

North Somerset Council

Homes for Ukraine Scheme Privacy Notice

North Somerset Council are committed to helping Ukrainian individuals and family's resettlement under the Governments Homes for Ukraine Scheme. To fulfil our obligations, it is necessary to share information with critical partners. This is important both for the delivery of the scheme and evaluating its effectiveness.

North Somerset Council is registered with the Information Commissioners Office for the purpose of processing personal data. It respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

North Somerset Council (NSC) collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the United Kingdom General Data Protection Regulations (UKGDPR) and the Data Protection Act 2018. We are responsible as 'controller' of that personal information.

North Somerset Council will work with you under the Homes for Ukraine Scheme. As a Local Authority NSC will provide vetting and safeguarding checks and will share your personal information to complete checks and ensure suitability.

Personal information we collect and use – information collected by us

Unless otherwise agreed with you, we will only collect the minimum personal data required to deliver the service, which includes the following sensitive/non-sensitive data:

- Personal information e.g. your name, address, date of birth, details of property, passport details, immigration status, length of time at address, Local Authority.
- Contact details e.g. your e mail address, phone number.
- Information relating to sponsorship e.g. sponsorship permission to be in the UK for more than 6 months, sponsor right to remain in UK for more than 6 months.
- Information relating to individuals living in the same household e.g. descriptions listed in personal information, contact details, information relating to sponsorship.
- Your bank details so that we can make payments to you under the Government Schemes.
- Agreement of self-declaration confirming details provided are correct and you will comply with the terms of the scheme.

We also collect the following 'special category' data (personal data which is more sensitive and is treated with extra care and protection) when you provide it to us:

- Information about you and your circumstances e.g. are you an individual living in the same household being supported or receiving a service from Adult Social Care or Children's Services

Other information relating to criminal and safeguarding checks (including outcomes or flags) will also be collected by us or be provided by the Home office or Department for Levelling Up Communities and Housing.

How we use your personal information

We use your personal information to:

- support the delivery of the Homes for Ukraine Scheme
- ensure sponsors and their households undertake vetting (DBS checks) and enhanced checks where necessary
- ensure sponsors and their households undertake safeguarding checks where necessary. A check carried out to identify if you or an individual in your household are being supported or are receiving a service from Adult Social Services or Children's Services
- contact you regarding your application e.g. missing information, clarification of information provided to arrange visits etc
- offer you services to prepare your home for hosting e.g. fire checks, gas safety checks
- share relevant information with Local Authorities to complete further checks to ensure suitability and compliance with the scheme's conditions
- share with Third-party credit check agencies to verify bank details
- share with Government fraud agency

The sharing of information facilitates a joined-up approach with partner agencies, to ensure support to delivery of the Homes for Ukraine scheme.

Reasons we can collect and use your personal information

When we collect your personal data, we rely on the following legal basis:

- Article 6(1)(e) – processing is necessary for the performance of a task carried out in a public interest or in the exercise of official authority vested in the controller

The relevant legislation we are subject to include:

- Immigration and Asylum Act 1999
- Welfare Reform and work Act 2016
- Children and Families Act 2014
- Children and Social Work Act 2017

- Children Act 1989
- Safeguarding Vulnerable Groups Act 2006
- Health and Social Care Act 2012

When we collect your ‘special categories’ of personal data (such as health) we rely on the following legal basis:

Article 9(2)(g) – processing is necessary for reason of substantial public interest, on the basis of domestic law and public tasks 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 interests of the data subject.

The Relevant legislation we are subject to include:

- Immigration and Asylum Act 1999
- Welfare Reform and work Act 2016
- Children and Families Act 2014
- Children and Social Work Act 2017
- Children Act 1989
- Safeguarding Vulnerable Groups Act 2006
- Health and Social Care Act 2012

We rely on statutory etc and government purposes from Schedule 1 part 2 of the Data Protection Act 2018 when relying on Article 9(2)(g) to process your special category data. We rely upon your consent for the purpose of processing of any criminal conviction and offence personal information, for the purpose of carrying out the vetting check (DBS). If you provide us with this information, we will only process it (including sharing the information with the organisations listed below) to the extent that it is necessary for that purpose. There is a requirement to provide this information set out in the Government Homes for Ukraine sponsors guidance.

We take the following appropriate safeguards in respect of our special category data when relying on the conditions above:

Legal basis for processing personal information

- GDPR Article 6(1)(c) in relation to conducting legal duties on behalf of central government; and 6(1) (e) in relation to official authority in conducting safeguarding checks as per the joint visa application between sponsor and guest through the Homes for Ukraine scheme
- GDPR Article 9(2)(h) in relation to health or social care to support access to appropriate public service support and pathways.
- DPA 2018 Part 3 (35) (2a) with regards to DBS checklist.

We maintain records of our processing in our 'Record of Processing Activities' and record for any reasons deviating from the periods in our retention schedule.

If you do not provide your data, it will limit the progression of your application and we may not be able to further your application to become a sponsor.

How long will your personal data will be kept?

We will only hold your personal information for as long as necessary. Personal data shall be retained for 2 years upon closure of the scheme, unless the Department for Levelling Up Communities and Housing and the Home office identify that continued retention is necessary before 2 years of closure

Who we share your personal information with

In the course of working with you, we may collect information from, or share it with some of the following third parties (non-exhaustive list)

- Home Office
- Department for Levelling Up Housing and Communities
- Local Authorities (to complete sponsor checks)

<https://www.gov.uk/government/organisations/department-for-levelling-up-housing-and-communities>

<https://www.gov.uk/guidance/homes-for-ukraine-visa-sponsorship-scheme-privacy-notice>

We may also share personal information with other relevant NSC teams e.g. Adult Social Services, Children's Services etc. to process the information so this can be used to complete safeguarding checks and distribute information to relevant local Authorities.

Each organisation listed above will ensure they have the relevant agreements in place to be able to process your information. This data sharing enables us to ensure the delivery of the Homes for Ukraine Scheme.

We will share personal information with law enforcement agencies and other authorities if required by applicable law or in connection with legal proceedings.

We will share personal information with our legal and professional advisors in the event of a dispute, complaint or claim. We rely on Article 9(2)(f) where the processing of special category data is necessary for the establishment, exercise or defence of legal or whenever courts are acting in their judicial capacity.

Under GDPR you have the rights which you can exercise free of charge which allows you to:

- know what we are doing with your information and why we are doing it
- ask to see what information we hold about you (subject access request)
- ask us to correct any mistakes in the information we hold about you
- make a complaint to the Information Commissioner's Office

Depending on our reason for using your information you may also be entitled to:

- ask us to delete information we hold about you
- have your information transferred electronically to yourself or to another organisation
- object to decisions being made that significantly affect you
- object to how we are using your information
- stop us using your information in certain ways

If you have any questions about the way we use your personal data, or wish to invoke any of your legal rights, please contact the council's Data Protection Officer at DPO@n-somerset.gov.uk

We always try to comply with your requests however we may be required to hold or use your information to comply with legal duties. Please note your request may delay or prevent us delivering a service to you.

For further information see the guidance from the UK Information Commissioners Office - <https://ico.org.uk/>

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

If you have any questions about the way we use your personal data, or wish to invoke any of your legal rights, please contact the council's Data Protection Officer at DPO@n-somerset.gov.uk