

WATFORD BOROUGH COUNCIL

Data Privacy Notice Under GDPR

The identity and contact details of the company

This Privacy Notice has been provided by Watford Borough Council, Property Investment & Regeneration Service who is the Data Controller

Who we are?

Watford Borough Council ('we' or 'us') are a 'data controller' for the purpose of the General Data Protection Regulations, (i.e. we are responsible for, and control the processing of, your personal information).

This notice explains why we ask for your personal information, how that information will be used and how you can access your records.

What is the lawful basis for processing the information?

According to the General Data Protection Regulations (GDPR) and the Data Protection Act 2018, we must have a reason to collect and use your information.

This will be to:-

- deliver services and support you
- enable us to manage the services we provide
- train and manage our workers who deliver those services
- investigate any worries or complaints you may have about our goods or services
- check the quality of our goods and services
- help with research and planning of new services.

There are a number of legal reasons why we need to collect and use your personal information.

For this service:

- Contract: you have entered into or are in negotiations about entering into a contract with us
- Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law

How do we collect information from you?

We retain the personal data collected from the Licence or Lease Application Form and Assignment Application Form for the term of your tenancy agreement and any subsequent

renewals and in accordance with our retention policy as attached. (If your application for an assignment, lease or licence wasn't successful, all your personal data will be destroyed.)

Personal data collected in relation to other property transactions and general enquiries are retained until the matter has legally completed or until the enquiry is closed.

Personal data collected in relation to disposals and acquisitions are retained until the matter completes and in respect of the successful sale or purchase in accordance with our retention policy

Information is collected from you as the service user via online web forms, hard copy documents, e-mail, by telephone or through face-to-face discussion. This information will be collected from either you directly as the data subject, or from a representative acting on your behalf.

What type of information is collected from you?

The information collected within the Lease or Licence Agreement or any property related deed Assignment Application Form, General Enquiry Form and Land Enquiry Form may contain some if not all of the following personal data:

- Full name (and proof of your identity / photo ID). Where required date of birth. Where required
- Contact details (phone, e-mail or correspondence address).
- Details of anyone authorised to act on your behalf if applicable.
- Banking details if you pay your rent by Direct Debit.
- Card details if you pay by card (however card details are not stored).
- References from previous landlords or employers to confirm ability to pay the rent.
- Other personal information that will vary on a case by case basis to help us resolve breach of tenancy, alleged anti-social behaviour or fraud.

Why we collect your information?

We will collect enough personal information in order to provide you with services for the following purposes.

- Responding to land ownership enquiries from the public
- The granting of leases and licences on land and property
- Managing and processing covenant consents
- Completing our disposals and acquisitions
- Managing and processing adherence to lease covenants in particular reference to repairing and compliance liabilities.
- To deal with contracts, leases and licences
- To deal with third party contracts
- To deal with queries and correspondence in relation to property or property services function
- To make Health and Safety incident reports

- To manage and respond to Freedom of Information requests relating to land ownership and leases.
- To maintain data relating to Local Government Transparency requirements excluding matters relating to social housing

We are not permitted to collect information we do not need or will not use. This document covers information you have provided direct to the Council and information which has been shared with us by other organisations.

If we don't need your personal information we will either keep your details anonymously, if we already have it for another service or we won't ask you for it. If we use your personal information for research or analysis, we will always keep your details anonymous or use a fake name.

We don't sell your personal information to anyone else.

Who we may share your information with?

We use a range of organisations to either store personal information or to help deliver our services to you. Sometimes we have a legal duty to provide your personal information to other organisations, for example the court service or HMRC.

Your information will not be disclosed to any other organisations, except where we are required and allowed to by law.

The personal data collected is processed by the Property Investment & Regeneration Service and the following departments within Watford Borough Council, Three Rivers District Council, Hertfordshire County Council etc. Who are our partners within Local Government Shared Services (LGSS):

- Insurance –
- Non-Domestic Rates –
- Corporate Accounts –
- Capital Programme –
- Public Realm –
- Geographic Information Systems –
- Council internal departments
- External auditors and regulators, e.g. the LGO
- Other public bodies, including the Health and Safety Executive
- HM Land Registry

Where the Council engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality, and are obliged to implement appropriate technical and organisational measures to ensure the security of data. These third party organisations include Asset, Insurance and Rating valuers, external

Property Management and Investment advisers and Building Surveyors for stock condition and compliance surveys, also external solicitors for undertaking property transactions..

Watford Borough Council may also share personal information with the police and other local authorities under Article 23 of the General Data Protection Regulations in order to prevent or detect crime.

Data Transfer

The Council will not transfer your information to countries outside the European Economic Area (EEA) unless this is necessary, and only to countries which have sufficient safeguards in place to protect information.

How long do we store it and is it secure?

We will only keep your information for the minimum period necessary. The information outlined in this privacy notice will be kept after all action on your matter has finished and the period required by the council for legal and audit purposes has passed. All information will be held securely and destroyed under confidential conditions and follows our retention policy see attached

What rights do you have?

Your duty to inform us of changes. It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes.

Your rights in connection with personal information under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Request the restriction** of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal information, or request that we transfer a copy of your personal information to another party, please contact the Data Protection Officer in writing.

DATA PROTECTION OFFICER

The Council's Data Protection Officer (DPO) is responsible for overseeing compliance with this privacy notice. If you wish to contact Watford Borough Council's Data controller regarding your personal data and any other concerns you may have regarding its processing you can do so by contacting our Data Protection Officer (see below for contact details)

Contact details of the Data Protection Officer:

Data Protection Officer (DPO)
Legal Services, Resources
Hertfordshire County Council
County Hall, Pegs Lane, Hertford, SG13 8DE

Postal Point: CHO150

Email: watfordDP@hertfordshire.gov.uk

Tel: 01992 588099

If you are unhappy with how the Council as data controller has processed your data, or if you feel they have acted in a way that has breached your data protection rights you have the right to complain to the information commissioner's office

The Information Commissioner's Office,
Wycliffe House, Water Lane,
Wilmslow,
Cheshire,
SK9 5AF,
Tel: 01625 545745

Or you can visit their website at www.ico.org.uk

Changes to our privacy policy

Any changes we may make to our Privacy Notice in the future will be posted on this page. This notice was updated in August 2021