

Privacy Notice for Tenant and Leaseholder Service

Introduction

This notice is provided within the context of the changes required by the EU General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This document will therefore be subject to ongoing review to ensure it continues to align with the requirements of all applicable legislation.

Service description

The council's Tenant and Leaseholder Service provides statutory and non-statutory services for the purposes of managing and maintaining the council's housing stock and providing related services to its tenants and leaseholders. To deliver these services, it is necessary for Thanet District Council ("the council") to collect, store and process personal data.

Where we get your information from

The tenant and leaseholder service obtains data from a wide range of sources, including:

- Tenants, leaseholders and their families;
- Members of the public;
- Private companies and partnerships, such as solicitors;
- Service request forms;
- Housing applications and tenancy agreements;
- Multi-agency referral forms;
- Councillors and Members of Parliament (MPs);
- Neighbouring residents and property owners;
- Housing Benefit and Council Tax records;
- Other council departments, such as Customer Services, Planning, Building Control, Environmental Health, Street Scene, Community Safety, Private Sector Housing and Housing Options;
- Multi-agency Task Force (formerly the Margate Task Force);
- Other public bodies and agencies, such as Kent Police, Kent County Council, National Health Service (NHS), Kent Fire & Rescue, and Immigration Enforcement;
- Voluntary and charitable bodies, such as Citizens Advice Bureau (CAB) and Shelter;
- East Kent Home Improvement Agency;
- Credit reference agencies.

How will your information be used

The information obtained by the council may be used in a number of ways, for example:

- To enable us to meet our legal and statutory obligations as a local housing authority and landlord;
- To safeguard vulnerable adults and young people;

- To process, investigate and respond to your service request, report or complaint;
- To help us maintain your home and complete repairs, health and safety checks and improvements.
- To provide you with an effective and supportive housing management service.
- To collect rent and other charges due in relation to your home.
- To recover arrears of rent and other debts owed to the council.
- To deliver engagement activities with our tenants and leaseholders, such as focus groups, neighbourhood forums or ad hoc consultations;
- To prevent and detect fraud, corruption and criminal activity and for law enforcement functions;
- To comply with Freedom of Information Act 2008 requests;
- For statistical analysis.

What information we hold

In order to provide these services, we may need to process some of your personal data, such as your name, address, email, family make up, dates of birth, telephone number, emergency contacts, occupation, gender etc, as well as some more sensitive data, including criminal convictions, racial and ethnic origin, and mental and physical health and disabilities.

Who we will share your information with

We may share your information with other council departments, and when in the public interest to do so, other councils, agencies and bodies, such as Kent Police, Kent County Council, National Health Service (NHS), Kent Fire & Rescue, HM Revenue & Customs and Immigration Enforcement. The council is also a signatory to the Kent and Medway Information Sharing Agreement, which sets out the purposes for which sharing personal information is legitimate. Personal information may therefore be shared with the other signatories to the Agreement when in the public interest to do so.

We will not share your information with companies for marketing purposes. However, the council is obliged by law to hold certain public registers and some prescribed information will be available for anyone to view.

Lawful basis for processing data

The council processes personal information to carry out tasks that are related to the management and maintenance of your home. We may process data when it is in the public interest to do so, for example processing data in relation to anti-social behaviour, crime or statutory nuisance where this is caused by one of our tenants or leaseholders. We will process data in relation to services where we have statutory duty, such as completing statutory health and safety checks to your home.

The tenant and leaseholder service processes personal information in taking action and delivering services under various legislative powers. The legislation primarily used by the Tenant and Leaseholder Service is set out below:

- Housing Act 1996
- Localism Act 2011

- Landlord and Tenant Act 1985
- Housing and Planning Act 2016
- Children's Act 1989
- Regulatory Standards for Social Landlords
- The Control of Asbestos Regulations (CAR) 2012,
- Health and Safety at Work etc Act 1974,
- Control of Substances Hazardous to Health Regulations 2002
- Lifting Operation and Lifting Equipment Regulations 1998
- Gas Safety (Installation and Use) Regulations 1998
- Regulatory Reform (Fire Safety) Order 2005

We also offer some non-statutory services to help tenants and leaseholders. When you request assistance under such schemes, your consent will be the legal basis for processing your personal information. Sometimes, the council will process your personal information without your consent, if it is necessary to protect your vital interests or those of another individual.

How long do we keep your personal information

We aim to keep your personal information only for as long as is necessary to fulfill the purposes for which it was collected and processed. Some retention periods may be subject to a legal obligation imposed upon the council by law. Once your personal information is no longer required, it will be destroyed or deleted confidentially.

In general terms, we will hold information for a maximum period of seven years following the closure of a case file or the expiry of a licence. However, there may be cases where an outstanding debt is owed to the council that cannot be immediately recovered. In such cases, the case file and information will be retained for a period of seven years after the debt is finally discharged.

Your rights

The Data Protection Act 2018 in conjunction with the General Data Protection Regulation (GDPR) grants a number of other rights. These include the right to rectify errors in your records, the right to withdraw consent given to process your data, and the right to object to the use of your data.

You have the right to be told if we have made a mistake whilst processing your data and we will self-report breaches to the Information Commissioner.

For more information on your rights, how we process your personal information, and how to make a subject access request, please visit: <https://www.thanet.gov.uk/privacy-statement/>. You can also submit a Freedom of Information Request or Subject Access Request by contact the council by email on: foi@thanet.gov.uk . This is also available in other formats (e.g. print).

How do I complain?

If you wish to complain about how we are processing your personal information please contact:

The Data Protection Officer



Thanet District Council
Cecil Street
Margate
CT9 1XZ
Email: dataprotection@thanet.gov.uk
Tel: 01843 577000

You also have the right to complain to the Information Commissioner's Office (ICO), at:

The Information Commissioner
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Tel: 0303 123 1113 or 01625 545745
Website: www.ico.org.uk