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<b>Service Area:</b>	Housing
<b>Work Area:</b>	Private Sector Housing – Social Services and Housing
<b>Contact Details:</b>	Kim Perriam, Financial Assessor / Admin Manager Telephone 01443 811377 Email: perrikm@caerphilly.gov.uk
<b>Privacy Notice Name:</b>	Private Sector Housing
<b>Description of Privacy Notice:</b>	This privacy notice will explain how Caerphilly County Borough Council's Private Sector Housing will collect and process information about you: <ul style="list-style-type: none"><li>• When you make an enquiry for Financial Assistance including both grants and loans</li><li>• In order to ensure compliance with housing legislation</li><li>• In order to administer the licensing of Houses in Multiple Occupation</li><li>• In order to deliver energy related projects.</li><li>• We may use this information to provide you with the opportunity for customer engagement. We also record information on other people living with you; this is required for the purposes of receiving financial assistance and to ensure compliance with housing legislation.</li></ul>

## How we will use your information

### Purpose and legal basis for using your information

#### Purpose of processing

Your information is collected for the purpose of administering the following:

- Financial Assistance including Grants and Loans
- Compliance with housing legislation including private rented sector property conditions, investigating statutory nuisance (all tenures), empty homes and gypsy and traveller accommodation assessments.
- Licensing of houses in multiple occupation.
- Energy related work

#### Legal basis for processing

The information we collect from you is used to manage:

- Financial Assistance including Housing Grants and Loans

This includes:

- Processing your request for financial assistance in order to ascertain if you are eligible for assistance and managing repayments.
  - Inspection of the property, determination of eligible works
  - Managing the works to completion if appropriate.
  - Provision of a Home Improvement Agency Service
  - Ensuring financial assistance conditions are enforced
- Compliance with housing legislation including private rented sector property conditions, investigating statutory nuisance, empty homes and gypsy and traveller accommodation assessments.

This includes:

- Property Inspection
  - Informal action
  - Enforcement action
  - Surveys
- Licensing of houses in multiple occupation.

This includes:

- Property Inspection
  - Administration of licensing function.
- Energy related work

This includes:

- Property Inspection
- Managing Energy related schemes e.g. Arbed.

The information may also be used to provide you with the opportunity for customer engagement, this includes:

- Surveys to improve our services
- Events/communication to raise your awareness or obtain your views of housing services
- Activities to share ideas and knowledge in relation to housing services.

We collect information from you via a variety of sources, including when you apply for one of our services, complete one of our forms, when you telephone, write, text, email, meet with us or respond to a survey or attend an activity or event. We may also collect information when you use our social media sites or the council website.

We may use photography to capture evidence of enforcement related matters and property conditions.

We may also take photographs at our events, at properties and in the community to use for publicity. However any photographs of individuals will only be used for those purposes with your consent.

Information we collect about you is used to tailor and improve our services to better meet your particular circumstances and needs. We may also use this information for safeguarding purposes.

The type of information we collect about you includes, but is not limited to the following:

- Full name
- Date of birth
- National Insurance number (your unique identifier)
- Marital status
- Gender
- Contact details
- Ethnicity
- Language
- Religion
- Details of anyone authorised to act on your behalf if applicable
- Details of all household residents
- Property ownership including mortgage details.
- Banking details if you pay by direct debit or for any other payments associated with financial assistance and licensing.
- Disabilities.
- Vulnerabilities.
- Financial information. We may use this to consider eligibility for financial assistance.
- Health information – we may require this to provide adaptations and provide support.
- Other personal information that will vary on a case by case basis to help us resolve breaches of financial assistance conditions, enforcement or safeguarding issues.

We may receive information about you and your household from third parties including:

- Landlords in relation to your occupation contract with them.
- Occupation contract holders in relation to their landlords.
- Welfare, medical or support agencies involved with you, which include: Police, Fire Service, Health, Education, Schools, Colleges, Shelter Cymru, CAB.
- Councillors, MPs or other representatives acting on your behalf/instruction
- Financial institutions e.g. mortgage providers, credit union.
- Solicitors acting on your behalf/instruction.
- Social Services in relation to adaptations, vulnerabilities, disabilities.
- Rent Smart Wales in relation to housing enforcement.
- Letting/Managing Agent.
- Care and Repair.

Processing of this information is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Processing is also 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.

Data Protection legislation provides extra protection for certain classes of information called 'special personal data'. If any information falls within the definition of special personal data then an additional condition from Article 9 of the Regulations must be identified, as outlined below:

In order for the processing of personal data to be lawful under the General Data Protection Regulations 2016, a valid condition from Article 6 of the Regulations must be identified which is outlined below:

If processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

In order for the processing of personal data to be lawful under the General Data Protection Regulations 2016, a valid condition from Article 6 of the Regulations must be identified, which is outlined below:

1b. 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;

1e. processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

1f. processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Data Protection legislation provides extra protection for certain classes of information called 'special personal data'. If any information falls within the definition of special personal data then an additional condition from Article 9 of the Regulations must be identified, as outlined below:

Data Protection Act 2018 – Schedule 1 / Part 2

6 (1) This condition is met if the processing—

- (a) is necessary for a purpose listed in sub-paragraph (2), and
- (b) is necessary for reasons of substantial public interest.

(2) Those purposes are—

- (a) the exercise of a function conferred on a person by an enactment or rule of law;
- (b) the exercise of a function of the Crown, a Minister of the Crown or a government department.

Data Protection legislation also provides extra protection for personal data in relation to criminal convictions and offences. If any personal data falls within this category then an additional condition from Article 10 of the Regulations must be identified.

The condition above is both an Article 9 and Article 10 condition for processing.

## **Who will have access to your information**

### **Identity of Data Controller and Data Protection Officer**

The Data Controller for your information is Caerphilly County Borough Council. The Data Protection Officer is:

Mr Carl Evans

Corporate Information Governance Manager / Data Protection Officer

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

Tel: 01443 864322

Other Data Controllers may also be responsible for your information, depending on the specific circumstances. Please contact the Service Area for further information.

## **Details of main users of your information**

Private Sector Housing Section

## **Details of any sharing of your information within Caerphilly county borough council**

Private Sector Housing Section may share information including but not limited to the following:

- Housing Benefits in relation to your occupation contract / enquiry for financial assistance.
- Social Services (Adult / Child) in relation to any requests for adaptations or safeguarding concerns.
- Internal Audit – may undertake checks on us to ensure our services are provided correctly.
- Council Tax in relation to eligibility for financial assistance, enforcement matters and empty homes.
- Finance in relation to financial matters including loans and housing enforcement.
- Legal Services in relation to housing enforcement, empty homes and obtaining specific advice.
- Insurance Section in relation to claims.
- Planning Section in relation to housing related issues.
- Supporting People in relation to any support requirements.
- Corporate Complaints in relation to any dissatisfaction you may have with our service.
- Public Protection in relation to housing related issues
- Community Safety in relation to housing related issues
- Building Control in relation to housing related issues.
- Education in relation to any housing related issues.
- Housing Allocation in relation to any housing related issues where you may be threatened with eviction or experiencing disrepair.
- Common Housing Register staff in relation to, common housing register applications.

## **Details of any sharing of your information with others**

Private Sector Housing may share information including, but not limited to the following:

- Training / Engagement organisations in relation to events.
- Occupation contract holders, Landlords and Managing Agents in relation to enforcement matters.
- Welfare, medical or support agencies involved with you, which may include: Police, Fire Service, Probation, Health Service, Education, Shelter Cymru, CAB etc.
- Councillors, MPs or other representatives acting on your behalf/Instruction
- Financial institutions in relation to financial assistance or housing enforcement action.
- Contractors who carry out services on our behalf in relation to the property i.e. works related to financial assistance and adaptations.
- Next of Kin or family/friend contacts that you have provided to us acting on your instruction
- Solicitors acting on your behalf/instruction
- Rent Smart Wales in relation to housing enforcement.
- Credit Unions in relation to loans.
- Welsh Government in relation to our service provision.
- Property Owners in relation to housing services.
- Land Registry in relation to housing services.
- Energy companies in relation to financial assistance and housing services.

- Care and Repair in relation to financial assistance and housing services.
- External Audit may undertake checks on us to ensure our services are provided correctly.

### **Requests for information**

All recorded information held by Caerphilly County Borough Council may be subject to requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Data Protection Legislation.

If the information you provide is subject to such a request, where possible Caerphilly County Borough Council will consult with you on its release. If you object to the release of your information we will withhold your information if the relevant legislation allows.

## **How long will we retain your information**

### **Details of retention period**

How long Caerphilly County Borough Council retains information is determined through statutory requirements or best practice.

Private Sector Housing will keep information relating to its service for a minimum period of 6 years.

## **Your Rights (Inc. Complaints Procedure)**

### **Your rights under the Data Protection**

Data Protection gives data subjects (those who the information is about) a number of rights:

- The right of subject access – Application forms for this process are available on our website: [SAR Form](#)
- The right to be informed
- The right of rectification
- The right to erasure
- The right to restrict processing
- The right to object
- The right to data portability
- Rights in relation to automated decision making and profiling.

Further information on your rights is available from: [www.ico.org.uk](http://www.ico.org.uk).

To enact your rights please contact the service area detailed on the top of this form.

### **Complaints Procedure**

If you are unhappy with the way that Caerphilly County Borough Council has handled your request / information, you have the right of complaint. Please contact the Service Area detailed at the top of this document outlining your issues.

If you remain unhappy you also have a right of complaint to the Information Commissioner's Office. Please follow this link for further information on the complaints process.

## Summary Privacy Notice

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Caerphilly county borough council's Private Sector Housing will process your request for financial assistance, your identity and contact details for the purposes of providing you with a response and if appropriate for the delivery of the associated works relating to the request.

We will use your personal information for compliance with housing and related legislation, administering the licensing function of Houses in Multiple Occupation and the delivery of energy related projects.

Private Sector Housing will keep Information relating to the service for a minimum period of 6 years.

Your information, including your identity and contact details will be distributed to relevant services areas and elected members as well as external organisations in order to process your enquiry or ensure compliance with housing legislation, administer the licensing function of Houses in Multiple Occupation or the delivery of an energy related projects

You have a number of rights in relation to the information including the right of access to information we hold about you and the right of complaint if you are unhappy with the way your information is being processed.

For further information on how we process your information and your rights please click the following link:

<https://www.caerphilly.gov.uk/caerphillydocs/foi/privacynotices/privacy-notice-private-sector-housing.aspx>