



Data Protection Privacy Policy – Housing Assistance Payment

1. Introduction

The Housing Department, Fingal County Council needs to collect and use personal data (information) for a variety of purposes about Housing applicants, Fingal tenants and other individuals who come in contact with the Council.

Data protection legislation safeguards the privacy rights of individuals in relation to the processing of personal data.

This data protection privacy policy sets out the data protections policies of the HAP Section of the Housing Department in keeping with the Data protection Act 1988, Data Protection (Amendment) Act 2003 and EU General Data Protection Regulation (GDPR). These legislative instruments confer rights on individuals as well as responsibilities on those persons processing personal data (Data Controllers). Personal data, both automated and manual, is data relating to a living individual who is or can be identified either from the data or from the data in conjunction with other information.

2. Purpose of this Privacy Policy

This policy is a statement of the commitment of the HAP Section of the Housing Department to protect the rights and privacy of individuals in accordance with the Data Protection legislation.

3. Principles of Data Protection (EU General Data Protection legislation)

The HAP Section of the Housing Department sets out the following policy and operational details in compliance with current Data Protection legislation in Ireland and the EU GDPR legislation.

Data Controllers: In respect of HAP applicants who come into contact with the HAP Section of the Housing Department the Data Controller is the Housing Department.

Data Controllers: The HAP Section of the Housing Department and the Limerick Shared Services Centre (Limerick County Council) are joint controllers for data collected for the HAP Scheme. The HAP section may for the purpose of its functions under the Housing Acts 1966-20014, request and obtain information *in respect of Housing applicants or tenants* from another housing authority, the Criminal Assets Bureau, An Garda Síochána, the Department for Social Protection, the Health Service Executive (HSE), TUSLA, an approved housing body or *any other appropriate body in accordance with its function. In such circumstances the Housing Department is a Data Processor.*

Data Processors: Data processors for the HAP Section are the Limerick Shared Service Payment Centre (SUGAR Payment System) and the Department of Social Protection (HAP API)

Who we share information with: Information is shared with other bodies and organisations: - Limerick County Council (Limerick Shared Services HAP Payment Centre), MABS, HSE, RTB, Dept of Social Protection, An Post, An Garda Síochána, Rental Inspection Company, Management Agents & Management Companies, Landlords, Dept. of Housing, Local Government & Heritage.

Data Processing Purposes: The HAP Section of the Housing Department processes personal data for the following specified and lawful purposes under the Housing Acts 1966 -2014 and commits to its use and disclosure only in ways strictly compatible with these stated purposes.



All data processed will be kept up-to-date and accurate and will at all times be stored securely and processed legally and only for the purposes set out below. Similarly, only the minimum amount of relevant data will be stored in relation to carrying out these purposes:

- For the purpose of processing a HAP application form to facilitate a HAP Payment to the landlord of a social housing applicant.

Categories of Data being processed

- All data required for the purpose of facilitating a HAP payment to a social housing applicant as set out in Section 32 of the Housing (Miscellaneous Provisions) Act 2009 and amended by Section 49 of the Housing (Miscellaneous Provisions) Act 2014; For example:
 - Personal and Contact Details
 - Details of personal circumstances
 - Details of Financial circumstances

4. Why do we collect it?

We have a legal obligation under Section 32 of the Housing (Miscellaneous Provisions) Act 2009 and amended by Section 49 of the Housing (Miscellaneous Provisions) Act 2014 to collect this data in order to perform our functions under the Housing Acts 2009 – 2014.

5. Data Access and Storage:

Access to Housing Department data is strictly limited to the relevant (Housing) staff of Fingal County Council. Data on individuals will be stored for as long as is necessary for the stated purposes of data processing and in accordance with our Data Retention policy.

6. Data Retention Policy and Data Disposal:

Fingal County Council has a data retention policy which sets out the time period for which your personal data will be retained by the Council and what will happen to it after the required retention period has expired.

7. Data Protection contact details:

The Fingal County Council Data Protection Office can be contacted at 01-8905162 and data.officer@fingal.ie.

8. Data Subject Rights:

The HAP Section of the Housing Department is committed to upholding and ensuring that the rights of the data subject (you) are maintained and protected at all times. As such we want to make sure that you are aware of, and have, the following rights under GDPR:

- i. That any data processing relating to you is based on clear statutory provision.
- ii. That as a data subject you have the right to request access to, and be provided with, all data held pertaining to you including the reason for processing, the source of the information and who has access to it. Such requests will be facilitated no later than one month after being requested and will be done so free of charge.
- iii. That as a data subject you have the right to have this data rectified to correct any errors or to ensure its accuracy.
- iv. That as a data subject you have the right to complain to the Data Protection Office if there is the belief that your data is being processed unfairly or your rights are not being protected.
- v. Personal information may be shared with other organisations or for legal purposes with your consent.



9. Review

This policy will be reviewed regularly in light of any legislative or other relevant indications.

Your Rights

You have the right to request access to personal data held about you, obtain confirmation as to whether data concerning you exists, be informed of the content and source of the data and check its accuracy. In addition, if the data held by us is found to be inaccurate you have the right to change, remove, block, or object to the use of personal data held by Fingal County Council. In certain circumstances blocking access to data may delay or remove access to a service where the data is required by law or for essential purposes related to delivery of a service to you. Please note that to help protect your privacy, we take steps to verify your identity before granting access to personal data.

To exercise these rights, you should take the following steps:

Request personal data held by Fingal County Council in writing by post or email to:

Data Protection Officer,
Corporate Affairs & Governance Department,
Fingal County Council,
Main Street,
Swords,
Co. Dublin

Email: Data.Officer@fingal.ie

Tel: 01 8905162

Complaints Procedure

If you are not satisfied with the outcome of the response you received from Fingal County Council in relation to your request, then you are entitled to make a complaint to the Data Protection Commissioner who may investigate the matter for you.

The Data Protection Commissioner's website is www.dataprotection.ie or you can contact their Office

at: Lo Call Number: 1890 252 231

E-mail: info@dataprotection.ie

Address: Data Protection Commissioner
Canal House
Station Road
Portarlinton
Co. Laois
R32 AP23