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<b>Service Area:</b>	Housing
<b>Work Area:</b>	Public Sector Housing – Social Services and Housing
<b>Contact Details:</b>	Rachel Hawker, Service Development Officer Telephone 01443 811408 Email: hawker@caerphilly.gov.uk
<b>Privacy Notice Name:</b>	Tenancy Agreement
<b>Description of Privacy Notice:</b>	<p>This privacy notice will explain how Caerphilly Homes will collect and process information about you, in order to enable you to successfully manage your housing and/or garage tenancy and deal with the finances associated with that tenancy. We may also use this information to provide you with the opportunity to take part in tenant engagement/involvement. We will also record and may process information on other people living with you; to ensure the property is not overcrowded and to assess other tenancy management issues involving others in your household.</p> <p>There may be occasions where we collect and process information about people who are not tenants, in order to manage a contact from them or in accordance with a legal obligation.</p>

## 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 housing tenancy, garage tenancy, providing housing related support, tenant engagement, managing contacts and for processing our legal responsibility.

#### Legal basis for processing

The information we collect from you is used to manage the tenancy contract between yourself and Caerphilly Homes, manage contacts and process our legal obligations, this includes:

- Managing your rent account, recharges and housing related debt payments, including the collection of any arrears.
- Managing the repairs, improvements, maintenance and adaptations of your home and/or garage.

- Ensuring compliance with the tenancy conditions, such as dealing with anti-social behaviour or fraud.
- Providing housing related support.
- Complying with relevant legislation and requirements.
- Managing the complaints service.
- Managing our legal obligations, such as joint maintenance responsibilities, landlord consent for former tenants.

The information may also be used to provide you with the opportunity to take part in tenant engagement/involvement, this includes:

- Surveys to assess and improve our services
- Events to raise your awareness or to obtain your views on our 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 make an application for housing or make a request for services, 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 tenancy breaches, alleged anti social behaviour or crime. On occasion our landline calls are recorded for training, monitoring and evidential purposes.

We will take a photograph of you at the sign up of a tenancy which is used for identification purposes. We may also 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. We also operate noise recording equipment to capture evidence of tenancy breaches and/or alleged anti social behaviour.

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:

- Photograph taken at start of tenancy by a member of Caerphilly Homes
- Proof of your identity
- 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

- Rent / housing related debt account
- Banking details if you pay your rent or for any other payments associated with your tenancy by direct debit.
- Proof of housing eligibility and previous housing history.
- Disability – we may use this information to tailor our services to better meet your particular circumstances and needs.
- Vulnerability – we may use this information to tailor our services to better meet your particular circumstances and needs.
- Financial information - we may use this with your consent to help resolve arrears payments, apply for funding on your behalf and provide you with welfare, benefits and debt advice to help you budget and pay your bills.
- Health information – we may require this to assess need for and to provide adaptations and support.
- Other personal information that will vary on a case by case basis to help us resolve breaches of tenancy, alleged anti-social behaviour or safeguarding issues.

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

- Benefit agencies including DWP - relating to your housing
- Previous landlords when you are being considered for a tenancy
- Welfare, medical or support agencies involved with you, which could include but not limited to: Police, Fire Service, Ambulance Service, Probation, Health, Aneurin Bevan Health Board, Education, Schools, Colleges, Shelter Cymru, CAB, Gwalia & Gofal.
- Social Services in relation to provision of adaptations.
- Councillors, MPs, Public Services Ombudsman or other representatives / advocates acting on your behalf/instruction
- Financial institutions in relation to tenancy related payments and debt management.
- County Court in relation to tenancy breaches.
- Complainants to report an alleged breach of tenancy.
- Land Registry

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 housing tenancy.
- Social Services (Adult / Child) in relation to any safeguarding concerns, adaptation provision and any other issue related to your tenancy.
- Internal Audit may undertake checks to ensure our services are provided correctly.
- Council Tax in relation to your housing.
- Income Section in relation to any housing related debt you may owe.
- Legal Services in relation to any breaches of tenancy that may occur and any required advice in relation to your tenancy.
- Insurance Section in relation to your policy / claim or our building insurance policy.
- Cleansing Services in relation to bin collection, fly tipping.
- 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 tenancy related issues.
- Education in relation to any tenancy/safeguarding related issues.
- Community Safety in relation to any anti social behaviour linked to your or your tenancy as either complainant or perpetrator.
- Human Resources in relation to any tenancy related issues.

- Corporate Finance in relation to any tenancy related issues.
- Housing Advice/Allocations and Homeless Prevention in relation to any tenancy related issues where you may be threatened with eviction or facing the loss of your home.
- Community Regeneration in relation to tenancy related issues.
- Environmental Health in relation to tenancy related issues.
- Trading Standards in relation to tenancy related issues
- Licensing in relation to tenancy related issues
- Health and Safety in relation to tenancy related issues
- Highways / Engineering in relation to tenancy related issues
- Bereavement Services / Tell us Once Service - in relation to tenancy related issues
- Catering Services in relation to tenancy 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.
- Other Landlords, if you apply to move home we are required to provide a tenancy reference on your behalf.
- Welfare, medical or support agencies involved with you, which may include: Police, Fire Service, Ambulance Service, GP's, District Nurses, Probation, Prison Service, Health Service, Schools, Colleges, Shelter Cymru, Gofal, Gwalia, CAB, GDAS, Mencap etc.
- Councillors, MPs, Public Services Ombudsman or other representatives acting on your behalf/Instruction.
- Financial institutions in relation to tenancy related payments.
- Contractors who provide services on our behalf in relation to the property i.e. repairs, maintenance, adaptations and statutory maintenance.
- Contractors who provide services on our behalf in relation to your tenancy i.e. debt advice, tenancy support etc.
- Next of Kin or family/friend contacts that you have provided to us in relation to welfare concerns, safeguarding or statutory obligations.
- Solicitors acting on your behalf/instruction
- Utility company in relation to changes to supply requirements.
- Department of Work and Pensions (DWP) in relation to claims for financial support.
- Animal welfare agencies e.g. RSPCA in relation to any animal welfare concerns.
- Dwr Cymru Welsh Water in relation to tariff changes and reduced tariffs on your behalf/instruction.
- Tracing agencies in relation to tenancy related issues.
- Debt collection agencies in relation to housing related debt (former and current).
- County Court in relation to tenancy breaches.
- Data matching with other public bodies as part of the National Fraud initiative (NFI)
- 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 a tenancy for as long as the contract is active or where money is owed on a tenancy related account and for a minimum period of 7 years after termination of tenancy.

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 enable you to successfully manage your housing and/or garage tenancy and deal with the finances associated with that tenancy. We may also use this information to provide you with the opportunity to take part in tenant engagement/involvement. We will also record and may process information on other people living with you; to ensure the property is not overcrowded and to assess other tenancy management issues involving others in your household. There may be occasions where we collect and process information about people who are not tenants, in order to manage a contact from them or in association with a legal obligation.

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

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}](#)