

Scottish Government Shared Equity Schemes

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 shared equity schemes ('the schemes') – Help to Buy (Scotland), Open Market Shared Equity, New Supply Shared Equity and Homestake. 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 shared equity schemes;
- to record details of owners and properties where the Scottish Government has an equity stake;
- 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;
- for research purposes;
- to contact you for your views on our services.

Individual data collected via sales log 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 to use your information to comply with our legal obligations, such as recording of your property purchase, equity stake and payment details, in order to register the shared equity agreement against the titles and for tax and audit purposes;

- 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;
- name and date of birth of other members of your household;
- information provided by your representatives (e.g. Solicitor, Independent Financial Adviser);
- information related to the purchase of properties under the scheme;
- characteristics of buyers information from Sales Log Forms;
- household income;
- house purchase price;
- mortgage lender;
- mortgage decision in principle documents;
- details of your personal finances and salary;
- Scottish Government equity stake; and
- 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 shared equity schemes.

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.

We will generally keep your information for the following minimum periods after which it will be destroyed if no longer required for the reasons it was obtained.

Document Type	Retention Period
<p>Application Information Information provided by you or your representatives in relation to applications to the schemes. This includes all supporting documentation you or your representatives provide.</p>	<p>The information will be destroyed within one year after the end of the calendar year in which the application was received.</p> <p>If the application is for a change to the shared equity agreement it and all supporting documentation will be retained in the same way as Property Purchase Information.</p>
<p>Property Purchase Information Information related to the purchase of the properties under the scheme.</p>	<p>Property Purchase Information will be held until sale, death or when the owner buys out the Scottish Government's share. This is an indefinite period. After this point, the record will be destroyed up to six years after the end of the calendar year in which the Scottish Government's share is repaid.</p>
<p>Characteristics of Buyers Information Information collected from sales log forms completed by buyers after purchase completion.</p>	<p>This information may be kept indefinitely for statistical and research purposes, following appropriate safeguards, in line with current data protection legislation.</p>
<p>Non-anonymised Customer Satisfaction Survey and Testimonials</p>	<p>The information will be destroyed within one year after the end of the calendar year the information was collected, unless you have given your express permission for it to be used in publicity materials.</p>

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 and the administering agents and solicitors appointed to deliver the schemes 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 (e.g. the standard security requires to be registered in order to have an enforceable security and registration of the agreement in

the Books of Council and Session, a copy of which can be made available to members of the public upon request);

- in order that the Scottish Government can rely on the outcome of any survey undertaken at the time of purchase.
- in order that a third party, contracted by the Scottish Government, can contact you for research purposes including evaluations of the shared equity schemes.

The transaction details including your name, the purchase address, the purchase price and date of settlement, any standard securities registered against the property and title conditions on the property are all provided to the Registers of Scotland. Your name and the details of the Scottish Government's equity stake are required to be provided to the Books of Council and Session. Members of the public may have access to this property information through these public registers managed by Registers of Scotland. This means that these details do not have the same high level of restricted access as other information you provide us with.

As well as the Scottish Government, the organisations processing your information in relation to Help to Buy (Scotland) are Link Homes Ltd, Highland Residential, Grampian Housing Association Limited. The Scottish Government has contracts in place with these organisations for administering the schemes. Contact details for the Help to Buy administering agents can be found at <https://www.mygov.scot/help-to-buy/how-to-apply/>

The organisation processing your information, on behalf of the Scottish Government, in relation to Open Market Shared Equity is Link Homes Ltd. The Scottish Government has a contract in place with Link Homes Ltd for administering this scheme. Contact details for the OMSE administering agent can be found at <https://www.mygov.scot/open-market-shared-equity-scheme/how-to-apply/>

The administering agents for New Supply Shared Equity can be any Registered Social Landlord or a Local Authority. Contact details can be found at

<https://www.scottishhousingregulator.gov.uk/find-and-compare-landlords/directory-social-landlords>

and

<http://www.cosla.gov.uk/scottish-local-government>

The Scottish Government has a contract in place with Harper Macleod LLP for provision of legal services for the shared equity schemes. Contact details for Harper Macleod are

Harper Macleod LLP
Ca'd'oro
45 Gordon St,
Glasgow G1 3PE

The Scottish Government has a contract in place with Craigforth to carry out an evaluation of the shared equity schemes. Contact details for Craigforth are

Craigforth
1st Floor
Lomond Court
Castle Business Park
Stirling
FK9 4TU

Only with your express written permission would any of your feedback /testimonials gained from Customer Satisfaction Surveys be used for publicity purposes.

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;
- payments made by you to us, from All Pay Ltd;
- communications regarding your shared equity application or agreement from your representatives (e.g. Solicitor, Independent Financial Adviser, Medical or Social Care Practitioner);
- 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 inform us using one of the following addresses:

Open Market Shared Equity

Link Homes Ltd
Watling House
Callendar Business Park
Falkirk
FK1 1XR
lift@linkhalt.co.uk

Help to Buy (Scotland)

Link Homes Ltd
Watling House
Callendar Business Park
Falkirk
FK1 1XR
helptobuy@linkhalt.co.uk

Highland Residential
68 MacLennan Crescent
Inverness
IV3 8DN
htb@highlandresidential.co.uk

Grampian Housing Association
Huntly House
74 Huntly Street
Aberdeen
AB10 1TD
ownership@grampianhousing.co.uk

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.

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

Alternatively complaints may be raised with the Information Commissioners Office at casework@ico.org.uk.

Review of this policy

We keep this privacy notice under regular review. It was last updated in June 2019.