

Fair Processing Statement

Bridgend County Borough Council – Land Charges

What happens to information held about you? Your rights and our obligations to you.

How We Use Personal Data

This document explains how Bridgend County Borough Council (BCBC) obtains, holds, uses and discloses information about people (their personal data), 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 the Data Protection Act 2018 and the General Data Protection Regulation 2016. As such the Land Charges Section of 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.

Why do we handle personal data?

The Land Charges Section of BCBC processes your personal information to enable it to provide a range of services which include:

- Carrying out a Land Charges Search
- Administration of the Local Land Charges Register and Search Services
- Enable us to correspond with you about Search enquiries, Personal Searches and entries
- Enable us to contact other departments, Councils or Statutory Bodies about matters affecting the land subject of the Searches

What type/classes of personal data do we handle?

In order to carry out the purposes described under section 1 above the Land Charges Section of BCBC may obtain, use and disclose personal data including the following:

- Personal details (name, contact details)
- Information relating to your application, request for services from us.

Where do we obtain personal data from and who do we disclose it to?

You may provide personal information to us when asking us to carry out Searches for you or third parties may provide information to carry out Searches on your behalf.

Your data may be shared with other council departments (e.g Planning, Building Control) or with Land Registry in the course of carrying out our functions, or to enable others to perform theirs.

Lawful basis for processing personal data

We have a legal basis for processing as it is a legal obligation under the Local Land Charges Act 1975 and is necessary to enable us to perform a task carried out in the public interest or exercising official authority.

The legal basis for processing your data regarding CON29 enquiries is performance of a contract.

How do we handle personal data?

The Land Charges Section of 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.

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.

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

Individuals have various rights:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling

Right to be informed

You have the right to be informed about the collection and use of your personal data. The Council must provide you with information including: purposes for processing your personal data, retention periods for that data, and who it will be shared with. This is called 'privacy information'.

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, adaption, 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 is 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.

Right to data portability

The right to data portability allows you to obtain and reuse your personal data for your own purposes across different services.

The right only applies to information you have provided to the Council.

Right to object

You have the right to object to the processing of your personal data in certain circumstances.

The Council has one calendar month to respond to an objection.

How long does BCBC retain personal data?

We will not hold your data for longer than is necessary to comply with our functions.

We will hold your personal data for such periods as may be necessary to deal with and administer searches or Local Authority Enquiries on Con 29 and to deal with registration of local land charge in the appropriate registers.

Our Data Retention Policy can be viewed on the Council's website.

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 for Wales. 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/>