**Privacy Notice for Discretionary Housing Payment Applications**

**Who we are**

Scottish Borders Council is a local authority established under the Local Government etc. (Scotland) Act 1994 and has its headquarters at Scottish Borders Council, Newtown St Boswells, TD6 0SA. You can contact the Council on 0300 100 1800 or [CustomerAdvice@scotborders.gov.uk](mailto:CustomerAdvice@scotborders.gov.uk).

The Council’s Data Protection Officer can be contacted using the contact details for the Council as set out above or by email at [dataprotection@scotborders.gov.uk](mailto:dataprotection@scotborders.gov.uk)

**How we will use your information**

We will use your information to determine if you are entitled to Discretionary Housing Payment. The Council is entitled to collect and use this information under its statutory duty to provide this service to you provided for under the Social Security (Scotland) Act 2018.

If you do not provide us with the information we have asked for then we will not be able to provide this service to you.

We may also use the information you provide to determine if you are eligible for any other Financial Assistance.

**Who we may share your information with**

Your information will be accessed by Council staff who need to do so in order to provide the service described above. The Council is legally obliged to safeguard public funds so details will be checked internally for fraud prevention and verification purposes and may be shared with other public bodies for the same purpose.

Personal data provided for Applications for services administered and/or provided by Scottish Borders Council may be shared with, or obtained from the following organisations (in addition to any other disclosure required by a Court of Law or in response to a valid request by, normally, a law enforcement agency):

* Council staff employed to administer Housing Benefit, Council Tax Support and Discretionary Housing Payment.
* Department for Work and Pensions (DWP)
* Her Majesty’s Revenues and Customs (HMRC)
* Cabinet Office
* An external company who are paid to administer Housing Benefit and Council Tax Reduction on behalf of the local authority (e.g. Civica on Demand)
* External companies who deliver services to enable your Housing Benefit, Council Tax Reduction, Discretionary Housing Payment claim to be processed, for example by supplying an online claim form service
* The Police
* Sherriff Officer (of persons required to repay an overpayment)
* Employers (of persons required to repay an overpayment)
* Other Council Services
* Other local authorities

Your information may also be shared and analysed internally in order to provide management information, inform service delivery reform and similar purposes to meet our duty to achieve best value and continuous service improvement.

In general the Council does not transfer personal data outside either the UK or the European Economic Area (EEA) and on the rare occasions when it does so the Council will inform you. The Council will only transfer data outside the UK and the EEA when it is satisfied that the party which will handle the data and the country it is processing it in will provide adequate safeguards for personal privacy.

**Decision Making**

The Council do not use profiling or automated decision-making processes. A human decision maker will always be involved before any decision is reached in relation to you.

**Information you have given us about other people**

If you have provided anyone else's details on this form, please make sure that you have told them that you have given their information to Scottish Borders Council**.** We will only use this information to contact those people to assess your own entitlement to this service. If they want any more information on how we will use their information they can visit our web site at <https://www.scotborders.gov.uk/privacystatement>

**How long do we keep your information for?**

We currently keep your information without limit of time. There is a project underway to implement the deletion of Discretionary Housing Payment information that we hold about you where your entitlement has ended or has been refused. The full range of circumstances where we will keep or delete information is being decided as part of this project and will be detailed here one the project reaches completion.

**Your Rights**

You have the right to request access to any personal data held about you by the Council. You can also request that we restrict the use of your information or even object to any further processing. You can do this by contacting the Data Protection Officer using the contact details provided above. We will respond to your request within 30 calendar days.

For more information on your rights please visit our website [www.scotborders.gov.uk/DPYourRights](http://www.scotborders.gov.uk/DPYourRights) or if you would like a hard copy of this information, please contact us using the contact details provided above.

**How to raise a complaint**

We aim to directly resolve all complaints about how we handle personal information. If your complaint is about how we have handled your personal information, you can contact the Council's Data Protection Officer by email at dataprotection@scotborders.gov.uk or by telephone on 0300 100 1800.

However, you also have the right to lodge a complaint about data protection matters with the Information Commissioner's Office (ICO), who can be contacted by post to : Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

You can contact the ICO by phone on 0303 123 1113 or you can visit their website for more information at [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns)

If your complaint is not about a data protection matter you can find details on how to make a complaint on our website at [www.scotborders.gov.uk/complaints](http://www.scotborders.gov.uk/complaints)