

Service Area and contact details

Service Area:	Housing & Communities
Contact Details:	EmptyHomes.team@newport.gov.uk
Privacy Notice Name:	Empty Homes Strategy

Source and categories of information being processed

This section is only relevant if personal data has been obtained from a source other than yourself (the data subject).

Newport City Council has obtained the following categories of your personal data:

Your name
Your home address
Your contact details
The address of a property which is unoccupied and the subject of a council tax discount or exemption, for which you are the liable party for council tax purposes

We have obtained your information from:

Council tax records held by Newport City Council Revenues section

Purpose and legal basis for using your information

Here, we will explain the reason why we have collected your personal data and the reasons for processing.

Our legal basis for processing your information:

We have a statutory obligation to process your personal data

Further details about our legal basis for using your information and the purpose of processing:

The Housing Act 2004, Part 1, s3 states that a local housing authority must keep the housing conditions in its area under review with a view to identifying any action it may need to take under that Act, which includes the inspection of properties under the Housing Health & Safety Rating System to determine whether any category 1 or 2 hazards exist and the use of Empty Dwelling Management Orders. In addition, the Welsh Government has a target for local authorities in Wales to bring 5,000 private empty homes back into use during its term of office, through specific interventions. Local authorities must report their performance on this via the Public Accountability Measure PAM/013.

The Local Government Act 2003 s85 'Vacant Dwellings' concerns the use of information obtained for council tax purposes and states that a billing authority may use personal information, consisting of an individual's name or an address or contact number, that it has obtained for council tax purposes for the purpose of identifying vacant dwellings or taking steps to bring vacant dwellings back into use.

The right to withdraw consent

If we are relying on your consent to process your data, you have the right to withdraw your consent to this processing at any point. To do so, please contact the person named at the top of this privacy notice.

(Only relevant to consent based processing)

You must provide us with the information we need to deliver the service, if there is either:

- a) A contractual obligation to do so, or
- b) A statutory obligation to do so.

(Only relevant if the lawful basis for processing is the performance of a contract or Public duty/task obligation)

The consequences of not providing the information are as follows:

If you cannot show evidence that there is a reasonable prospect of the dwelling becoming occupied in the near future, or the Council cannot discover that any of the exceptions prescribed in The Housing (Empty Dwelling Management Orders)(Prescribed Exceptions and Requirements)(Wales) Order 2006 apply, Newport City Council will consider applying to the Residential Property Tribunal (Wales) for authorisation to issue an Interim Empty Dwelling Management Order.

Special Category Data

(Only relevant if special category data is being processed)

Sometimes we process special category which is afforded more protection under the Data Protection Act. This is because special category data is deemed to be more sensitive. If we are processing your special category data then we need to establish a further lawful basis for processing, and we have highlighted this below:

Not applicable

Automatic decision making/profiling

(Only relevant if we are making an automated decision on a data subject)

Sometimes we use computers or technology to help us make decisions about the service we offer you. Below are the details of what decision making or profiling systems we have used, and how the decision was made:

Not applicable

Who will have access to your personal information?

Newport City Council is the data controller and the Data Protection Officer is:

Digital Services Manager
 Email: information.management@newport.gov.uk
 Tel: 01633 656656

Other data controllers may also be responsible for your information, depending on the specific circumstances. Please contact the service area for further information.

The main users of your personal information are:

Housing Strategy & Delivery Team

We may share your information within Newport City Council:

Legal services
 Environmental Health (Housing)
 Planning & Building Control Service
 Finance Services

We may share your information with other, external organisations:

Rent Smart Wales

Newport City Council may share your data with other organisations for the purpose of the prevention and detection of crime, protect the public from harm or fraud and protect public funds.

Sometimes we use the specialist help of other organisations/companies to process your data on our behalf. These companies are known as 'data processors'. In processing your data, we use the following data processors:

Not applicable

**Details of any international transfers of your personal information:
(if applicable)**

Not applicable

Requests for information

All recorded information held by Newport City Council may be subject to requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Data Protection Act.

If you would like to request a copy of the personal information that we hold about you, you can request to have a copy of our **Personal Information Request Form** here:

Information.management@newport.gov.uk

If you would like to submit a Freedom of Information Request/Environmental Information request to us, you can submit your request to us here:

www.newport.gov.uk/FOI

Your Rights

The Data Protection Act gives you a number of rights. Please note that not all of these rights are absolute and we will need to consider your request upon receipt. You have the right to request:

- a) to have you data rectified if it is inaccurate or incomplete;
- b) to have your data erased;
- c) to restrict the processing of your data;
- d) to exercise your right to data portability;
- e) to object to the processing for the purposes of direct marketing, profiling and automated decision making.

In all instances, please submit your request to:

information.management@newport.gov.uk

Complaints Procedure

If you are unhappy with the way Newport City Council is using your data, you have the right to complain to us. If you would like to do this, please contact us by sending an e-mail to this address;

Information.management@newport.gov.uk

If you are not content with the subsequent outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the Councils complaints procedure. The Information Commissioner can be contacted at:

The Information Commissioners Office,
Wycliffe House, Water Lane,
Wilmslow,
Cheshire
SK9 5AF.

How long will we retain your information?

Details of retention period

Personal information related to empty dwellings is retained until the property is re-occupied, or until any action relating to steps taken by the council to bring the property back into use, comes to an end. After this, we will delete the personal information that we hold about you.