

Privacy Notice (How we use your information)

Accessible Homes Team – home adaptations

Adaptations are changes that can be made to your home to make it safer and easier for you to move around and do everyday tasks.

The Council's legal responsibilities for home adaptations, administering Disabled Facilities Grants and other linked work is carried out by the Accessible Homes team.

This involves assessing and recommending aids and adaptations based on housing and support needs (for people of all ages). The team facilitates agreements between individuals and contractors and oversees any recommended works being carried out.

Please note: On occasions, where all other options have been exhausted, the team may also support the individual to apply for a Home Appreciation Loan which are administered on the council's behalf by Sheffield City Council. The privacy notice for this is held by Sheffield City Council but will be shared with relevant customers at the point it becomes applicable.

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

The data we process will be proportionate to where in the adaptations process you are e.g. if a Disabled Facilities Grant application is required this will increase the amount of data needed to progress the adaptations, especially financial information.

Please note: phone calls to our Accessible Homes Team may be recorded for training and quality improvement purposes.

- Personal information
 - General information: name, date of birth
 - Contact information: address, telephone number, email address, key safe code (only where applicable and relevant), language/ communication needs
 - Assessment information: housing situation including property type and tenure, support needs, financial information (including income, benefits, savings, investments), whether you are habitually resident, re-housing applications, property photos. Where relevant we may also hold copies of other documentation which we require to enable us to process your application/s. This may include but not limited to evidence of others in the household (e.g. child benefit statements); financial statements; household bills; evidence of home ownership; tenancy related documents etc.
 - Information about others: if someone else has referred you e.g. a health professional or family member we will record their details. We will process contact information for next of kin, carers, and advocates acting on your behalf. We process information on all household members relevant to the assessment (this can include financial information). If you live in a rented property or co-own your home, we will need additional contact details for your landlord or the co-owner and may need other information as adaptations works

progress. We process GP details or details of other health or social care professionals involved with you.

- Unique reference numbers
 - National Insurance number - Accessible Homes Team will collect this at the point a Disabled Facilities Grant application is started as this is a requirement of the grant process to show you are 'habitually resident' (as part of The Housing Renewal Grants Regulations 1996 as amended by The Housing Renewal Grants (Amendment) (England) Regulations 2000). The NI number will also be used as part of any future checks we undertake should you approach the service again for further grants.
 - NHS number – often, when a health professional refers you to the service they will include your NHS number in the referral. For us to contact them about the referral we will need to use this number in our communications. If we need to refer you onto a health-related service, we will also need to provide your NHS number as a mandatory requirement.
- Characteristics
 - Gender
 - Ethnicity
 - Disability, health and relevant medical information – this may also include details of any treatment you are undertaking, medication, previous medical history (where relevant) and aids and adaptations you already use/ have in your home.
 - Social care needs
 - We may also need to record your religious beliefs if these are relevant to your assessment and/or adaptations

We also process the following data for contractors and agents managing works:

- Name
- Company name, registered address, VAT number and any other registration numbers
- Contact information – telephone number, email address (and address if different to company address and relevant).
- Financial information such as bank account details to ensure payment can be made

Why we collect and hold this information

We use this personal data:

- To meet our legal obligations in relation to home adaptations including Disabled Facilities Grants (assessment of, facilitation of works and payment of).
- To assess customers' housing needs in relation to their health and daily living
- To recommend aids and adaptations based on housing and support needs.
- To assess customer financial information against Disabled Facilities Grant (or other funding) requirements.

- To facilitate agreements between customers and contractors (and/or managing agents) for works needed (and oversee those works being carried out).
- To provide customers (and their household members) with housing related services including help and information needed to access housing and support, ensure your home is suitable and safe for your needs and maintain your tenancy.
- To meet our legal obligations in relation to housing and homelessness including ensuring landlords are compliant with private rented sector regulations.
- To provide central government departments with statistical and research information e.g., Disabled Facilities Grants returns.
- For safeguarding reasons relating to vulnerable adults and children.
- We also use this information to monitor our own performance and assess the quality of our services (we may ask others to do this on our behalf), including carrying out household surveys and seeking customer feedback; to meet our duties under equality legislation and to inform our future service planning.

Automated decision-making

If you decide to proceed with any recommended adaptations/ changes to your home, we may need to assess your financial information and circumstances against Disabled Facilities Grant (or other funding) requirements to check if you need to make any financial contributions. This is known as means testing. This will only apply to disabled customers aged 18 and over and won't apply for adaptations costing a total of less than £8,000 (*this figure is subject to change*).

The process of means testing is set at a national level and is lengthy and complex. To ensure we are as accurate as possible and apply those calculations consistently for all applicable customers, we use a specialist software package to help us do this.

The software looks at your financial data, assessing it against the national criteria and performs a series of complicated calculations in the background. It determines your 'weekly living needs'; the difference between this and your income and subsequently what your contribution should be to any works. The results of the calculations are then produced as an output and this is the figure we communicate to you.

Please note that none of your data is shared with the software provider, the data remains with the Council.

The 'output' is deemed to be an automated decision under Article 22 of the UK General Data Protection Regulation (UK GDPR). You can ask to have any computer made decisions explained to you, and details of how we may have 'risk profiled' you.

You have the right to question decisions made about you by a computer, unless it's required for any contract you have entered into, required by law, or you've consented to it.

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.

- 6(1)(c) We have a legal obligation. This includes financial information which we must process to enable adaptations to be paid (in part or in full) by a Disabled Facilities Grant and check if you should make contributions yourself.
- 6(1)(a) Your consent. This would be used if you want us to discuss your case or share information with a third party. This includes formal advocates, family members or legal representatives. You can remove your consent at any time. You can do this by contacting AHT@kirklees.gov.uk or telephoning 01484 225335.
- 6(1)(d) It is in your vital interests. On very rare occasions, we may also need to share your data in emergency situations, and this is the only time this lawful basis would apply. It would only ever be used in a potentially life-threatening situation, and we weren't able to gain your consent at that point to share your information with emergency services. We would never rely on this lawful basis to collect or store your personal information.
- 6(1)(f) We have a legitimate interest. This would only be used for the recording of incoming calls into the Accessible Homes Team. We can use legitimate interest if we can demonstrate that the processing is for purposes other than for performing our tasks as a public authority. In this context our objectives include:
 - Ensuring you receive a quality service from us;
 - To investigate and resolve a complaint;
 - Protecting our staff's personal safety and welfare (e.g. from abusive callers);
 - For training, monitoring and statistical purposes;
 - Detection, investigation and prevention of crime (including fraud).

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 Grants Construction and Regeneration Act 1996
- Regulatory Reform (Housing Assistance) [England and Wales] Order 2002
- Lifting Operations and Lifting Equipment Regulations (LOLER) 1998
- The Construction (Design and Management) Regulations 2015
- Local Governments (Contracts) Act 1997 section 1
- Community Care (Delayed Discharges) Act 2003
- Housing Act 2004
- Part 6 and Part 7 of the Housing Act 1996
- Homelessness Act 2002
- Homelessness Reduction Act 2017
- Care Act 2014
- Children's Act 1989 (amended 2004)
- Children and Families Act 2014
- Working Together to Safeguard Children 2018
- Equality Act 2010

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)
- 9(2)(h) Health or social care (with a basis in law)
- 9(2)(a) Your explicit consent. Explicit consent is only used where you want us to discuss their case/ share special category data with a third party (formal advocates, family members, legal representation).
- 9(2)(c) It is in your vital interests. On very rare occasions, we may also need to share your health related-data in emergency situations and this is the only time this lawful basis would apply. It would only ever be used in a potentially life-threatening situation, and we weren't able to gain your consent at that point to share your information with emergency services. We would only share health information in a proportionate way and relevant to your situation. We would never rely on this lawful basis to collect or store your personal information

You can remove your consent at any time. You can do this by contacting AHT@kirklees.gov.uk or telephoning 01484 225335.

How we store your personal information

Your information is safely stored on Kirklees Council's secure network drives or on corporately procured secure storage systems. Any paper-based information is stored securely in accordance with corporate guidance or within the corporate central archive site.

Our primary case files are kept for 10 years.

Once data has been processed and added to our system, initial referral documents are kept for 6 months for query purposes.

Some data is kept indefinitely to ensure we can continue to maintain or replace specific items of equipment – this primarily relates to wash-dry toilets. This data is kept separate to case files and only contains a minimal amount of personal data.

Information relating to Home Appreciation Loans (HALs) is kept for the life of the loan. HALs are only given as an option for a small number of customers. If this is an option for you then a separate privacy notice information will be shared for this at the relevant time.

At the appropriate time, we will then dispose your information, using corporately agreed secure processes e.g., manual destruction of paper-based information using agreed confidential waste routes; automatic deletion by the system in which the information is held etc.

Sharing your information

Why we may share your information

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 and only when required, for the following reasons:

- To provide assessment and adaptations services for disabled people in Kirklees regardless of their age.
- To verify the data you have provided e.g. checking data against Land Registry or Council Tax records.
- To make any additional referrals to third parties which are in your best interests e.g. health services/providers – we will only make onward referrals after we have discussed this with you and with your consent.
- To provide customers with the help and information you need to access housing and support, ensure your home is suitable and safe for your needs and maintain your tenancy.
- To ensure the Council's homelessness duties are met including preventing homelessness.
- To ensure the Council's responsibilities as a landlord are met for customers living in homes which are managed by Kirklees Homes & Neighbourhoods or Pinnacle Group Ltd.
- To administer and allocate funding.
- To safeguard vulnerable children, young people or adults at risk.

Who we may share your data with

- Other services within Kirklees Council or acting on our behalf including (but not limited to) Adult Social Care; Children's Services; Customer and Exchequer; Homes and Neighbourhoods; Pinnacle Group Ltd; Legal Services; teams with the Communities Service; internal audit.
- National government departments including (but not limited to) Ministry of Levelling Up, Housing and Communities
- Other partners including (but not limited to) contractors or managing agents delivering works to your property; health services; fire service (if we deem your safety is at risk).

If you rent your home, some information will also need to be shared with your landlord (and/or letting agent)) to ensure we gain the correct permissions to make changes to the property you are living in. We will always aim to keep this as limited as possible, proportionate to the permissions we require and with a clear request to the landlord to keep the information confidential.

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 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: AHT@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 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 123 111