



(General) Private Sector Housing Privacy Notice

| Document Control | |
|-----------------------------|---|
| Document title | General Private Sector Housing Privacy Notice |
| Purpose | |
| Author | |
| Date of publication | |
| Owner/responsibility | |
| Distribution | LanConsent/Other |
| Version | Date Comments |
| Version 1.0 | August 2020 |
| Version 2.0 | January 2023 – updates to data sharing |
| Version 3.0 | July 2023 – updates to format |

This Privacy Notice was last updated in July 2023. It is regularly reviewed and may be updated or revised at any time. Please refer to this page for the most up-to-date information wigan.gov.uk/Docs/PDF/Council/Data-Protection-FOI/Privacy-notice/Housing/Private-Sector-Housing-Privacy-Notice.pdf.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes.

1. INTRODUCTION

Our core data protection obligations and commitments are set out in the Council's Primary Privacy Notice.

This notice provides additional privacy information for **Private Sector Housing (General)**. This service provides a range of functions relating to the private sector housing, especially the private rental sector, in the borough. This includes, but is not limited to:

- The provision and administration of grants, loans, and other assistance, both financial and non-financial, in relation to private sector housing.
- The provision of advice and support to private landlords and private tenants.
- Regulatory and enforcement action, including prosecution, in relation to housing standards, empty residential properties, and the harassment or illegal eviction of private tenants.
- HMO licensing and associated enforcement.
- The administration of the Council's Landlord Hub.

2. WHAT PERSONAL INFORMATION DO WE COLLECT

In order to carry out activities and obligations as providers of services to you, we may process the following personal information:

- Name
- Title
- Address
- Telephone number
- Email address
- Date of birth
- Gender
- Marital status
- Civil partnerships
- How many, and the types of, properties held by a landlord in the borough

- Tenancy details in respect of privately rented properties, such as occupier name/s, household composition, type and length of tenancy agreement and rent charged
- Copies of formal notices served in relation to privately rented tenancies
- Membership held for professional bodies, such as landlord associations
- Bank account details
- Employment details
- Payroll and tax/national insurance status information
- Income, savings and details of allowable expenses
- Benefit entitlements
- Credit history
- Tenancy rent account history and payment transactions
- Property ownership details, proof of title and any charges on property
- Company information such as directors' information and company registration numbers
- Photos
- Audio recordings
- Video recordings
- Electronic messages such as texts and emails
- Case files, incident reports, timeline of events, crime reference numbers

Please note that this is not an exhaustive list.

We may also collect, store and use special categories of more sensitive personal information. This may include, but is not limited to:

- Information about your race/ethnicity, religious beliefs, sexual orientation and political opinions (including ensuring meaningful equal opportunities monitoring and reporting).
- Offences (including alleged offences), criminal proceedings, outcomes and sentences.
- Identification numbers, location data, online identifier and factors specific to a person's physical, physiological, genetic, mental, economic, cultural or social identity. This could include reports from the Police, Court Information / orders Health information e.g. DNA.

Please note that this is not an exhaustive list.

3. HOW WE USE PERSONAL INFORMATION

The main purposes for processing your personal information are:

- To enable the Council to effectively administer and manage financial assistance provided through any of the available (private sector) housing-related grant, loan, or other incentive or assistance schemes. This may include:
 - Assessing your eligibility

- Notifying you of your entitlement(s), the grant, loan, or other assistance conditions, and the associated responsibilities and obligations of parties involved
 - Processing the grant, loan, or other assistance payments or repayments
 - Liaison and invoicing of contractors
 - Registering a grant or loan against the Local Land Register or HM Land Registry
 - Enforcement related to breach of a grant, loan, or other assistance conditions
- To enable the Council to effectively administer and manage its enforcement duties with respect to private tenancy-related issues, such as illegal eviction or harassment, empty or hazardous/unsafe properties, or other circumstances where formal enforcement action may be required. This includes processing data to:
 - Provide accurate and appropriate advice to residents concerning private-tenancy related issues, including signposting to relevant external services
 - Help to ensure private landlords or their agents comply with legal obligations and requirements
 - Build and inform any case pertaining to warranted formal enforcement and regulatory actions, or legal proceedings, taken against a landlord or agent
 - Comply with our statutory or otherwise legal obligations and operate in the public interest
 - To enable the Council to provide general advice and support, and ad hoc initiatives, to private sector residential landlords and tenants, and to enable research into the private housing sector to support this. This could include:
 - To provide you with updates potentially affecting you as a private landlord or tenant
 - To invite you to events, such as the Landlord Forum or a workshop
 - To help private landlord and tenants understand the support available to them from external sources or organisations, such as from membership of professional landlord associations, governmental bodies, charities, or legal aid
 - To build up a better understanding of the private rented sector in the borough through collation of data and information for monitoring, business intelligence, market, demographic and statistical research, and service improvement purposes.

The legal bases we rely on for processing your personal information are:

- Public task – processing is necessary for us to perform a task in the public interest or for our official functions, including the use of discretionary powers
- Legal obligation – processing is necessary for us to comply with a legal obligation
- Contract – processing is necessary for a contract we have with you or because you have asked us to take specific steps before entering into a contract
- Consent – where you have given clear consent for us to process your personal data for a specific purpose.

5. WHO DO WE SHARE PERSONAL INFORMATION WITH

In addition to the general reasons for information sharing described in the Council's Primary Privacy Notice:

We may share information with and collect information from other teams within the Council where it is necessary to do so.

We may share information with or receive information from the following Council Teams or Departments:

- Legal Services
- Civil Enforcement/Anti-Social Behaviour/Community Resilience
- Housing Support
- Homelessness Solutions
- Environmental Enforcement
- Financial Services
- Adult's and Children's Social Care.
- Council Tax

We may also share information with external organisations where necessary in order to fulfil the purposes for which the information was collected, or to fulfil a public task, or comply with legal obligations. Principally, but not solely, we may share information with the following:

- The Police
- The Judiciary
- Voluntary sector organisations, such as Citizen's Advice or Shelter
- The local provider of the Housing Possession Court Duty Scheme
- The local organisation awarded with the Legal Aid Agency contract for housing matters
- Both Greater Manchester and National Rogue Landlord Databases
- HM Land Registry
- Private companies, such as contractors
- Appointed solicitors or legal representatives.

We also collect or receive information from external parties such as:

- The Police
- HM Land Registry
- Other individuals involved in or with knowledge pertaining to any dispute or case under question
- Voluntary sector organisations already involved in a given case, or where the desire for a referral has been expressly given
- Private companies, such as contractors
- Appointed solicitors or legal representatives

6. HOW LONG DO WE KEEP PERSONAL INFORMATION

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any future legal, accounting, or reporting requirements.

We must continue to retain necessary information in accordance with our Corporate Records Management Policy to fulfil legal, statutory, and regulatory requirements.

7. AUTOMATED DECISIONS

All the decisions we make about you involve human intervention.

8. COOKIES

To find out how we use cookies, please see [Cookies \(wigan.gov.uk\)](https://www.wigan.gov.uk/cookies).

9. YOUR RIGHTS

More information on how to seek advice in order to exercise your rights, raise a concern or complain about the handling of your personal information by the council can be found in [Wigan Borough Council Primary Privacy Notice](#).