

Fair Processing Notice: Housing

This Fair Processing Notice explains what information we collect, the purpose for processing, categories of personal information and who we may share it with.

Introduction

As a Local Authority the Royal Borough Kensington and Chelsea collects, holds and processes a considerable amount of information, including personal information about residents, people it provides services to, and other people. It does this to provide its services in the most effective and efficient way that it can. This notice explains how these principles apply across the scope of housing services including landlord and property management services, statutory homeless and housing needs and all services provided to those affected by the Grenfell Tragedy.

The Council recognises that it has a duty to people whose information it holds to treat that information responsibly, keep it safe and secure, and process it correctly and proportionately. This Fair Processing Notice broadly explains what information we collect, the purpose for processing, categories of personal information and who we may share it with.

In housing we have three privacy notices: Housing Management, Housing Needs and another for those affected by the Grenfell Tragedy. The Grenfell Privacy Notice reflects the nature of those affected by a national tragedy, the high profile public enquiry and criminal investigation.

To understand how your own personal information is processed you may need to refer to any personal communications you have received, check any privacy notices the Council has provided or contact the Grenfell service provider directly to ask about your personal circumstances.

Identity and contact details

The Royal Borough Kensington and Chelsea is registered as a Data Controller under the General Data Protection Regulation and Data Protection Act 2018. Our contact details are:

*Data Protection Officer
Bi-borough Legal Services
Royal Borough of Kensington and Chelsea
Town Hall
Hornton Street
London W8 7NX
Email: dataprotection@rbkc.gov.uk*

How we collect your information

In order to fulfil our functions as a Local Authority, as well as pursue other lawful/legitimate interests on behalf of our residents, applicants and service users we

collect information about individuals in a number of ways, including by letter, email, face-to-face, telephone, online forms, social media, third parties and other key stakeholders acting jointly or on behalf of the Council.

Purpose for processing your information

We may collect personal data about you which covers basic details such as name, address, telephone number, and date of birth. We also collect some sensitive information also known as special category data, such as health data, ethnicity or religious beliefs - but only where it is needed to provide a service, fulfil a legal obligation and/or for monitoring equality of both customers and employees. Sensitive information may include bank account details to allow payments to be made to you.

We will always explain to you why and how this information will be used. We will always demonstrate to you what our lawful basis is for processing this type of information and where appropriate seek your consent.

As described above we collect and process information about you, so that we can carry out our public task functions as a Local Authority and to deliver public services. This includes but is not limited to:

- acquiring, allocating, repairing, improving (including adaptations) and disposing of homes
- management and maintenance of homes and shared areas including associated contracts (for example, cleaning and parking enforcement)
- delivery of services to fulfil statutory homeless duties (for example, street homeless services)
- identifying, assessing and providing one off and ongoing support
- assessing and administering payments to residents and third-party providers
- preventing and detecting fraud or crime including the prosecution of offenders, including through the use of CCTV
- case managing enquiries relating to service provision (for example, anti-social behaviour)
- delivering our statutory requirements (for example, investigation of safeguarding issues)
- shaping future demands across service users
- supporting and managing our employees
- receiving and managing complaints and third party enquiries
- carrying out surveys to inform service provision
- undertaking research
- responding to the public enquiry relating to the Grenfell tragedy
- issues relating to the fair management of immigration status, including where different to those seeking asylum
- conducting data analytics studies to improve performance
- all activities we are required to carry out as a data controller and public authority
- recording telephone calls for training purposes and to improve service quality
- equal opportunities monitoring
- administering any contract entered into with you and those for commissioned services.

We collect and process the following categories of personal information:

- personal and family details
- lifestyle and social circumstances
- financial details
- proof of identification
- employment and education details
- housing needs
- visual images and sound recordings
- data concerning the association to the Grenfell tragedy.

We may also collect and process special categories of personal information that may include:

- racial or ethnic origin
- religious or philosophical beliefs
- data concerning health
- data concerning a person's sex life or sexual orientation.

Collecting your personal information will always be for a specified purpose or set of related purposes. However, if we intend to use it for any other new purposes we will normally ask you first. For instance, in some cases, the Council may wish to use your information for improving and developing its services, or to prevent and/or detect fraud. Where practicable and reasonable we will always seek to inform you of any significant proposed changes to how we process or intend to process your personal data, in order to ensure full transparency over how we handle your information.

The Royal Borough of Kensington and Chelsea's commitments under the GDPR and UK Data Protection Act 2018

The Royal Borough of Kensington and Chelsea's commitment will be to ensure that the data we hold is:

- processed lawfully, fairly and in a transparent manner
- collected for a specific and legitimate purpose. It will not be used for anything other than this stated purpose
- relevant and limited to whatever the requirements are for which it is processed
- accurate, and where necessary, kept up to date. Any identified inaccuracies will be amended or removed without undue delay
- stored for as long as required, as specified on our records retention policy
- secured with appropriate solutions, which protect the data against unauthorised or unlawful processing and against accidental loss, destruction or damage.

The Council will demonstrate its compliance with these principles.

The Royal Borough of Kensington and Chelsea's commitment to processing personal data lawfully

The Council will ensure that it meets the conditions necessary for processing personal data lawfully and will ensure this is adequately recorded. There are a number of ways that processing can be lawful. Consent is one method, but it is important to know that consent is not always required and the Council can lawfully process personal data as long as a condition is met. You can find out more about the conditions on the [ICO website](#).

Who we may share your information with

We will sometimes need to share information between Council departments, services and elected Members, as well as other organisations such as our partners, third party contractors, Government bodies, the police, health and social care organisations, housing associations, landlords and educational establishments. We will only share information where it is appropriate and legal to do so. This may include verifying legitimacy of applications for services. We may also share information, for example, if there is a risk of serious harm or threat to life, for the prevention and detection of fraud or crime, assessment of any tax or duty or if we are required to do so by any court or law. Where this is necessary, we are required to comply with all aspects of UK data protection laws.

Although access to your data is restricted to us, there are occasions when we need to share it with others. Some example of when this is necessary are:

- where we have a lawful basis to do so, for example in general performance of a contract or service
- as part of public task and public duty where appropriate to do so
- with regard to service improvement
- when we are legally obliged to, for example debt collection or in connection with legal proceedings
- for the detection and prevention of fraud
- in the event of an emergency or risk of serious harm or threat to life, when the emergency services and other local authorities may need it to assist
- to inform the public enquiry relating to the Grenfell tragedy.

The following are examples of whom we share your information with and for what purpose:

Whom Information Shared	Purpose
Repairs Contractors	Deliver day to day maintenance service including specialist works.
MHCLG (H-CLIC)	National strategic planning around homeless
Various major works contractors	To deliver programme of improvement work in line with procured contracts
Support Services	Deliver support services to those affected by Grenfell tragedy

ORS	Deliver overarching STAR satisfaction survey to highlight improvement areas and benchmark impact of improvement work
Police	Management of issues relating to safety of street homeless or investigation of specific crime
Other Registered Social Landlords	To enable a decision to be made on moving home
Kwest Research	Resident Satisfaction Surveys to focus service improvement within Repairs Direct

An Information Sharing Agreement Protocol is in place to allow joined up and coordinated support to be provided to individuals affected by the Grenfell tragedy, whilst safeguarding rights to privacy. Personal information may be shared with:

- Ministry of Housing, Communities and Local Government (MHCLG)
- West London Clinical Commissioning Group (CCG)
- Central and North West London NHS Foundation Trust
- Other departments within the Royal Borough of Kensington and Chelsea

Details for transfers

It may sometimes be necessary to transfer personal information overseas. When this is needed, information may be transferred to countries or territories around the world. Any transfers made will be in full compliance with all aspects of the UK Data Protection Act 2018.

How long do we keep your information?

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 legal, accounting, or reporting requirements. For example, all information relating to management of a tenancy will be kept for the duration of the tenancy plus six years. Full details are contained in the service data retention schedule.

We may also anonymise some personal data you provide to us to ensure that you cannot be identified and use this data to allow the Council to effectively target and plan the provision of services.

Your rights and access to your information

You have the right to request a copy of the information that we hold about you. The new UK Data Protection Act 2018 also gives you additional rights that refer to how the Council holds and uses your information.

Consequently, under certain circumstances, by law you have the right to:

- Request to withdraw consent and the right to object and restrict further processing of your data; however, where legally enforceable this may affect service delivery to you

- request to have your data deleted where there is no compelling reason for its continued processing and provided that there are no legitimate grounds for retaining it
- request your data to be rectified if it is inaccurate or incomplete
- have your data transferred or copied should you move to another authority
- not be subject to automated decision-making including profiling.

To submit a Subject Access Request visit our [Subject Access Request page](#).

Automated decision making

Automatic decision making is a decision made by automated means without any human involvement. Any automated decision making carried out by the Council will be described in the relevant departmental Privacy Notice.

Personal information collected via online forms

Our policy is to respect and protect the privacy of anyone who visits our website. Where we ask you for personal information via an online form, this information will only be used for the purpose indicated and will be held in a secure manner. It will not be used for any other purpose without your permission and will not be kept for longer than necessary. If you are concerned about providing your personal information online, please contact us and we will arrange alternative means for you to provide this information.

Use of IP addresses and cookies

For information about your privacy and the cookies we use on the Royal Borough of Kensington and Chelsea website (www.rbkc.gov.uk). Please visit the [Cookies and your privacy page](#).

Changes in your personal circumstances

You must notify us immediately if there are any changes in your circumstances and personal details so we can maintain an accurate and up to date record of your information.

If you have any concerns

You have a right to complain to us if you think we have not complied with our obligation for handling your personal information; please visit the '[How do I complain](#)' page.

If you are not satisfied with the Council's response you have a right to complain to the Information Commissioner's Office (ICO). You can [report a concern by visiting the ICO website](#).

Changes to our Fair Processing Notice

As the Council creates new or improves existing services, this may generate need to amend the Notice. Any changes with regard to how the Council processes personal data will be posted on this page.

V2 – 27/3/19