

Privacy Notice (Private Landlord Registration)

The Data Controller of the personal information being collected and processed is **Dumfries and Galloway Council**. This privacy notice will inform you why we collect your personal data, how long we will keep your data, the intended processing of your data and any other information which will make the processing of your data fair, lawful and transparent. Should the Council intend to process your data for another reason which is not specified in this notice or for statutory functions; the Council will contact you to provide information.

Dumfries and Galloway Council Contact Details:

Address: Dumfries and Galloway Council, HMO Licensing and Private Landlord Registration, Strategic Housing, Buccleuch Street, Dumfries DG1 2AD

Email: landlordregistration@dumgal.gov.uk

Telephone: 01387 273164

Data Protection Officer's Contact Details:

Address: Data Protection Officer, Dumfries and Galloway Council, Council Headquarters, English Street, DG1 2DD

Email: dataprotection@dumgal.gov.uk

Telephone: 01387 260315

Why are we collecting your data?

You are giving us your personal data (information about you from which you can be identified) to allow us to consider your application to be admitted to the register of Private Landlords.

The aim of landlord registration in Scotland is to safeguard tenants by ensuring that all private landlords are "fit and proper" to be letting property. The primary purpose of collecting data is to enable the "fit and proper" test to be carried out.

In addition, you should be aware that members of the public will be able to view basic details of each local authority's register of landlord who have been approved online at www.landlordregistrationscotland.gov.uk. This enables contact information for Landlords to be obtained in the event of an emergency, the reporting of unregistered private properties and therefore unregistered private landlords.

What personal information are we collecting from you?

The Council may collect and process a range of personal data about you or persons connected to you. This includes:

- Personal contact details (including name, current home address, email address and telephone number, date of birth and gender;
- Your address history for at least the last five years.
- Bank account details where non automated payment is made.
- Any spent or unspent convictions that you have ever had in any court including the sentence imposed.
- Any tribunal judgements against you under Housing Law, Landlord Law Tenant Law or discrimination legislation. (This includes such things as Repairing Standard Enforcement Orders etc.)
- Details of any Antisocial Behaviour Orders or Interim Antisocial Behaviour Orders served on you or any tenant residing at any of your properties.
- Details of any registrations or licences that you hold in connection with the letting of houses.
- The full postal address of all properties that you own.
- The personal information of any person who jointly owns any property with you.
- If you are applying on behalf of a company, company information including director information.
- If you are applying on behalf of an organisation, whether that organisation has charitable status and charity registration information.
- If you are applying on behalf of a trust, personal information in relation to any trustees.
- If you have an agent details of the agent that you use and contact details.

It is important that your personal data is accurate and up to date. Please keep us informed if your personal data changes, failure to do so is an offence that may lead to prosecution.

What is the legal basis for collecting your data?

Dumfries and Galloway Council will use the information that you provide to determine whether you are a fit and proper person to act as a Landlord. In addition, the local authority may share relevant information they hold about you with Police Scotland and other local authorities to determine if you are fit and proper. Information is shared in terms of the Antisocial Behaviour Etc. (Scotland) Act 2004.

You are committing an offence that could lead to prosecution if you fail to give information or provide false information as part of your application.

What will we do with your information?

Your application information including any subsequent amendments to data will be accessed by those who have an authorised, justified and/or legal basis to do so.

Your information may be shared internally with authorised officers of the council in other Departments such as and not limited to planning, building control, Housing Benefit for example. Access to your data will only be provided where it is lawful and necessary for the performance of their role.

The council may also share your data with third parties including Police Scotland and the Scottish Fire Service. Information will only be shared where it is lawful to do so.

In addition, you should be aware that members of the public will be able to view basic details of each local authority's register of landlord who have been approved online at www.landlordregistrationscotland.gov.uk. This enables contact information for Landlords to be obtained in the event of an emergency, the reporting of unregistered private properties and therefore unregistered private landlords.

How long will your data be stored in the Council?

The Council will only retain your personal data for as long as necessary to fulfil the purposes for which we collected it, including satisfying any legal enforcement, appeal, accounting or reporting requirements.

Private Landlord Registration itself last for a period of three years.

How will we secure your data?

Dumfries and Galloway Council takes the security of your personal data seriously.

Some of the ways in which the Council protects your personal data include:

- Internal policies and controls in place to protect your data
- Electronic storage located on a secure server hosted by the Scottish Government.
- Paper files stored in locked cabinets
- Password protected/encrypted IT equipment
- Restricted access to personal data
- Ongoing training and awareness for staff on information assurance and security

Where Dumfries and Galloway Council engages third parties to obtain personal data on its behalf, they do so under contract and based on clear written instructions.

Third parties are under a duty of confidentiality and are obliged to implement appropriate technical and organisation measures to ensure the security of data and comply with data protection legislation.

Your Individual Rights

You have the right to:

- Be informed
- Withdraw your consent at any time
- Request access to your personal data
- Data Portability (this is to move your data where the legal basis is consent or performance of a contract)
- Request your data to be corrected
- Object to the processing of your data
- Request your data to be forgotten (deleted) where the legal basis is consent
- Object to processing of your data
- Lodge a complaint with the Information Commissioner's Office (ICO)

Your responsibilities

- To contact the data controller (Dumfries and Galloway Council) to update your information if it changes. It is an offence to fail to do so which may lead to prosecution.

Should you wish to lodge a complaint, provided are the details of the supervisory authority; the Information Commissioner's Office (ICO):

Address: Information Commissioner's Officer, Wycliffe House, Water Lane. Wilmslow, Cheshire

Telephone: 0303 123 1113