

# **Affordable Housing Schemes Privacy Notice**

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## Affordable Housing Schemes Privacy Notice

Wigan Council (“a Data Controller”) is committed to protecting the privacy and security of your personal information.

Wigan Council and organisations who work on our behalf, collect, store and process personal and sensitive information about residents, service users and those who we come into contact with. This information enables us to carry out specific functions that we are responsible for.

We recognise the need to treat personal and sensitive data in a fair and lawful manner. No personal information held by us will be processed unless the requirements for fair and lawful processing can be met.

Our core obligations under the General Data Protection Regulation (GDPR) and commitments are set out in the Council’s [Primary Privacy Notice](#).

### **This notice provides additional privacy information for:**

- Applicants to a Council Affordable Homes Scheme, which includes:
  - the Equity Loan Scheme
  - the Discounted Homes Scheme
- Current owner-occupiers/live applicants on an Affordable Homes Scheme
- People who have asked to be kept informed about Affordable Homes schemes, offers, or initiatives throughout the borough
- People who have requested advice and information on, or support accessing, some form of affordable home ownership.

### **It describes how we collect, use and share personal information about you:**

- Before, during and after your relationship with us ends, and
- The types of personal information we need to process, including information the law describes as ‘special because of its sensitivity’.

It is important that you read this notice, together with any other privacy information so that you are aware of how and why we use your personal information.

### **Purpose(s):**

The main purposes for processing your personal information are:

- To enable the administration and management of Affordable Homes Schemes. This typically involves:
  - the processing, updating, and termination of applications

- entering into and amending Affordable Homes Related contracts as required and fulfilling their obligations; for example, the granting or redemption of equity loans and related charges, administration related to changes in ownership/title, resale, or remortgaging of Affordable Homes, enforcement of charge and lease conditions
- To provide you with advice regarding Affordable Homes Schemes and wider options, and to keep you updated with Schemes, offers, and initiatives
- We may also conduct surveys and process and analyse data and information for monitoring, business intelligence, market research, and service improvement purposes. Where possible this is anonymised.

### Categories of personal data:

In order to carry out activities and obligations as providers of services to you, we process personal information in relation to the following:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Personal demographics (including date of birth, gender, marital status, civil partnerships)
- Other contact details such as names, addresses, personal e-mail address, telephone numbers
- Financial, income and employment information such as tax/national insurance status information, monthly pay, employer details, mortgage eligibility information
- Personal information regarding family members and other personal relationships to borough residents.

### Special Categories:

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information regarding your health
- Information pertaining to bankruptcy or CCJs.

### The main legal bases we rely on for processing your personal information are:

- **Public task** – the processing is required in order for us to perform a task in the public interest or for our official functions, including the use of discretionary powers
  - To enable the Council do deliver its public function of providing affordable housing
- **Legal obligation** – the processing is necessary for us to comply with the law
  - The Council must ensure compliance with any affordable housing provisions stipulated in S106 planning agreements in the Council's delivery of affordable housing programmes

- **Contract** – the processing is necessary for a contract we have with you, or because you have asked us to take specific steps before entering into a contract
  - The Council will be required to process data in order to assess eligibility for, manage, and enforce compliance with, any contract resulting from an Affordable Homes scheme, such as an equity loan
- **Consent** – you have given clear consent for us to process your personal data for a specific purpose
  - Where you have asked to be placed on the Council's distribution list in order to be kept updated with Affordable Homes news and initiatives, new schemes, and asked to participate in surveys and other business intelligence related exercises involving data collation and analysis.

The relevant legislation giving rise to the legal bases of public task or legal obligation includes, but may not be limited to:

- Town and Country Planning Act (1990)
- The Land Registration Rules (2003)
- Land Registration Act (2002).

### Automated decision-making

All the decisions we make about you involve human intervention.

### Cookies

To find out how we use cookies please see our [Cookie Notice](#).

### Data sharing

In addition to the general reasons for information sharing described in the Council's [Primary Privacy Notice](#):

We may share data or information internally within the organisation where it is necessary to do so in order to fulfil a public task, comply with legal obligations, fulfil contractual obligations, or otherwise necessary for the purposes for which the information was collected. The following Council teams or departments are whom we principally, but not solely, may share data or information with:

- Legal Services
- Financial Services
- New Build and Regeneration (Growth and Housing).

We may also share information externally with other organisations, where it is necessary to do so in order to fulfil the purposes for which the information was collected, or to fulfil a public task, or comply with legal or contractual obligations. Principally, but not solely, we may share information with the following:

- Housing developers

- Independent Financial Advisers (IFAs), mortgage advisors, banks, and building societies
- HM Land Registry
- Appointed solicitors or legal representatives.

We also collect or receive information from external parties such as:

- Housing developers
- Independent Financial Advisers (IFAs), mortgage advisors, banks, and building societies
- HM Land Registry
- Appointed solicitors or legal representatives.

### Data retention

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any future legal, accounting, or reporting requirements.

We must continue to retain necessary information in accordance with our Corporate Records Management Policy to fulfil legal, statutory, and regulatory requirements.

### Rights of access, correction, erasure, and restriction

You have the right to ask for your information or make a request regarding your data and there will not be a charge for you to do so. This is known as a [subject access / GDPR rights request](#). To do this you can visit our website where you can [make a subject access / GDPR rights request online](#) or write to us at: Information Governance, Wigan Council, PO Box 100, Wigan WN1 3DS.

Your rights include the right to:

- Ask for access to your information
- Ask for your information to be corrected if it is inaccurate or incomplete. It is important that the personal information we hold about you is accurate and up to date. Please let us know if the information we hold about you should be corrected or updated
- Ask for your information to be deleted or removed but only where there is no need for us to continue processing it (right to be forgotten)
- Ask us to restrict the use of your information
- Object to how your information is used.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights that apply). However, we may charge a reasonable fee if your request for access is in our view unreasonable or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

You have a right to be informed about how and why your personal information is being processed. This notice fulfils that obligation.

Full details are contained within the Council's [Primary Privacy Notice](#) and should be read in conjunction with this document.

### **Data protection officer**

If you wish to raise a concern about your data or how your request has been handled, please contact our [Data Protection Officer](#).

If you are unhappy with the way that we handle your concern you may complain to the [Information Commissioner's Office \(ICO\)](#) at:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 0303 123 1113

The Information Commissioner's Office deals with concerns and complaints relating to data protection (GDPR) and freedom of information legislation.

### **Changes to this privacy notice**

We may update or revise this privacy notice from time to time and will provide supplementary privacy information as is necessary.