

Privacy Notice for Independent Living Service and Modernising Housing



Nottingham City Council Information Compliance

Service Area: Supported Housing
Directorate: Housing
PN-326

05/2024

The Independent Living Service are part of Nottingham City Council, who are the data controllers for the personal data (or personal information) that we process about you. When we process personal information relating to you, we will only do so when it is necessary and where we have a lawful reason to do so. We will use the information provided by you for a number of reasons. This includes:

- Supporting to signpost you to any agreed external or internal support agencies to support maintaining, repairing and adapting your property.
- To complete a Housing and Wellbeing assessment to determine and agree the correct level of support and interaction required by you from the assigned Independent Living Coordinator.
- With consent from you, share details with internal departments to ensure effective communications and arrangements for all other landlords functions, for instance, if an individual is visually impaired, we may document this so other departments acknowledge the need for different formats of communications
- With explicit consent from you, we may use information provided by you to complete referral applications to relevant 3rd party support agencies where specialist support/intervention is required.
- To support in understand any additional telecare or assistive technologies available that will further support property welfare and independent Living.

When we process your personal information, we will comply with data protection legislation and enable you to exercise your rights contained within the legislation.

What personal information will the Council process?

The information that we collect about you to fulfil the purposes, objectives, or to deliver the services outlined above will relate to your: (this may include all, or some of the following, depending on the service).

- Name

- Address
- Date of Birth
- National Insurance Number
- Financial information including benefit information
- Next of Kin Details
- NHS Number
- GP Name and Address
- Existing Support Providers – Care agency/Social Care involvement
- Records of contact between you and the Independent Living Coordinator
- Household Date (Details of anyone you may live with)
- Information you have shared with us voluntarily

The Information we process about you may include the following ‘Special Categories of Personal Data’;

- Physical or Mental Health – relating to you wellbeing and independent Living

Lawful basis for processing

There are several lawful bases under Articles 6 of the UK GDPR which we use your personal information, depending on the purpose; these mainly include:

- Article 6(1) e) - necessary for the performance of a task carried out in the public interest by the Council or in the exercise of official authority vested in the Council. This is a result of the powers or duties contained in: the Housing Acts 1985, 1996 and 2004, the Allocation of Housing (England) Regulations 2000 SI 2000/70, the Homeless Act 2002, the Housing and Regeneration Act 2008, the Prevention of Social Housing Fraud Act 2013, and the Care Act 2014.
- Article 6 (1) b) - the performance of a contract – we will need to process certain information to fulfil agreements we have with you.

Occasionally, we may also rely on the following lawful bases:

- Article 6 (1) (a) consent – for example, if you have completed a mutual exchange form to consent to your contact details being shared, so we can help you move to a new house.
- Article 6 (1) (d) vital interests – this would only be relied upon to process your personal data in the unlikely event that yours or another person’s life was in danger.

This may include sharing any known medical history to emergency services such as paramedics.

Under Article 9 of the UK GDPR, the condition under which we process special categories of personal data is that such use is necessary for reasons of substantial public interest under the following provisions of the Data Protection Act 2018 at Schedule 1 Part 2; statutory and government purposes (Paragraph 6), quality of opportunity or treatment (Paragraph 8), regulatory requirements relating to unlawful

acts and dishonesty (Paragraph 12), and safeguarding children and individuals at risk (Paragraph 18). The information being processed may also include your personal data relating to criminal offences, for example any previous criminal offences which could impact on your tenancy. The condition under which this information is processed is Schedule 1 Part 1 Paragraphs 10 (preventing or detecting unlawful acts) and 18 (safeguarding of children and individuals at risk) of the Data Protection Act 2018.

Will my information be shared with other organisations or used for other purposes?

The Council will only share your personal information with other departments within the Council, and with other organisations when it is necessary to provide the services to you, and when we have a lawful reason to do so. The Council may also share your information when we are obliged to by law.

In relation to this service, the Council may share your personal information with:

- Adult Social Care Teams including Occupation therapy teams and adaptations
- Nottingham Fire and Rescue Services
- Nottingham On Call and Telecare Services
- Benefit agencies
- Nottingham City Council Housing services departments
- Third parties we may engage with to provide appropriate support for our residents

The information may also be used for the purpose of any other function carried out by the Council. This may include sharing your information across the Council, or with external organisations. Information about these functions and the legal basis on which information is used for them can be found at <http://www.nottinghamcity.gov.uk/privacy-statement/>. The information will only be used for another purpose where it is lawful to do so.

Do I have to provide the information?

The information you provide will support the service to ensure you receive the correct support to maintain independent living and support you to maintain the tenancy. If we were not able to process your personal data we may not be able to provide you with the relevant service.

How long will the Council retain the data for?

The information that you have provided will be kept for **6 years; either from the date your housing and wellbeing assessment was completed or the end of your tenancy.**

The Council publish an Information Asset Register (IAR), this will outline the retention periods for the personal data we process. You can find this IAR on our website <https://geoserver.nottinghamcity.gov.uk/information-asset-register/>

Information Rights

The UK General Data Protection Regulation provides for the following rights as prescribed by the legislation:

A right to request a copy of your information

A right to request rectification of inaccurate personal data

A right to request erasure of your data known as ‘the right to be forgotten’

A right to in certain circumstances to request restriction of processing

A right in certain circumstances to request portability of your data to another provider

A right to object to processing of data in certain circumstances

A right regarding automated decision-making including profiling

However, Nottingham City Council can restrict the above rights in certain circumstances for example to avoid obstructing an investigation, avoid prejudicing the prevention, detection, investigation or prosecution of criminal penalties or to protect the rights and freedoms of others.

Data Protection Officer

You can contact the data protection officer at:

Loxley House,
Station Street,
Nottingham,
NG2 3NG

or at data.protectionofficer@nottinghamcity.gov.uk .

Information Commissioner’s Office

The Information Commissioner’s Office (ICO) website provides guidance on data protection and privacy matters, you can visit the website at www.ico.org.uk. You also have the right to complain to the ICO if you consider that the Council have processed your personal data incorrectly or that we have breached our obligations to you. You can contact the ICO at:

Wycliffe House,
Water Lane
Wilmslow,
Cheshire
SK95AF

Further Information

For more information about these rights please refer to our detailed privacy statement at <https://www.nottinghamcity.gov.uk/privacy-statement> .