



INTEREST FREE SECURED LOANS - MORTGAGE BREATHING SPACE

Here at Wakefield Council, we take your privacy seriously and will only use your personal information for the purpose(s) listed in section 2 below. This notice provides details of how the Council collects and uses information (data) about you.

We will keep your information (data) secure at all times.

1. Who we are.

a) The Controller for the information we hold is Wakefield Council. Contact details:

Telephone: 01924 306112

Email: dataprotection@wakefield.gov.uk

b) If you have any queries regarding your information that we are using for the purpose outlined in section 2, please contact the Controller's representative. Contact details:

Janet Howley, Lead Officer, Housing Policy and Support

Telephone: 01924 305892

Email: mortgagehelp@wakefield.gov.uk

c) The Council's Data Protection Officer is the City Solicitor: Contact details:

Telephone: 01924 305211

Email: dpo@wakefield.gov.uk

2. How we use your data:

*The Homeowner Support Team needs to collect the following information about you and obtain your personal data from your creditors to provide their service:

- personal information including:
 - name
 - address
 - contact details
 - date of birth
 - gender
 - age
 - disability
 - retired/working
 - ill health
 - marital status

- mortgage and secured debt information including:
 - mortgage balance

- interest rate
 - term and type of mortgage
 - monthly payments
 - arrears on the account
 - current status of your accounts
 - legal action current or pending
 - the value of your property
- household income and benefit information, savings, stocks and shares
 - bank account information
 - household expenditure
 - secured and unsecured debt details e.g. council tax, catalogues, credit cards etc

We use this information to fully understand your financial problems and the extent of any debts. This allows us to then work out your household budget and identify your options across all debts to resolve your financial difficulties, improve your finances and stabilise your household situation.

To enable us to provide our service to you we will share some of your information with:

Your Local Authority Housing options team
 Referring agent – such as a Debt Charity, Shelter, CAB
 The Mortgage Breathing Space Special Cases Panel
 Lenders and Creditors
 Legal Officers within Wakefield Council
 Estate Agents commissioned to carry out a valuation on your home

Should you decide not to provide any of the information we request from you we will not be able to negotiate on your behalf with your lender or creditors. In addition, lenders and creditors will refuse to share any of your information so we won't be able to understand what your financial and debt problems are. This will stop us from being able to help you.

3. What authority does the Council have to collect and use this information?

Under GDPR Article 6:

- b) Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- c) Processing is necessary in order to protect the vital interests of the data subject or of another natural person;

Under GDPR Article 9:

- c) Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;

Processing is necessary to take steps to enter into a contract with you if we progress to a Mortgage Breathing Space loan.

Processing is also necessary to protect your vital interests and allow us to act on your behalf and to protect your wellbeing.

4. How long will we keep your data?

We will securely store your personal information (collected for the reasons shown in section 2 above) for 12 years starting 1 month after your interest free loan is repaid in full. after which time it will be deleted from our systems. The reason for keeping information for this period of time is in accordance with the Financial Conduct Authority and Institute of Money Advisers' recommendation that all land matters (i.e. secured loans) should be stored for 12 years.

5. Your rights and your personal data

Under the GDPR you have the following rights:

Right of Access

You have a right of access to the personal information that the Council holds about you, and/or the right to be given a copy of the data undergoing processing.

Right to Rectification

You have the right to request that the Council corrects any personal data if it is found to be inaccurate, incomplete or out of date.

Right to Erasure

In certain circumstances, you may have the right to request your personal data is erased.

Right to Restriction of Processing

You have the right, where there is a dispute in relation to accuracy or lawfulness of processing of your personal data, to request that a restriction is placed on further processing.

Right to Portability

You have the right to request the Council provide you with your personal data and where possible, to transmit that data directly to another data controller. However, this only applies to data that you have provided to us and not to all the information that the Council holds about you.

Right to Object to Processing

In certain circumstances, you may have a right to object to the processing of your personal data.

Automated Decision Making

Part of our process includes automated decision making. You have a right to not be subject to a decision based solely on automated processing.

Right of Complaint

You have a right to lodge a complaint with the Information Commissioner, please find contact details below.

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

To exercise any of your rights, you should contact the Data Controller's representative as shown in section 1b.

6. Transfer of data outside the EU

We will not transfer your data outside the EU

7. Automated decision making

There is no automated decision making as part of our processes.

8. Further processing

If we wish to use your personal data for a new purpose, not covered by this Transparency Notice, then we will provide you with a new Transparency Notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.