



Listening Learning Leading



## **PRIVACY NOTICE**

South Oxfordshire District Council and Vale of the White Horse District Council understands the importance of ensuring that personal data is always treated lawfully and appropriately and that the rights of individuals are upheld. This notice describes how the councils may use your information. You can view the councils' generic privacy policy on the webpages.

[Privacy policy - South Oxfordshire District Council \(southoxon.gov.uk\)](https://southoxon.gov.uk)

[Privacy policy - Vale of White Horse District Council \(whitehorsedc.gov.uk\)](https://whitehorsedc.gov.uk)

### **Why we may hold your data**

If you are carrying out construction work, you must get it inspected by a building control body to make sure it meets Building Regulations and you are building the development in a safe way.

We use your data to correspond with you regarding your Building Regulation application. This may include to determine your building regulations application, contact you to arrange inspections of the works during construction, and also generally in relation to the building works you are carrying out. We may also contact you if we receive a report of a breach of building regulations or a report of a dangerous structure.

Once your building works are completed and we issue the completion certificate we may ask for your feedback on the service provided to you. Your feedback is important to us and helps us understand what we can do better. We also use it as part of the work we do every year on maintaining what's known as our ISO Accreditation. You do not have to reply but if you do it will help the council review and improve its service. Any information you provide will be anonymous.

In addition to our statutory role above and with your consent we would also like to contact you with updates on building control issues.

### **The type of information we collect**

We currently collect and process the following information:

- full name
- address
- phone number
- email address
- The personal data we process may also include sensitive personal data relating to disabilities.

## How we get the personal information and why we need it

Most of the personal information we process is provided to us directly by you or your agent for one of the following reasons:

- to process your application or the service you need for building regulations compliance
- to enable us to be able to issue notices, certificates and communicate effectively with you about your application
- if you are the owner of a building or structure that becomes dangerous, we may collect your personal information so that we can resolve the issue in accordance with dangerous building and structure legislation

If you do not provide your name and address we are unable to legally process your building regulation application.

For the purposes of processing your application quickly and providing you with an efficient service, we ask that you also voluntarily provide us with a contact telephone number and email.

These details do not have to be given and you can request that they are removed at any time, however this may result in delays if the council needs to contact you about your application.

***In addition to the above, by submitting your Building Regulations application to us, you give your express consent for your application and any relevant information to be added to our public register.***

We also receive personal information indirectly, from the following sources in the following scenarios:

- if we receive a neighbour complaint, or complaint from a member of the public or organisation in relation to a matter of concern for our service and they provide us with data which relates to you

We use the information that you have given us in order to administer and discharge the functions required of us under the [Building Act 1984](#) and the [Building Regulations \(as amended\) 2010](#) to make sure of:

- the health, safety and welfare of people in and around buildings
- the energy efficiency of those buildings

An example of this may include issuing you with statutory notices or contacting you to arrange inspections of your property during construction works or dangerous events.

## **Our Lawful basis for processing your information**

The Data Protection Act 2018 and UK GDPR requires us to have a specific basis for processing your personal data. In this case we rely on Article 6(1)e – performance of a public task.

The [Building Regulations \(as amended\) 2010](#), sections 13,14 and 18, makes it a requirement that any persons who undertakes building work at their premises applies for building control consent. In applying for building control consent you must provide your name, address and contact details.

## **Special category data**

Special category data is being processed under Article 9 UK GDPR:

- (g) processing is necessary for reasons of substantial public interest

The council also has a statutory duty to protect members of the public from dangerous buildings or structures under the [Building Act 1984](#), sections 77,78 and 79. In doing so it may be necessary to get the name and address of the building or structure owner so that the dangerous condition of the structure or building can be abated or if the council has to exercise its enforcement powers in relation to the matter.

For the purpose of keeping in touch regarding building control matters, we process your data where you have given us your explicit consent. This does not involve sensitive personal data and is limited to contact information.

## **Who your information may be shared with**

To manage building regulations, we may share your personal information with:

- Other departments within the Council
- Consultants contracted by us
- Other local authorities
- Utility companies
- Fire safety bodies
- The courts

We will enter information on statutory registers including making it available to the public.

We will only disclose information to other organisations if we have a legal duty to release data to:

- Prevent or detect fraud
- Prevent or detect crime
- Protect public funds

We do not transfer your personal data abroad.

This information is stored on a secure database within the UK. Your data may be used internally by other Council departments for property history information. We will process data where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority.

### **How long we keep your information (retention period)**

We only keep your data for as long as necessary.

We keep the personal information you provide for 15 years after:

- completion of your project
- you have received your certificate of completion.

Information in relation to dangerous structures will be retained for a period of 7 years from the last action in the case, in line with local government best practice.

After this time, we destroy your information in a secure way.

### **How we protect your Information**

We have implemented generally accepted standards of technology and operational security in order to protect personal data from loss, misuse, or unauthorised alteration or destruction.

### **Your rights**

You have rights under the Data Protection Act 2018, and these can be viewed in the council's privacy policy using the website links provided above. It should be noted that not all rights apply in all cases and that these rights are only applicable if the council has no other legal obligation concerning that data. If you object to us processing your personal data, we need to decide if the council has compelling legitimate grounds which override your reasons for objecting.

For the purpose of keeping in touch regarding building control matters, you have full rights over the data we hold.

If you wish to exercise any of these rights, you should contact the council's data protection officer as detailed below.

### **Our contact details**

South Oxfordshire District Council is registered as a data controller with the Information Commissioner's Office (ICO) with Registration number: [Z6629204](#)

Vale of White Horse District Council is registered as a data controller with the Information Commissioner's Office (ICO) with Registration number: [Z6666984](#)

The councils operate as a joint service from Abbey House, Abbey Close, Abingdon, OX14 3JE.

We have appointed a Data Protection Officer, who can be contacted by email to [data.protection@southandvale.gov.uk](mailto:data.protection@southandvale.gov.uk).



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### **Further information**

If you believe we have not handled your personal data as we have described here, please contact us using the details above and your concerns will be fully investigated. If, after we have investigated your concerns, you are not satisfied with our conclusion, you have the right to refer the matter to the Information Commissioner's Office (ICO). You can reach them through their website <https://ico.org.uk/concerns/> or call them on 0303 123

1113. Their mailing address is:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF