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<b>Service Area:</b>	Housing
<b>Work Area:</b>	Public Sector Housing – Social Services and Housing
<b>Contact Details:</b>	Mandy Betts, Tenant and Community Involvement Manager Telephone 01443 811432 Email: bettsm@caerphilly.gov.uk
<b>Privacy Notice Name:</b>	Leasehold Agreement
<b>Description of Privacy Notice:</b>	This privacy notice will explain how Caerphilly Homes will collect and process information about you, in order to provide you with a leasehold agreement; manage your agreement and deal with the finances associated with that agreement. We may use this information to provide you with the opportunity to take part in leasehold engagement. We also record information on other people living at the property; this is required for the agreement management.

## 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 and managing your leasehold agreement, provide housing related support and leaseholder engagement.

#### Legal basis for processing

The information we collect from you is used to manage the leasehold agreement between yourself and Caerphilly Homes, this includes:

- Managing your service charge account, housing related debt payments, including collection of arrears and recharges.
- Managing the repairs, maintenance and improvements of the property.
- Ensuring compliance with leasehold agreement conditions, such as dealing with anti-social behaviour or fraud.
- Complying with relevant legislation and requirements.

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

- Surveys to assess and improve our services
- Events to raise your awareness or obtain your views of housing services

- Training / conferences to enhance your skills
- Activities to share ideas and knowledge in relation to housing services.

We use a variety of sources to collect information from you, including when you purchase the property, complete one of our forms, when you telephone, text, write, 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 will use your contact details to communicate with you using a variety of methods, which may include, letter, email, telephone text or social media.

We may use photography to use as evidence of any agreement breaches, alleged anti social behaviour or crime. On occasion our landline calls are recorded for training, monitoring and evidential purposes.

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

We operate CCTV for the detection and prevention of crime and community safety in our offices/buildings that provide housing related services.

Information we collect about you is used to shape 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:

- Proof of your identity
- Full name
- Date of birth
- Marital status
- Gender
- Contact details
- Language
- Details of anyone authorised to act on your behalf if applicable
- Details of people occupying the property.
- Service charge / housing related debt account
- Banking details if you pay your service charge by direct debit or for any other payments associated with your agreement.
- Disabilities.
- Vulnerabilities.
- Financial information. We may use this to help resolve arrear payments and provide you with welfare, benefits and debt advice to help you budget and pay your bills. We may also use this information to apply for funding on your behalf.
- Other personal information that will vary on a case by case basis to help us resolve breaches of agreement, alleged anti-social behaviour or safeguarding issue.

We may receive information about you, the property or the person living in the property from third parties including:

- Benefit agencies including DWP - relating to your housing
- Welfare, medical or support agencies involved with you, which include: Police, Fire Service, Ambulance Service, Probation, Health, Education, Schools, Colleges, Shelter Cymru, CAB, Gwalia & Gofal.

- Councillors, MPs, Leasehold Valuation Tribunal or other representatives acting on your behalf/Instruction
- Financial institutions in relation to agreement related payments.
- Solicitors in relation to matters relating to the property and the lease agreement.
- Your sub tenants or property management company acting on your behalf/instruction.
- County Court in relation to leasehold issues.

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:

Ms Joanne Jones  
 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**

Caerphilly Homes.

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

Caerphilly Homes may share information including but not limited to the following:

- Housing Benefits in relation to your lease agreement.
- Social Services (Adult / Child) in relation to any safeguarding concerns and any other issue related to your agreement.
- Internal Audit – may undertake checks on us to ensure our services are provided correctly.
- Council Tax in relation to your lease.
- Income Section in relation to any housing related debt you may owe.
- Legal Services in relation to any breaches of agreement that may occur and any required advice in relation to your agreement.
- Insurance Section in relation to your policy or claim.
- Cleansing Services in relation to bin collection, fly tipping etc
- Building Cleaning in relation to any property cleaning.
- Planning Section in relation to any requests for property alterations.
- Supporting People in relation to any support requirements.
- Careline in relation to support and assistance requirements
- Corporate Complaints in relation to any dissatisfaction you may have with our service.
- Public Protection in relation to agreement related issues.
- Community Safety in relation to any anti social behaviour you may have experienced.
- Human Resources in relation to any agreement related issues.
- Corporate Finance in relation to any agreement related issues.
- Homelessness in relation to any agreement related issues where you may be threatened with forfeiture.
- Community Regeneration in relation to agreement related issues.

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

Caerphilly Homes may share information including, but not limited to the following:

- Training / Engagement organisations in relation to events.
- Welfare, medical or support agencies involved with you, which may include: Police, Fire Service, Ambulance Service, Probation, Health Service, Education, Schools, Colleges, Shelter Cymru, CAB etc.
- Councillors, MPs, Leasehold Valuation Tribunal or other representatives acting on your behalf/Instruction
- Financial institutions in relation to agreement related payments.
- Contractors who carry out services on our behalf in relation to the property i.e. repairs, maintenance, adaptations and statutory maintenance.
- Contractors who are carrying out services on our behalf in relation to your agreement i.e. debt advice, agreement support etc.
- Next of Kin or family/friend contacts that you have provided to us in relation to welfare concerns or statutory obligations.
- Solicitors acting on your behalf/instruction

- Utility company in relation to changes to supply requirements.
- DWP in relation to benefit claims.
- Animal Welfare Agencies which include: RSPCA in relation to any animal concerns.
- Dwr Welsh Water in relation to reduced tariffs on your behalf/instruction
- Tracing Agencies in relation to agreement related issues.
- Debt collection agencies in relation to housing related debt (former and current).
- County Court in relation to tenancy breaches.
- External auditors may undertake checks 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.

Caerphilly Homes will keep information relating to an agreement for as long as the agreement is active or where money is owed on the account and for a minimum period of 7 years after termination of lease.

Telephone recordings are held for a minimum period of 12 months and will be deleted after 24 months. CCTV recordings operate continuously and are held for one month.

## **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.

[www.caerphilly.gov.uk/My-Council/Data-protection-and-freedom-of-information/Questions-and-complaints](http://www.caerphilly.gov.uk/My-Council/Data-protection-and-freedom-of-information/Questions-and-complaints)

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# Summary Privacy Notice

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## How we will use your information

Caerphilly Homes will collect and process information about you, in order to provide you with a leasehold agreement; manage your agreement and deal with the finances associated with that agreement. We may use this information to provide you with the opportunity to take part in leasehold engagement. We also record information on other people living at the property; this is required for the management of the leasehold agreement.

The legal basis for collecting and processing your information is public task, contractual obligation and legitimate interest. We will keep information relating to a leasehold agreement for as long as the agreement is active or where money is owed on the account and for a minimum period of 7 years after termination of lease.

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:

[{Hyperlink to Full Privacy Notice on our website}](#)