

## **Scottish Government Self Build Loan Fund**

### **Privacy Notice**

This Privacy Notice illustrates how your personal data will be used by the Scottish Government in relation to the operation of the Scottish Government's self-build loan fund scheme ('the scheme'). The term "Scottish Government" includes administering agents and solicitors appointed to act on behalf of the Scottish Government in delivering the schemes.

The Privacy Notice provides you with information about your rights under the General Data Protection Regulation (EU) 2016/679 [GDPR] and the Data Protection Act 1998 (as amended) [the Data Protection Legislation] and how to action these rights.

### **Why do we need your information?**

We use your information:

- to process applications for the self-build loan fund scheme;
- to record details of owners and properties where the Scottish Government has supported a loan;
- to carry out our obligations arising from contracts entered into by you and us;
- to enable us to respond to any complaints made;
- to contact you in order to send you details of any changes to services which may affect you;
- for equalities monitoring purposes;
- for statistical analysis and research purposes;
- to contact you for your views on our services.

Individual data collected via loan application forms is used only for statistical and research purposes, such as those covered above.

### **What is the legal basis for processing your information?**

We only use your information where we have a legal basis under the Data Protection Legislation:

- we need your information to perform a contract with you, including to take steps to enter into a contract with you;
- we need your information to exercise the Scottish Government's public functions under our official authority or perform a task in the public interest; and
- we have your consent (where appropriate under the Data Protection Legislation).

### **What data is collected?**

We process the following information about you:

### Personal Data

- name;
- address;
- telephone number;
- e-mail address;
- date of birth;
- number and age of other members of your household;
- current housing tenure;
- information provided by your representatives (e.g. Solicitor, Independent Financial Adviser);
- information related to the development costs;
- details of your personal/ household finances and salary including benefits received and savings;
- location of building plot
- mortgage lender;
- mortgage decision in principle documents;
- customer satisfaction data and testimonials (optional).

### Sensitive or Special Categories of Personal Data

- disability

Provision of this information is voluntary. However if you are unable to provide it, you will not be able to apply for the Scottish Government loan fund scheme.

### **How long will we keep your information?**

We review our data retention periods regularly and will only hold your personal information for as long as is necessary for the relevant activity, or as required by law (we may be legally required to hold some types of information), or as set out in any relevant contract we have with you.

The Scottish Government has a contract in place with Highlands Small Communities Housing Trust (HSCHT) to administer the scheme. HSCHT is legally required to retain and maintain documentation related to loan agreements and any related documentation obtained during the application and approval process including all financial records until 31 August 2027.

### **How we keep your information secure**

Information held by the Scottish Government and its representatives is managed effectively by secure systems on secure servers.

Your information will not be shared outside the EU.

## **Who has access to your information?**

The majority of the information you provide to us will be treated by us as confidential. It will only be shared beyond the Scottish Government, HSCHT and the solicitor appointed to deliver the scheme in the following circumstances:

- to prevent fraud;
- if required to do so by law;
- to protect the Scottish Government's financial interest and for the purposes of enforcing the agreement;
- in order that the Scottish Government can rely on the outcome of any survey undertaken at the time of purchase.

The Scottish Government has a contract in place with Morton Fraser LLP for provision of legal services for the self-build loan fund scheme. Contact details for Morton Fraser are:

Morton Fraser LLP  
Quatermile Two  
2 Lister Square  
Edinburgh EH3 9GL

## **Receiving information about you**

We may receive the following information from third parties:

- benefits information, including awards of Housing Benefit/Universal Credit, from you or your representative;
- communications regarding your application from your representatives (e.g. Solicitor, Independent Financial Adviser,);
- communications from the Police where fraud or money laundering is being investigated.

## **Your rights**

Your rights in relation to your personal information are:

- you have a right to request access to the personal information that we hold about you by making a "subject access request";
- if you believe that any of the personal information that we hold about you is inaccurate or incomplete, you have a right to request that we correct or complete such personal information;
- you have a right to object to or request that we restrict the processing of the personal information that we hold about you for specific purposes;
- if you wish us to delete the personal information that we hold about you, you may request that we do so;

- if you wish to obtain the personal information that we hold about you to reuse it for your own purposes, you may request that we do so; and
- where we undertake any automated decision-making and profiling, you have certain rights in relation to such processing of your personal information.

We want to make sure that your personal information is accurate and up-to-date. If your details change, please contact:

Eileen Irvine  
Highlands Small Communities Housing Trust  
7 Ardross Terrace  
Inverness  
IV3 5NQ  
email: [eileen.irvine@hscht.co.uk](mailto:eileen.irvine@hscht.co.uk)  
Tel: 01463 233549

### **What if I have concerns?**

The Data Protection Officer for your information is the Scottish Government Data Protection and Information Assets (DPIAT) team [dpa@gov.scot](mailto:dpa@gov.scot).

If you have any concerns about your data please contact the DPIAT team, or Deborah Smith, [Deborah.Smith@gov.scot](mailto:Deborah.Smith@gov.scot), Deputy Director, More Homes Division.

Alternatively complaints may be raised with the Information Commissioners Office at [casework@ico.org.uk](mailto:casework@ico.org.uk).

### **Review of this policy**

We keep this privacy notice under regular review. It was last updated in September 2018.