

# Houses in Multiple Occupation Licensing

## Privacy Notice (How we use your information)

**The categories of information that we collect, process, hold and share include:**

- personal information (such as name, address, contact information, date of birth and National Insurance number)
- financial transaction details (such as credit/debit card payments)
- criminal record history (such as details of convictions)

## Why we collect and use this information

We use your data to:

- enable us to carry out specific functions for which we are responsible
- enable us to assess applications for a HMO licence
- take any necessary enforcement action
- provide statistics to Government departments e.g. Ministry of Housing, Communities and Local Government

## The lawful basis on which we use this information

Processing is necessary for compliance with a legal obligation. We collect and use this information for the purposes of carrying our statutory functions under the Housing Act 2004.

Where we process data regarding criminal offences and convictions, this is for the purposes performing or exercising our rights and obligations in connection with social protection and is carried out in accordance with the Council's appropriate policy document [[link here](#)]

## Collecting this information

Whilst the majority of the information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this.

## Storing this information

We hold your data for 6 years.

## Who we share this information with

We routinely share information with:

- Internal departments (such as Council Tax, Fraud & Audit, Community Safety Unit and Legal Services)

- Kent Fire & Rescue Service
- The Cabinet Office as part of the National Fraud Initiative

## Why we share this information

We share data with our Council Tax, Fraud & Audit, Community Safety Unit and Legal Services departments to help us fulfil our statutory duties under the Housing Act 2004. This data sharing enables us to comply with the requirement to determine if the applicant is a 'fit and proper person'.

We share data with Kent Fire & Rescue Service on a statutory basis under the Housing Act 2004, section 10. This data sharing enables us to comply with the requirement to consult with the Fire and Rescue authority before taking enforcement action.

We share data with the Cabinet Office as we are required to by law for the purpose of assisting the prevention and detection of fraud

## Public Register

In accordance with the Housing Act 2004 s. 232, the Council is required to keep a public register of licences and management orders which records details of:

- (a) all licences granted by them under Part 2 or 3 which are in force;
- (b) all temporary exemption notices served by them under section 62 or section 86 which are in force; and
- (c) all management orders made by them under Chapter 1 or 2 of Part 4 which are in force.

This register may contain personal data. Please contact the Council to view this register.

## Data collection requirements

To find out more about the data collection requirements placed on us by the Ministry of Housing, Communities and Local Government go to <https://www.gov.uk/government/collections/local-authority-housing-data>.

## Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about them that we hold. To make a request for your personal information please contact Adrian Stanfield, the Council's Data Protection Officer at [foi@tmhc.gov.uk](mailto:foi@tmhc.gov.uk).

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means

- in certain circumstances, have personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## **Further information**

If you would like further information about this privacy notice, please contact Adrian Stanfield, the Council's Data Protection Officer at [foi@tmbc.gov.uk](mailto:foi@tmbc.gov.uk).

The Council collects and uses personal information for a number of purposes across all of its departments and functions. To find out more about how the Council uses the personal information it collects, please refer to the Corporate Privacy Notice <https://www.tmbc.gov.uk/privacy-notice>