



From mountain to sea

# Privacy Notice

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: [dataprotection@aberdeenshire.gov.uk](mailto:dataprotection@aberdeenshire.gov.uk)

Your information is being collected to use for the following purposes:

- To inform Aberdeenshire Council of preferences for rent increases for 2024/25, 2025/26 and 2026/27 based on statutory and regulatory obligations to consult with Housing tenants, service users and other stakeholders
- To inform Aberdeenshire Council of priorities for service delivery in line with statutory and regulatory duties to consult on the operation of the Housing Revenue Account
- To ensure that the views of tenants, services users and stakeholders are reflected in priorities for the Housing Service and the Housing Revenue Account Business Plan
- To ensure equality of service provision

Your information is being collected by Aberdeenshire Council.

The Legal Basis for collecting the information is:

Personal Data		Special categories of personal data	
Legal Obligation – Housing (Scotland) Act 2001	X	Processing is necessary for reasons of <b>substantial public interest - equalities</b>	X



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Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

Aberdeenshire Council is required to process data based on statutory and regulatory duties enshrined within Housing legislation, in particular the Housing (Scotland Act) 2001 and the Housing (Scotland) Act 2010. In addition, the Scottish Government Guidance on the operation of Local Authority Housing Revenue Account outlines a requirement to engage and consult. Failure to comply with these requirements would therefore be treated as a breach of statutory and regulatory breach and considered a performance failure by the Scottish Housing Regulator.

A failure to ensure required levels of consultation in respect of rent increase would result in an inability to increase rent that would result in a significant loss of income throughout the term of the 30-year business plan, based on a legal requirement to consult with tenants at least 4 weeks in advance of an increase.

Equalities data will also be gathered in line with Substantial Public Interest (8) Equality of Opportunity or Treatment to ensure equality in the provision of Housing services. A failure to gather this information would be deemed to be non-compliant in respect of legal and regulatory duties.

Your information will be shared with the following recipients or categories of recipient:

Personal data will be anonymised and will not be disclosed to Aberdeenshire Council. General survey outcomes will however be reported and published to ensure compliance with statutory and regulatory duties associated with the Annual Report to Tenants as outlined in the (Housing Scotland) Act 2010. It will not be possible for Aberdeenshire Council or any other parties to identify the source of information gathered with analysis restricted to geographical location, house type, age and other headline data. Headline equalities information will also be shared. Anonymised, headline survey outcomes will therefore be shared with the following:

Housing tenants (by way of Annual Report to Tenants); Housing & Building Services Management Team, Housing & Building Standards staff, Aberdeenshire Council Committees, Scottish Housing Regulator, Scottish Government, Benchmarking Organisations (for example Scottish Housing Network and Housing Quality Network). Headline survey data outcomes will also be widely published by a range of agencies including Aberdeenshire Council, the Scottish Housing Regulator and the Scottish Government. The information published will relate to mandatory satisfaction and reporting data, again governed by Housing legislative and regulatory requirements.

Survey information will be gathered, collated and reported by Aberdeenshire Council's appointed Survey and Research consultants, IBP.



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Your information will be transferred to or stored in the following countries and the following safeguards are in place:

*Not applicable.*

The retention period for the data is:

Data will be deleted on conclusion of the survey process. Outcomes will be reported to the Aberdeenshire Council Communities Committee in January 2024, with all data deleted thereafter. Anonymised and headline data gathered will remain in circulation thereafter for reporting and data analysis purposes.

The following automated decision-making, including profiling, will be undertaken:

*Not applicable*

Please note that you have the following rights:

- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- to request rectification or erasure of your personal data, as so far as the legislation permits.