

## **Privacy Notice – Disabled Facilities Grant (DFG)**

This Privacy Notice explains how we use any personal information provided to our DFG team.

### **What data do we collect?**

- Name
- Address
- Address of property which service request relates to.
- Contact details (phone numbers, email address etc)
- Date of Birth
- Gender
- Sexual orientation (not mandatory)
- Benefit status and information
- Financial information
- Job status
- Ethnicity (not mandatory)
- Advocate, carer or agent details
- Health, social care or other need relating to support
- Name, age and benefit status of any other occupants of the property

### **Why do we collect it?**

Mandatory Disabled Facilities Grants are available from local authorities in England and Wales and the Housing Executive in Northern Ireland. They are issued subject to a means test where works are likely to exceed £10,000. They are available for essential adaptations to give disabled people better freedom of movement into and around their homes, and to give access to essential facilities within the home.

There are a number of pieces of legislation which govern the work done by the DFG team. These include but are not limited to:

- Housing Grants, Construction and Regeneration Act 1996
- The Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008 (SI 2008/1189)
- The Housing Renewal Grants Regulations 1996 (SI 1996/2890, as amended)
- The Housing Renewal Grants (Amendment) (England) Regulations 2005 (SI 2005/3323)
- The Care Act 2014
- The Regulatory Reform Order 2002 (Housing Assistance England & Wales)

Before issuing a DFG a local housing authority must satisfy itself that the works are necessary and appropriate to meet the needs of the disabled person and are reasonable and practicable depending on the age and condition of the property.

When we collect your information in order to support you, we are doing so in our capacity as a public authority.

## Sources of data

Personal information about you relating to you and your household may also be gathered from other sources such as:

- Private sector landlords,
- Housing associations,
- Other council departments
- Solicitors
- Friends and relatives, you and your household may have been living with,
- Health services, children, family and adult services, education services,
- Department of Work and Pensions, Housing Benefit, Land Registry and Council Tax services,
- Charitable and voluntary sector organisations.

We may collect information from other sources depending upon your circumstances.

## How do we use data?

The Council uses your data to determine whether you are eligible for DFG assistance.

Once all required data has been supplied, details are entered onto the relevant database used by the Home Improvements team to assist them in processing your application. Information is then passed to third parties to allow them to complete the necessary works. This typically includes your name, address, adaptation works required and cost of the work.

All data is held on our secure system. Data will be held for ten years from the certified date of completion of works. However, where a discretionary loan has been awarded, data will be kept until the property is sold or transferred. If your application does not proceed to formal approval of costs stage, data is deleted 6 months after cancellation of the application.

## Basis for collecting, processing, and sharing personal data

Sefton Council collects your personal data in order to fulfil a number of duties and functions, under the pieces of legislation referenced above.

We collect and use this information under the following bases:

Article 6(1)(c) of the UK GDPR gives the Council a lawful basis for collecting and using personal data in order to comply with its legal obligations.

Article 6(1)(e) of the UK GDPR gives the Council a lawful basis for collecting and using personal data in order to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

Article 6(3) of the GDPR: the basis for the processing is laid down in law. The Council relies on its powers under the Housing Grants, Construction and Regeneration Act 1996 in order to process your personal data.

Section 8(c) of the Data Protection Act 2018: personal data that is necessary for the performance of a task carried out in the public interest or in the exercise of the controller's official authority includes processing of personal data that is necessary for (c) the exercise of a function conferred on a person by an enactment or rule of law

Further to this, the DFG team collect and use special category data such as information about your health and disability in order to comply with its obligations to consider your application for a disabled facilities grant for approved purposes.

Following completion of adaptation works we ask individuals to complete a questionnaire which contains some further special category data such as ethnicity and sexual orientation. We request this information on a voluntary basis and you are not under any obligation to provide it. The Council requests the information to assist with meeting its obligations under section 149 of the Equality Act 2010 in accordance with its public sector equality duty. No names or addresses are recorded in relation to this information.

The Council relies on the following to process your special category data: Article 9 (2)(g) of the UK GDPR: processing of special category personal data is 'necessary for reasons of substantial public interest, on the basis of domestic law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject'.

Schedule 1, Part 2, paragraph 6 of the DPA: the processing of special category personal data and criminal offence data is necessary for reasons of substantial public interest and necessary for the purpose of 'the exercise of a function conferred on a person by an enactment or rule of law' or 'the exercise of a function of the Crown, a Minister of the Crown or a government department.'

### **How do we keep data secure and who do we share it with?**

Information will be kept safe, secure and confidential and handled with care in accordance with the law. We may share your information with the following organisations:

- Social services and related agencies
- Housing Associations
- Prospective private landlords
- Contractors commissioned to do the adaptations
- Other departments within Sefton Borough Council
- Charitable and voluntary organisations

### **Retention – How long do we keep your information?**

We will keep your information for the duration of our work with you and up to 10 years following completion of our work.

### **Where can I find further information?**

Sefton Council is registered as a Data Controller with the Information Commissioner's Office (Registration number- Z6451588). Further details can be found via the Information Commissioner's Office website <https://ico.org.uk>.

## **Your data rights**

### Right to be informed

This Privacy notice is a way of informing you of how your personal data is used under data protection legislation.

## Data subject rights

You have the right to:

- access your personal data (via a subject access request)
- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed and
- right to data portability in certain circumstances
- The right to lodge a complaint with the supervisory authority (the Information Commissioner's Office)

## **Further information**

If you would like further information about this privacy notice, please contact the DFG team at the following address: [Housing.improvements@sefton.gov.uk](mailto:Housing.improvements@sefton.gov.uk) or call us on 0151 934 4155 or 3599.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance. If we have been unable to help with your enquiry or you are unhappy about the way we have handled your personal data, you can contact the Information Commissioner at <https://ico.org.uk/concerns/> who regulates data handling and can provides more information on the rights available to you.

Sefton's Data Protection Officer can be contacted at:

Telephone: 0345 140 0845

E-mail [ino.information@sefton.gov.uk](mailto:ino.information@sefton.gov.uk)

## **Your right to make a complaint**

Details about how you can make a complaint can be accessed via the website at the following link: [Compliments, Comments, Complaints and Whistleblowing Policy \(sefton.gov.uk\)](#)