

## Privacy Notice (How we use your information)

### Housing Growth – Affordable Housing

When administering the sale of Affordable Home Ownership Properties, the Council has a responsibility to check that they are being purchased by individuals who meet the qualifying buyer criteria as set out as a legal requirement as part of the S106 agreement for the development. This requires sharing of personal data about the potential purchasers between the housing developer, the Council, the purchasers and the conveyancers for each party.

Evidence is submitted to the Housing Growth and Regeneration team which must be checked and approved by Officers before the sale can take place. The purchaser is provided with certification confirming that the Council approves the sale prior to completion.

### The categories of information that we collect, process, hold and share include:

- Personal information (such as full name, date of birth, address, email address, phone number, identification verification documentation, financial information including National Insurance number, local connection verification documentation and occupational information)
- Characteristics (such as age, ethnicity and marital status)
- Special category information (such as relevant health data)

### Why we collect and hold this information

We use this personal data in order to:

- Ensure that Affordable Homes are going to those most in need, and that we comply with our legal obligations.

### The lawful basis on which we use this information

Under Article 6 of the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing this information are:

- 6(1)(e) We need it to perform a public task.

These legal bases are underpinned by acts of legislation that dictate what actions can and should be taken by local authorities. This includes, but may not be limited to:

- Housing & Planning Act 2016
- Data Protection Act 2018

## Special category data

In order to do this work, we also need to collect some special category data. This is personal data that needs more protection because it is sensitive. Under Article 9 of the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing special category information are:

- 9(2)(g) Reasons of substantial public interest (with a basis in law)

We may need to use some special category data to ensure we can administer Affordable Home Ownership properties for eligible applicants.

Specific substantial public interest conditions set out in Part 2 of Schedule 1 of the DPA 2018:

- Statutory and government purposes

## How we store your personal information

Your information is safely stored on Kirklees Council's secure network drives and cloud systems.

We keep personal information, information on characteristics and special category information for seven years after the property has been sold, in accordance with our retention policy. After this, we will then dispose of your information by manually deleting the data.

## Who we may share your information with

We may sometimes share the information we have collected about you where it is necessary, lawful and fair to do so. In each case we will only share the minimum amount of information, only when required, for the following reasons:

- Where we are required by statute - Chapter 2, Housing Growth & Regeneration Act 2008

We may share this information with:

- Other services within Kirklees Council, such as Legal Services.
- Other partners such as housing developers, conveyancers, estate agents and mortgage advisors.

We do not share personal information about you with anyone else without consent unless the law and our policies allow us to do so.

## Your data protection rights

Under data protection law, you have a number of rights, including the right to have your records rectified and the right to ask for access to all the information the Council holds about you. These rights are listed in more detail on Kirklees Council's [Data protection rights](#) page.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at [Data.protection@kirklees.gov.uk](mailto:Data.protection@kirklees.gov.uk) if you wish to make a request.

## Further information

If you would like further information about how we manage your data, please see the [Kirklees Council privacy notice](#).

If you would like further information about this privacy notice, please contact: [housing.regeneration@kirklees.gov.uk](mailto:housing.regeneration@kirklees.gov.uk).

If you have any worries or questions about how your personal data is handled, please contact the Data Protection Officer at [DPO@kirklees.gov.uk](mailto:DPO@kirklees.gov.uk) or by ringing 01484 221000.

You can also complain to the ICO if you are unhappy with how we have used your data. You can contact the ICO via the ['Contact us' page on their website](#), or by ringing 0303 123 1113.