personal data as long as we still need it to fulfil the purposes we collected it for. We can also keep it longer for any legal claims/proceedings, accounting, or reporting requirements. We have arrangements in place to regularly check and take steps so that we do not retain information for longer than is necessary, and we will review this from time to time.

Under some circumstances, we may anonymise your personal data so that you can no longer be identified by it. We reserve the right to use such anonymised data without your permission or notice to you.

Who we may share your information with

We will only share your personal information where there is a lawful basis for us to do so we are required to by law.

Our Legal Obligation

We will share specific and relevant information with law enforcement and government agencies or public bodies where we are legally required to do so. We may also share your information with emergency services and local authorities, where this is necessary to help them respond to an emergency that affects you. Examples include:

- The prevention or detection of crime and fraud
- The apprehension or prosecution of offenders
- The assessment or collection of tax or duty owed to customs and excise
- Sharing in connection with legal proceedings
- Sharing in relation to the physical or mental health of an individual, where disclosure is required to protect them or others from serious harm
- Research and statistical purposes
- The Ombudsman and other regulatory authorities
- Local and central government departments and agencies
- Courts and tribunals
- Various NHS Trusts

- West Yorkshire Police and other police services
- West Yorkshire Fire Service
- Probation service
- Safer Kirklees
- DWP and other benefits offices
- Healthcare, social and welfare organisations
- Other services within Kirklees Council

Our contractual obligation – sharing with contractors and suppliers

There are some cases when we will share your personal information to support our contractual obligations to you as a Landlord. We do this to ensure that we can meet your needs, and to meet our health and safety obligations towards those delivering services on our behalf. This may include sharing information with our contractors and suppliers to enable them to carry out work on the property on our behalf or to meet other contractual obligations we may have. For example, we may share information to enable our maintenance contractors to make appointments with you to carry out repairs or deliver services.

Our other lawful basis

As part of our normal course of business, we may share your information with other partners and agencies. Where we require your consent, we will obtain this from you before sharing the information. In some instances, we may have a legitimate interest to share your personal information without your consent. Examples of partners or agencies we may share your information with include:

- Your local Councillors, MPs or other representatives acting on your behalf / instruction
- housing associations and other landlords
- partner agencies, approved organisations and individuals working with the police
- legal representatives
- utility companies
- debt collection agencies
- trade unions
- CCTV contractors
- credit reference agencies
- voluntary and charitable organisations
- business associates
- professional bodies
- current, past and prospective employers

Children's information

H&N does not normally process children's information as all our tenants are adults. However, we record children's basic information such as their name and date of birth if they are resident in one of our properties. This is required for checking that the property is not overcrowded and to assess other tenancy management issues where all householders and ages are required to be known. We may receive children's information if we are involved in the housing and tenancy aspects of a welfare case as part of a multi-agency working solution.

Property Information

Much of the data we use relates to our properties and their maintenance and repair. We do not consider property information used in conjunction with the property address to be your personal information. For example, the age of the kitchen, results from an asbestos survey, planning to replace windows or a repair to a tap, etc. As soon as your name, contact details or other personal information is used together with property information, such as to complete a property repair visit, then this is treated as personal information.

Transferring your data internationally

We do not have any intentions of transferring or sharing your personal data with any organisation that is located outside of the United Kingdom. If for any reason one of our contractors or partners is based abroad or has their server located in a country outside of the United Kingdom, we will ensure that we put measures in place to meet the UK GDPR requirements for transferring personal data abroad.

Technical and organisational security measures

We store personal information both electronically and in paper form. We have policies and processes in place which ensures that personal information is only available to those that need to know or have it. It is protected from unauthorised use and access by anyone who does not need to know or have it. Some security and protective measures we have include user access controls, restricted physical access, staff training, contractual requirements for third parties, robust IT systems and security updates, etc.

Your data protection rights

Under data protection law, you have a number of rights, including the right to have your records rectified and the right to ask for access to all the information the Council holds about you. These rights are listed in more detail on [General Data Protection Regulation \(GDPR\) | Kirklees Council](#).

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at Data.protection@kirklees.gov.uk if you wish to make a request.

Further information

If you would like further information about how we manage your data, please see the [Kirklees Council privacy notice](#).

If you would like further information about this privacy notice, please contact data.protection@kirklees.gov.uk

If you have any worries or questions about how your personal data is handled, please contact the Data Protection Officer at DPO@kirklees.gov.uk or by ringing 01484 221000.

You can also complain to the ICO if you are unhappy with how we have used your data. You can contact the ICO via the ['Contact us' page on their website](#), or by ringing 0303 123 1113.

Complaints about your tenancy

Our customer services team will be able to help you with most queries and requests you may have about your tenancy and other services we provide. Please contact them using the [Complain to the council | Kirklees Council](#) page on our website.