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**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 UK General Data Protection Regulation [UKGDPR] 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;
* for research purposes;
* to contact you for your views on our services.

Individual data collected from 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 to use your information to comply with our legal obligations, such as your payment details, 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;
* nationality
* 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;
* sex (optional);
* customer satisfaction data and testimonials (optional).

Sensitive or Special Categories of Personal Data

* disability (optional)
* ethnicity (optional)

religious belief (optional)

You need to provide this information to apply for the Scottish Government Self Build Loan Fund scheme. Where specifically stated, certain information is optional and is used for monitoring and evaluation of the scheme(s).

**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 Communities Housing Trust (“CHT”) to administer the scheme. CHT is legally required to keep and maintain required documentation related to loan agreements and any related documentation obtained during the application and approval process including all financial records until 31 August 2028.

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.

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| **Document Type** | **Retention Period** |
| **Application Information** Information provided by you or your representatives in relation to applications to the scheme. This includes all supporting documentation you or your representatives provide. | The information will be destroyed within two years of when the application was received.  |
| **Characteristics of Buyers Information**Information collected from applications  | This anonymised information may be kept indefinitely for statistical and research purposes, following appropriate safeguards, in line with current data protection legislation.  |
| **Non-anonymised Customer Satisfaction Survey and Testimonials** | The information will be destroyed within two years of collection unless you have given your express permission for it to be used in publicity materials. |

**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?**

Most of the information you provide to us will be treated by us as confidential. It will only be shared beyond the Scottish Government, CHT 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.
* in order that a third party, contracted by the Scottish Government, can contact you for research purposes including evaluations of the Self Build Loan Fund.

The organisation processing your information, on behalf of the Scottish Government, in relation to the Self Build Loan Fund is the Communities Housing Trust. The Scottish Government has a contract in place with the Communities Housing Trust for administering the scheme. Contact details for this administering agent can be found below.

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

Quartermile 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,);
* information from architects, builders and surveyors regarding the property you wish to build;
* 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 ask 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

Communities Housing Trust

7 Ardross Terrace

Inverness

IV3 5NQ

email: 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.

If you have any concerns about your data, please contact the DPIAT team, orColin MacBean, 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 November 2022.