

**Property Acquisition
(Purchase and Leasing)
Privacy Notice**

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Property Acquisition (Purchase and Leasing) Privacy Notice

Wigan Council (“a Data Controller”) is committed to protecting the privacy and security of your personal information.

Wigan Council and organisations who work on our behalf, collect, store and process personal and sensitive information about residents, service users and those who we come into contact with. This information enables us to carry out specific functions that we are responsible for.

We recognise the need to treat personal and sensitive data in a fair and lawful manner. No personal information held by us will be processed unless the requirements for fair and lawful processing can be met.

Our core obligations under the General Data Protection Regulation (GDPR) and commitments are set out in the Council’s [Primary Privacy Notice](#).

This notice provides additional privacy information for:

- Owner-occupiers (or their agents) who have offered Wigan Council the opportunity to purchase their residential property under the owner’s obligation as per the Right of First Refusal, provided for in the Housing Acts 2004, 1985
- Owner-occupiers (or their agents) who have requested that Wigan Council purchase their residential property which is not liable to the aforementioned Right of First Refusal
- Owner-occupiers who have sought information on, applied for, or currently have a property on lease with, Wigan Council’s Ethical Lettings Agency (Private Sector Leasing)
- Private landlords who have a property currently leased to Wigan Council which was historically managed by the previously existing management company Wigan Housing Solutions.

It describes how we collect, use and share personal information about you:

- Before, during and after your relationship with us ends, and
- The types of personal information we need to process, including information the law describes as ‘special because of its sensitivity’.

It is important that you read this notice, together with any other privacy information so that you are aware of how and why we use your personal information.

Purpose(s):

The main purposes for processing your personal information are:

- To exercise our Right of First Refusal (as per the Housing Acts 2004, 1985)
- To assess, progress, and complete your request for Wigan Council to purchase your residential property
- To enable the administration and management of private residential properties leased to the Council under its Ethical Lettings Agency
- To enable the administration and management of private residential properties leased to the Council which were historically managed by the previously existing management company Wigan Housing Solutions
- The above purposes may include, for example:
 - The inspection and valuation, of your property by Council officers, such as surveyors, repairs and voids officers, and private contractors
 - Making payments as per the purchase of your property, or monthly lease payments
 - The assessment of your property in relation to Council need, demand, and supply data
 - The assessment of your personal circumstances by Council officers and services
 - The ongoing maintenance of any leased properties
 - The enforcement contractual compliance.

Categories of personal data:

In order to carry out activities and obligations as providers of services to you, we process personal information in relation to the following:

- Personal information and contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Personal demographics (including date of birth, gender, marital status, civil partnerships)
- Bank account details
- Property ownership details, proof of title and any charges on property
- Company information, such as directors information, and company registration and VAT numbers
- Audio-visual information, such as photos, audio recordings, and video recording.

Special Categories:

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions (including ensuring meaningful equal opportunities monitoring and reporting)
- Offences (including alleged offences), criminal proceedings, outcomes and sentences
- Identification numbers, location data, online identifier and factors specific to a person's physical, physiological, genetic, mental, economic, cultural or social

identity. This could include reports from the Police, Court Information / orders Health information e.g. DNA.

The main legal bases we rely on for processing your personal information are:

- **Public task** - the processing is required in order for us to perform a task in the public interest or for our official functions, including the use of discretionary powers
 - Property acquisitions may occur by exercising our statutory Right of First Refusal
- **Legal obligation** - the processing is necessary for us to comply with the law.
 - Under its exercise of the Right of First Refusal, the Council is under a legal duty to comply with specific regulations and procedural necessities
- **Contract** – the processing is necessary for a contract we have with you, or because you have asked us to take specific steps before entering into a contract
 - The Council will be required to enter into a contract with owner-occupiers for any properties which are to be leased to the Ethical Lettings Agency, and as such will also need to process data in the administration, management, and enforcement, of such contracts
 - The management of leased private residential properties which were previously managed by Wigan Housing Solutions requires the processing of data to ensure compliance with the terms of the contract
 - For the assessment, progression, and completion of property acquisitions which are the result of an offer made to the Council by an owner-occupier regardless of liability to the Right of First Refusal.

The relevant legislation giving rise to the legal bases of public task or legal obligation includes, but may not be limited to:

- The Housing (Right of First Refusal) (England) Regulations (2005)
- Housing Acts (1985, 2004).

AUTOMATED DECISION-MAKING

All the decisions we make about you involve human intervention.

COOKIES

To find out how we use cookies please see our [Cookie Notice](#).

DATA SHARING

In addition to the general reasons for information sharing described in the Council's [Primary Privacy Notice](#):

We may share data or information internally within the organisation where it is necessary to do so in order to fulfil a public task, comply with legal obligations, fulfil contractual obligations, or otherwise necessary for the purposes for which the

information was collected. The following Council teams or departments are whom we principally, but not solely, may share data or information with:

- Legal Services
- Surveyor Services
- Council Housing Repair and Voids (Property Maintenance)
- Compliance teams (gas, fire risk, legionella, etc.)
- Financial Services
- Community Resilience
- Tenancy Management Services
- Adult Social Care and Health
- Children's Services.

We may also share information externally with other organisations, where it is necessary to do so in order to fulfil the purposes for which the information was collected, or to fulfil a public task, or comply with legal or contractual obligations. Principally, but not solely, we may share information with the following:

- The Judiciary
- Your bank account and mortgage provider(s)
- Voluntary sector organisations, such as Citizen's Advice or Shelter
- The local provider of the Housing Possession Court Duty Scheme
- The local organisation awarded with the Legal Aid Agency contract for housing matters
- Both Greater Manchester and National Rogue Landlord Databases
- HM Land Registry
- Private companies, such as contractors
- Appointed solicitors or legal representatives.

We also collect or receive information from external parties such as:

- The Police
- HM Land Registry
- Private companies, such as contractors
- Your bank account and mortgage provider(s)
- Appointed solicitors or legal representatives.

DATA RETENTION

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any future legal, accounting, or reporting requirements.

We must continue to retain necessary information in accordance with our Corporate Records Management Policy to fulfil legal, statutory, and regulatory requirements.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

You have the right to ask for your information or make a request regarding your data and there will not be a charge for you to do so. This is known as a [subject access / GDPR rights request](#). To do this you can visit our website where you can [make a subject access / GDPR rights request online](#) or write to us at: Information Governance, Wigan Council, PO Box 100, Wigan WN1 3DS.

Your rights include the right to:

- Ask for access to your information
- Ask for your information to be corrected if it is inaccurate or incomplete. It is important that the personal information we hold about you is accurate and up to date. Please let us know if the information we hold about you should be corrected or updated
- Ask for your information to be deleted or removed but only where there is no need for us to continue processing it (right to be forgotten)
- Ask us to restrict the use of your information
- Object to how your information is used.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights that apply). However, we may charge a reasonable fee if your request for access is in our view unreasonable or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

You have a right to be informed about how and why your personal information is being processed. This notice fulfils that obligation.

Full details are contained within the Council's [Primary Privacy Notice](#) and should be read in conjunction with this document.

DATA PROTECTION OFFICER

If you wish to raise a concern about your data or how your request has been handled, please contact our [Data Protection Officer](#).

If you are unhappy with the way that we handle your concern you may complain to the [Information Commissioner's Office \(ICO\)](#) at:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113

The Information Commissioner's Office deals with concerns and complaints relating to data protection (GDPR) and freedom of information legislation.

CHANGES TO THIS PRIVACY NOTICE

We may update or revise this privacy notice from time to time and will provide supplementary privacy information as is necessary.