

PRIVACY NOTICE – Housing Enforcement and Private Rented Property Licensing

The London Borough of Hounslow is committed to protecting and respecting your privacy. Through this Privacy Notice we have sought to be as transparent as possible and fully explain how your personal data is held and processed.

This privacy notice explains what information the Housing Enforcement Team collects, the purposes for which it is collected and who we share the information with.

If you have any questions about this privacy notice or any concerns about how we process your personal data, please contact the Housing Enforcement Team at housing.enforcement@hounslow.gov.uk. The privacy notice will continue to be monitored and updated. You are advised to check this page from time to time.

Purpose for processing your information

The London Borough of Hounslow collects and processes personal information about you as we have a legal obligation to administer Licensing of HMOs and Selective licensing of other residential accommodation under provisions of The Housing Act 2004 and for regulatory and enforcement activities in respect of private rented properties, Empty properties, Public Health Acts, and premises prejudicial to health or nuisance.

What type of information we collect

We currently collect and process the following information

- Name, address, date of birth, telephone number, email address
- Above details of other parties that have a relevant interest in the property
- Property details
- Occupancy details
- Financial/management details
- Criminal convictions

How we collect your information

Most of the personal information we process is provided to us directly by you for example when you apply for a private rented property license. Or you have contacted the council to report an issue that the Housing Enforcement will investigate such as unlicensed properties, disrepair to your property or an empty property. We also collect information available through public sources such as HM Land Registry.

What do we use your information for?

The provisions of personal data is required so that we can determine licence applications, administer the licensing schemes, and investigate Housing Enforcement offences.

If you are the licence holder or person managing the property, personal details such as your full name and address will be placed on a public register in accordance with the requirements of s232 of the Housing Act 2004.

We may contact you from time to time if we feel there are developments in the law you need to be aware of, if we have information that may benefit you or if we would like consult with you about a new policy or procedure.

We will also contact you before the licence renewal date to ensure your property remains licensed.

Who the information is shared with

We may need to share the information you provide us with other persons or professional organisations such as:

- All persons with a relevant interest in a property
- London Borough of Hounslow Departments
- Local and Central Government
- Ombudsman and Regulatory authorities
- Partner Agencies such as the Metropolitan Police Service, London Fire Service, HMRC, UK Borders Agency
- Healthcare, Social and Welfare Organisations for the protection and safeguarding of vulnerable persons
- Financial Organisations
- Other Local authorities
- Courts and Tribunals
- Law enforcement and prosecuting authorities
- Legal representatives e.g. defence solicitors

We will only share your information with internal departments and other service providers, contractors and/or partner bodies where it is necessary such as:

- To comply with a legal obligation
- Where permitted under the Data Protection Law
- Where the disclosure is necessary for the prevention and/or detection of crime
- Where it is necessary to allow a third party employed by or on behalf of the Council to carry out necessary works

We will strive to ensure that any personal data in our care will be kept safe and that where your information is disclosed to a third party working on our behalf, we will seek to ensure that they have sufficient systems and procedures in place to prevent the loss or damage of personal data.

Our Lawful basis for processing your information

The Housing Enforcement Service must process all personal data lawfully, fairly and in a transparent manner.

Lawful Basis under Article 6 GDPR

The lawful basis we rely on for processing this information is:

- Legal obligation
- Vital interests
- Public task

To view what sections of the law we use please see Appendix 1.

Lawful basis under Article 10 of GDPR

Schedule 1 of the Data Protection Act 2018 conditions that we rely on for processing criminal offence data are as follows:

- Statutory and government purposes
- Preventing or detecting unlawful acts
- Protecting the public against dishonesty
- Regulatory requirements relating to unlawful acts and dishonesty

Data Matching and Auditing

We are required by law to protect the public funds we administer. We may use the information you provide to us for the prevention and detection of crime. We may also share this information with other bodies that are responsible for auditing or administering public funds including the Audit Commission, the Department for Work and Pensions, other local authorities, HM Revenue and Customs and the Police.

The council uses data matching as a way of processing large volumes of information. While this can be a useful way of detecting fraud, it also enables us to identify information that is inaccurate or out of date, helping us comply with Data Protection law, while improving service provision.

In addition to undertaking our own data matching to identify errors and potential frauds, we are required to take part in national data matching exercises undertaken by the Audit Commission. The use of data by the Audit Commission in a data matching exercise is carried out under its powers in Part 2A of the Audit Commission Act 1998. It does not require the consent of the individuals concerned.

Business Intelligence, Profiling and Analysis

Please note that we may analyse your information to improve services and for the following purposes:

- Undertake statutory functions efficiently and effectively
- Service planning by understanding your needs to provide the services that you request
- Understanding what we can do for you and inform you of other relevant services and benefits
- Help us to build up a picture of how we are performing at delivering services to you and what services the people of Hounslow need

- Analysis of costs and spend of services we provide so that we can ensure better and efficient use of public funds
- Emergency planning.

How long do we keep your information?

Record Title	Retention Period	Type of Information
Housing Standards Inspections to assess housing conditions	7 years from completion of case	Name and address, date of birth, telephone number, email address of occupiers and landlords. Property conditions and safety certificates
Enforcement case files where the council are investigation poor housing conditions and/or breaches of Housing Act and associated legislation	7 years from completion of case	Name, address, date of birth, telephone number, email address of landlords and tenants and other parties that have a legal interest. Property conditions and safety certificates.
Statutory Notices requiring . Remedial works to be carried out . Information on owner and occupiers . Relevant documents to be provided	7 years after compliance with notice. To be retained indefinitely where notice outstanding or charge not recovered.	Name, address, date of birth, telephone number, email address of landlords and tenants and other parties that have a legal interest. Property conditions and safety certificates
Prohibition Orders. Under S25 Housing Act 2004 The local housing authority must revoke a prohibition order if at any time they are satisfied that the hazard in respect of which the order was made does not then exist on the residential premises specified in the order The power to revoke or vary a prohibition order under this section is exercisable	7 years after date of revocation. To be retained indefinitely where outstanding charge not recovered.	Name, address, date of birth, telephone number, email address of landlords and tenants and other parties that have a legal interest. Property conditions and safety certificates

<p>by the authority either—</p> <p>(a) on an application made by a person on whom a copy of the order was required to be served under Part 1 of Schedule 2, or</p> <p>(b) on the authority's own initiative.</p>		
<p>Management Orders</p> <p>Housing Act 2004 s114</p> <p>Operation of final management order. The order ceases to have effect at the end of the period of 5 years beginning with the date on which it comes into force</p>	<p>7 years after Order ceases to have effect or has been revoked.</p> <p>To be retained indefinitely where any outstanding charges not recovered.</p>	<p>Name, address, date of birth, telephone number, email address of landlords and tenants and other parties that have a legal interest. Property conditions and safety certificates.</p> <p>Financial/management details</p>
<p>Empty Dwelling Management Orders</p> <p>Housing Act 2004 Schedule 7 (9) The order ceases to have effect at the end of the period of 7 years beginning with the date on which it comes into force, unless it ceases to have effect at some other time as mentioned below.</p> <p>If the order provides that it is to cease to have effect on a date falling before or after the end of that period, and the relevant proprietor of the dwelling has consented to that provision, the order accordingly ceases to have effect on that date.</p> <p>S137 If the dwelling is unoccupied and on a review the authority conclude that either— (a) there are no steps which they could</p>	<p>7 years after Order ceases to have effect or has been revoked.</p> <p>To be retained indefinitely where any outstanding charges not recovered.</p>	<p>Name, address, date of birth, telephone number, email address of landlords and tenants and other parties that have a legal interest. Property conditions and safety certificates.</p> <p>Financial/management details</p>

appropriately take or (b)keeping the order in force is not necessary they must proceed to revoke the order.		
Works in Default to carry out repairs to a property	7 years after full cost of works recovered. To be retained indefinitely where outstanding costs not recovered in full	Name, address, date of birth, telephone number, email address of landlords and tenants and other parties that have a legal interest. Property conditions and safety certificates. Financial information.
Prosecutions	7 years from completion of the case. Major litigation – offer to Archivist for review	Name, address, date of birth, telephone number, email address of landlords and tenants and other parties that have a legal interest. Property conditions and safety certificates. Financial/management details. Criminal convictions
Civil Penalties	7 years from completion of the case and/or outstanding debt recovered.	Name, address, date of birth, telephone number, email address of landlords and tenants and other parties that have a legal interest. Property conditions and safety certificates. Financial/management details
Property Licenses	3 years beyond the expiry of a licence or where the property ceases to require a licence. 7 years beyond the revocation or refusal of a licence, or a case involving legal action.	Name, address, date of birth, telephone number, email address of landlords and tenants and other parties that have a legal interest. Property conditions and safety certificates. Financial/management details. Criminal convictions

We will then dispose of your information in the most secure manner possible.

Your data protection rights

The rights available to you depend on our reason for processing your information. For further information about your data protection rights and how to make a request, please see '[Your rights](#)'

Your right to make a complaint

The Council tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate.

If you want to make a complaint you can contact us on:

Complaints.Team@hounslow.gov.uk

Complaints Team
Hounslow House
7 Bath Road
TW3 3EB
London Borough of Hounslow

Data Protection Officer

The Council's Data Protection Officer can be contacted on:

InformationGovernance@hounslow.gov.uk

Information Governance Team
Hounslow House
7 Bath Road
TW3 3EB
London Borough of Hounslow

Information Commissioner's Office

The Information Commissioner is the UK's independent body set up to uphold information rights.

If you would like to know more about your rights under the Data Protection law, and what you should expect, visit the Information Commissioner's website: <https://ico.org.uk/>

If you have any concerns regarding any privacy practices or about exercising your Data Protection rights, you may contact the Information Commissioner's Office:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow Cheshire
SK9 5AF

Telephone: 0303 123 1113 or 01625 545 745

Email: casework@ico.org.uk

A full list of what information we control and process and for what purposes is set out in our notification with the Information Commissioner's Register of Data Controllers. Our registration number is Z5761176. You can view our registration on the Information Commissioner's website.

Appendix 1

Our Legal obligations under Housing Act 2004 parts 2 and 3 in relation to property licensing applications.

S63 and S87 require the council to collect Information to be supplied in license applications

S66 and S89 require the council to collect information relating to landlords to check that the license holder or manager is fit and proper. The local authority must have regard to evidence of whether he or she has:

- a) committed any offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (c. 42) (offences attracting notification requirements);
- b) practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business;
- c) contravened any provision of the law relating to housing or of landlord and tenant law; or
- d) acted otherwise than in accordance with any applicable code of practice approved under section 233.

Under S232 the Council are required to publicise a Register of HMO licenses and management orders