

Empty Property Strategy

Fair Processing Statement

How We Use Personal Data

This document explains how Bridgend County Borough Council (BCBC) obtains, holds, uses and discloses information about empty properties and their owners (personal data), specifically in relation to the Empty Property Strategy, the steps we take to ensure that it is protected, and also describes the rights individuals have in regard to their personal data handled by BCBC.

The use and disclosure of personal data is governed by Data Protection legislation. As such BCBC is obliged to ensure that it handles all personal data in accordance with the legislation.

BCBC takes that responsibility very seriously and takes great care to ensure that personal data is handled appropriately in order to secure and maintain individuals' trust and confidence in the council.

The legislation requires BCBC to have a lawful basis for processing personal data depending on the service provided.

1. Why do we handle personal data?

BCBC processes personal data on empty properties and their owners in order to identify empty properties and any adverse impact they are having on the community. The information is also used to engage with owners to seek to reduce the number of empty properties across the county borough and help contribute towards increasing the availability of housing for sale or for rent.

2. What type/classes of personal data do we handle?

In order to carry out the purposes described under section 1 above BCBC may obtain, use and disclose personal data. The extent of personal data which may be shared is limited to:

- Name
- Address
- Email address
- Telephone number
- Property owned
- Financial information

3. Who information is processed about

In order to carry out the purposes described under section 1 above BCBC may obtain, use and disclose personal data about owners of empty properties and the empty property itself.

4. Where do we obtain personal data from?

Section 85 of the Local Government Act 2003 allows the council to use information it has obtained for the purpose of carrying out its council tax functions for the purpose of identifying vacant dwellings (empty properties) or taking steps to bring vacant dwellings (empty properties) back into use.

In order to carry out the purposes described under section 1 above, BCBC may also obtain personal data from other departments within the council, including where complaints about empty properties have been received, such as from members of the public. Data may also be obtained from annual surveys, correspondence or where data is provided verbally.

The legal basis for processing personal data is that the processing is necessary for the performance of a task carried out in the public interest vested in the council as data controller.

5. How do we handle personal data?

In order to achieve the purposes described under section 1 BCBC will handle personal data in accordance with data protection legislation. In particular we will ensure that personal data is handled fairly and lawfully with appropriate justification. We will strive to ensure that any personal data used by us or on our behalf is of the highest quality in terms of accuracy, relevance, adequacy and non-excessiveness, is kept as up to date as required, is protected appropriately, and is reviewed, retained and securely destroyed when no longer required.

6. How do we ensure the security of personal data?

BCBC takes the security of all personal data under our control very seriously. We will ensure that appropriate policy, training, technical and procedural measures are in place, including audit and integrity monitoring, to protect our manual and electronic information systems from data loss and misuse, and only permit access to them when there is a legitimate reason to do so, and then under strict guidelines as to what use may be made of any personal data contained within them. These procedures are continuously managed and enhanced to ensure up-to-date security.

7. Who do we disclose personal data to?

Personal data regarding empty properties and their owners may be shared with:

- Other council departments
- Other local authorities
- Police
- Consultants (undertaking work on behalf of the Authority)

8. What are your rights in relation to your personal data which is handled by BCBC?

Individuals have various rights:

Right of access

You can obtain a copy, subject to exemptions, of your personal data held by the council. A copy of the application form is available from:

<https://www.bridgend.gov.uk/my-council/freedom-of-information/data-protection/>

You are also entitled to obtain confirmation as to whether or not data concerning you is being processed by the council. Where that is the case, you are entitled to the following information subject to exemptions:

- The purposes of and legal basis for the processing
- The categories of personal data concerned
- The recipients to whom the personal data has been disclosed
- The period for which it is envisaged that the personal data will be stored
- Communication of the personal data undergoing processing and of any available information as to its origin.

*Please note that 'processing' means an operation or set of operations performed on personal data such as collection, recording, organisation, structuring, storage, adaptation, alteration, erasure, restriction, retrieval.

Proof of ID and any further information needed to locate the information may be required before the Council can comply with your request.

Any request for the above information should be made in writing to the Data Protection Officer and the council will respond within one month.

Rectification of data

You can request the council to rectify inaccurate personal data relating to you. If the data is inaccurate because it is incomplete, the council must complete it if required to do so by you.

A request should be made in writing to the Data Protection Officer and a response will be sent within one month.

Erasure or restriction of personal data

You can request that the council erase your data or restrict any processing of your data, subject to exemptions.

All requests should be made to the Data Protection Officer. The council will then inform you of whether the request has been granted and if it has been refused, the reasons for the refusal.

Right not to be subject to automated decision-making

You have the right, subject to exemptions, not to be subject to a decision when it is based on automated processing and it produces a legal effect or a similarly significant effect on you. You have a right to express your point of view and obtain an explanation from the council of its decision and challenge it.

However, it should be noted that this right does not apply to all decisions as there are exemptions for example authorisation by law, performance of a contract to which you are a party.

9. How long does BCBC retain personal data?

BCBC keeps personal data as long as is necessary for the particular purpose or purposes for which it is held in accordance with the council's Data Retention Policy. Data held on the Empty Property Database will be deleted from the database 7 years after the property is brought back into use, as a record of any action taken against individual empty properties will need to be maintained for reporting and audit purposes. If the property should become empty again in the 7 year period, the deletion will not take place.

10. Contact Us

Any individual with concerns over the way BCBC handles their personal data may contact the Data Protection Officer at the Council as below:

Bridgend County Borough Council, Information Office, Civic Offices, Angel Street, Bridgend, CF31 4WB.

E-mail foi@bridgend.gov.uk

Telephone 01656 643565

You can also raise concerns with the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office – Wales 2nd Floor Churchill House Churchill Way Cardiff CF10 2HH

Telephone: 02920 678400

Fax: 02920 678399

Email: wales@ico.org.uk

Website: <https://ico.org.uk/>