



Data Controller – Dover District Council, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Data Protection Officer – Harvey Rudd, Solicitor to the Council, Dover District Council, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
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Housing Service Privacy Notice

Dover District Council is a Data Controller under GDPR. We determine the purpose and means of how your personal data is processed.

Please read this privacy notice carefully as it contains important information about how we will handle your personal information, protect it and your privacy and rights. This notice should be read with our corporate notice which can be found here at www.dover.gov.uk/privacy

It explains:

- who we are
- what information about you that we collect
- how we will collect your personal information and why
- who we will share your personal information with
- your rights in relation to your personal information – including your right to request that we stop using your personal information
- how to contact us and how to make a complaint about the way we have handled your personal information

What personal information do we collect?

We Dover District Council manage your tenancy, you have a tenancy agreement (a contract) with us and it will be necessary for you to provide us with information about you, and for us to collect and use that information, in order to perform the tenancy agreement.

We have certain statutory duties and powers in relation to your home and other properties we Dover District Council own. It will be necessary for you to provide us with information about you, and for us to collect and use that information, in order to perform those duties and powers.

We will collect some basic information about you, such as:

- your name and date of birth
- proof of your identity (including photo ID and official documents such as bank statements, utility bills, etc)
- a photo of you
- your contact details (including your phone number, email address and a postal address)
- details of anyone who you have given permission to act on your behalf
- details of anyone living with you as part of your household (their names and dates of birth)
- your bank account details – if you pay your rent by direct debit
- information about any other property owned by you

If we ask you to provide us with this information when you are offered a tenancy or lease and you will not provide this information, you will not be able to accept that tenancy or lease. If we ask you to provide us with this information during your tenancy or lease and you will not provide this information, we may be unable to provide you with services such as repairs and we may have to take action (including legal action) to enforce the terms of the tenancy or lease against you.

We may also need you to provide us with information about your health or information about you which relates to your criminal convictions or offences.

We will collect information directly from you and we may also collect that information from others, including:

- Her Majesty's Revenue and Customs (HMRC)
- the Department for Work and Pensions (DWP)
- the Home Office
- the police and community safety teams
- any welfare or support organisations working with you (including social services, mental health services and floating support providers)
- councillors, MPs or other representatives acting on your behalf
- our contractors who have visited your property

How do we use your personal information?

We use the personal information we collect about you to:

- manage your rent or service charge account
- deal with repairs, maintenance and adaptations of your home
- ensure that you and your neighbours abide by your tenancy or lease conditions
- prevent and detect fraud
- provide support to you, if we have agreed a support plan with you
- monitor our performance
- keep you informed about changes to our services
- invite you to take part in surveys
- comply with our legal and regulatory requirements
- correspondence between you and the Council

In order to ensure that our staff can do their work in a safe environment, we may also use information about you to decide about whether we should visit your home in pairs. Further information about this can be found here at www.dover.gov.uk/privacy where you can view the privacy notice for the staff risk register.

Lawful basis for processing

Our lawful basis for processing your personal data is:

- GDPR Article 6 1. (b) processing is necessary for the performance of a contract. This is in relation to your tenancy agreement.
- GDPR Article 6 1. (e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. (i.e. the management of the housing stock pursuant to the Housing Act 1985.)

Some of the personal data we process is classified as special category or criminal offence data. For us to process this information we are required to have an appropriate policy document. This details how this information is handled in compliance with data protection legislation.

The document is appended to our data protection policy and this can be found here <https://www.dover.gov.uk/Corporate-Information/PDF/Data-Protection-Policy.pdf>

Who do we share your personal information with?

We use contractors who carry out repairs, maintenance and adaptations to your home on our behalf. We will share your name and address with those contractors when we instruct them to carry out work at your home.

We may share information about you with a language translation service if it is necessary to translate any information into or from a foreign language.

If you make an application for housing or for a mutual exchange, we will share information about your tenancy with our Housing Department.

We have certain legal duties relating to safeguarding adults and children. We will share information about you with adult social services, children's services, safeguarding boards and/or the police where we believe it is necessary.

Some of our residents have a personal emergency evacuation plan. We will share this plan with Kent Fire & Rescue Service.

We may share your information with DWP in relation to your claim(s) for welfare benefits and for the prevention and detection of fraud.

We may share your information with the police and the Community Safety Unit in order to investigate and take action in relation to allegations of anti-social behaviour made against you.

We may share your information with government departments and agencies, the Housing Ombudsman, regulators and auditors, utility companies and other organisations where we are legally required to do so.

We will share your information with lawyers of the council in connection with any legal proceedings or transactions affecting your home.

How long do we keep your information for?

We will hold your personal information for as long as you remain a tenant or a leaseholder of a property owned and managed by the Council.

If you have ceased to be a tenant or a leaseholder, but owe money to the council, we will continue to hold sufficient information about your rent or service charge account to enable us to recover that money from you for:

- 6 years after the end of your tenancy, if you are a tenant
- 12 years after you have assigned your lease, if you are a leaseholder

In all other cases, we will only hold your personal information for 3 years after your tenancy has ended or you have assigned your lease. After this period, your personal information will be securely destroyed unless we need to retain it for the purposes of legal proceedings.

Reasons for processing

Some of the information collected and processed will be classified as special category or criminal offence personal data under GDPR Article 9 & 10.

To process this type of information we must have a relevant policy document that sets out how this information will be handled, this is appended to our Data Protection Policy here <https://www.dover.gov.uk/Corporate-Information/PDF/Data-Protection-Policy.pdf>

What rights do you have?

- access to your personal information

You can request confirmation that information about you is held by the council at any time. You can also request a copy of that information free of charge. You will need to provide us with proof of your identity when making a request.

- rectify information held by us which is inaccurate or incomplete

If you believe information about you which we hold is inaccurate or incomplete, you can ask us to correct it or to complete it.

- have information about you erased

In some circumstances, you can ask us to erase personal information which we hold to be erased, for instance if it is no longer necessary for us to hold that information.

We will not erase your personal information if it is necessary for us to hold it in order to comply with a legal obligation, perform a statutory function, to establish, exercise or defend a legal claim.

- restrict our processing of your personal information

In some circumstances, you can limit the way in which we use your personal information. This may be because you have issues with the content of the information which we hold or how we have processed it. Additionally, if you make a request for rectification of your personal information, we will restrict the processing of your personal information while we consider that request.

- obtain your personal information in a portable format

You may request that we provide you with a copy of personal information which you have provided to us, and which we process using automated means, directly to you or another person in a structured, commonly used and machine readable form (e.g. as a .csv file).

We aim to comply with any rights request you make under data protection legislation as soon as possible and no later than one month after you have made your request. If your request is large or complex, we may extend the time for responding by a further two months, we are required to notify you within one month of receiving your request if this is the case. If we consider that your request is manifestly unfounded or excessive, we may charge you a reasonable fee or refuse to carry out your request; if we refuse to carry out your request we will explain to why and inform you of your other rights.

You can ask us to stop using your personal information – the right to “object”

You can ask us to stop using your personal information where you have a reason relating to your particular situation.

We will stop using your personal information, if you ask us to do so, unless:

- we can demonstrate compelling legitimate grounds for continuing to use your personal information, which override your interests, rights and freedoms; or
- we need to use your personal information for the establishment, exercise or defence of a legal claim.

How can you make a complaint?

We respect your privacy and take our responsibilities as a data controller seriously.

If you have any complaints about the way in which we have used your personal information, you can complain to:

- complaints@dover.gov.uk

You may also complain to the Information Commissioner’s Office (ICO). For more information about complaining to the ICO, please visit the ICO’s website or call 0303 123 1133.

Changes to this Privacy Notice

We will keep this privacy notice under review to make sure it is kept accurate and up to date.

Do you need extra help?

If you would like a copy of this Privacy Notice in another format, or if you have any other question about this Privacy Notice, please contact us on 01304 821199.

For more information about your privacy and rights under data protection legislation and our responsibilities and obligations as a data controller please view our corporate notice at www.dover.gov.uk/privacy and data protection page at <https://www.dover.gov.uk/Corporate-Information/Data-Protection.aspx>