



## Privacy Notice – Housing Needs

### Introduction

The Housing Needs Team have provided this privacy notice to help you understand how we collect, use and protect your information whilst we provide you with assistance for your housing needs.

The document below will describe how we may collect and process your personal information.

The purpose of this document is to clearly acknowledge the Council's responsibilities in relation to the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

### Definitions

**Personal Data** means any information related to an identified or identifiable natural (living) person ('**data subject**') i.e. a person that can be directly or indirectly identified by reference to a name, ID reference number, email address, location data, or physical, physiological, genetic, mental, economic, cultural or societal identifier

**Special Personal Data** previously known as 'sensitive personal data', relates to race, ethnic origin, politics, religion, trade union membership, genetic data, biometric data, health, sex life or sexual orientation. Records of criminal personal data must also be treated in a similar way.

**Data Controller** determines the purposes and means of processing personal data.

**Data Processor** is responsible for any operation which is performed on personal data on behalf of the controller e.g. collection, recording, organisation, structuring, storage, adaption or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or making available, alignment or combination, restriction, erasure or destruction.

**Third Party** is someone / somebody who is not the Data Controller, the Data Processor or the Data Subject.

### Who we are

If you are homeless or threatened with homelessness within 56 days, the Council has a duty to take reasonable steps to assist you to either prevent or relieve your homelessness.

The Council is the 'data controller' for the information which is collated and processed, this is a shared data controller responsibility. This means we are responsible for deciding how we can use your information. If you want more

information regarding the services delivered, please go to our [website](#).

The Council regards lawful and correct treatment of personal information as critical to their successful operations, maintaining confidence between the Council and those with whom they carry out business. The Council will ensure that they treat personal information correctly in accordance with the law.

These services are a statutory duty. The Council has a duty to investigate your circumstances under the Housing Act 1996 as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017.

The Data Protection Officer for ESC is Siobhan Martin, Head of Internal Audit, and can be contacted at [dataprotection@eastsuffolk.gov.uk](mailto:dataprotection@eastsuffolk.gov.uk)

### How the law protects you

GDPR says that we are allowed to use personal information only if we have a proper reason to do so. More information on how the law protects you can be found on the [East Suffolk website](#).

### Our Responsibilities

GDPR provides us with main responsibilities for processing personal data.

All personal information provided by you is held securely and in confidence by us in our computerised and other records. When we process your personal information, we do so in compliance with GDPR.

For further information on our responsibilities, please see the [East Suffolk website](#).

### Your Rights

The GDPR provides you with the following rights:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making
9. The right to withdraw consent
10. The right to complain

Requests in relation to your rights with regards to the personal data we hold should be made verbally or in writing to the Data Protection Officer.

For further information on your rights, please see the [East Suffolk website](#).

### Your responsibilities

You are responsible for making sure you give us accurate and up to date information, and to let us know if any personal information we hold is incorrect.

### When do we collect information about you?

We collect information about you from different places, including:

- The information is collected at the point that the person is either referred by a third party, or has made contact with the Council either in person to Customer Services, or through generic e-mail/telephone or web messaging.
- This initial information is shared between Customer Services and the Housing Needs Team and placed on the Customer Services database and the Locata homelessness data/case management system. The information provided at a follow-up interview is also placed on the data/case management system which is then used to determine the local authority's statutory duty.
- Some Statutory Public Bodies, such as prisons or hospitals, now have a Duty to Refer to the relevant Housing Authority if the person is threatened with homelessness under Section 213B Duty of the Homelessness Reduction Act 2017.

### What information do we maintain?

The information about you which we will maintain will include:

- Name
- Date of birth
- Personal details of other household members
- Gender
- Last known address
- National Insurance Number
- 6 Year tenancy history
- Reasons why you are in housing need
- Third party evidence from support agencies, housing providers, charitable organisations, other council departments, Social Care, GPs, Department of Works and Pensions, NHS, Police and Probation Services
- Medical evidence confirming level of vulnerability
- Proof of identity
- Confirmation of immigration status
- Proof of homelessness
- Landlord reference
- Personal statements
- Evidence of financial status

### How do we use your information?

We will be using your information to determine the level of assistance and help you will be entitled to under Part 7 of the Housing Act 1996 (as Amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017).

We will not use your personal data for other purposes other than for what it was collated unless we have obtained your consent or for other lawful purposes (e.g. detection and prevention of fraud).

We do not use an automated system to determine the statutory duty as part of the process of investigation.

## How long do we keep your information?

Statutory information: We will hold your personal information for 7 years – this is linked to the statute of limitation.

Discretionary information: We will hold your personal information for a longer period of time if there are ongoing legal proceedings that have not concluded beyond the standard statute period.

## Data Sharing

We will share your personal information with the Ministry of Housing and Local Government (MHCLG) as part of a wider research project on homelessness across the country.

This study is entitled “Understanding more about what causes homelessness and how well homelessness services meet peoples’ needs”. Further information on this study and how it will use your personal information can be obtained from MHCLG’s Knowledge and Information Team at the Ministry of Housing, Communities and Local Government. Information about seeing your data or withdrawing from the research can be obtained by emailing MHCLG’s Data Protection Officer at [dataprotection@communities.gsi.gov.uk](mailto:dataprotection@communities.gsi.gov.uk).

The Council may use software from a credit referencing company to assist in its enquiries. The information you have provided is confidential. However, we may share information with other agencies (for example, doctors, social workers and registered social landlords) and other local authorities to speed up the assessment process.

By law, the Council is required to take steps to assist you to have access to services such as health, social services and, if you have children, education while you are living in temporary accommodation. One way we do this is to make sure that the agencies working in the area in which your accommodation is located are told that you are there.

The Council is also required to notify other housing authorities if we have placed applicants into their local authority area or if there is a local connection to that area.

## Transferring your information overseas

Currently, we do not transfer any personal information outside of the European Economic Area (EEA).

## National Fraud Initiative (NFI)

We may share information provided to us with other bodies responsible for auditing, or administering public funds, or where undertaking a public function, in order to prevent and detect fraud. For further information, see the [East Suffolk website](#).