

HMO and Selective Licensing Privacy Notice

Ashfield District Council complies with the Data Protection Act and the GDPR and is registered with the Information Commissioner's Office (ICO) as a Data Controller. This HMO and selective licensing privacy notice explains how personal information is going to be used, what for, who it will be shared with and why.

You are providing your information to Ashfield District Council Environmental Health Residential Team Ehresidential@ashfield.gov.uk 01623457345. The Council's Data Protection Officer can be contacted at:

Data Protection Officer

Ashfield District Council

Urban Road

Kirkby in Ashfield

Nottingham

NG17 8DA

Email: DPO@ashfield.gov.uk

The general Privacy notice can be found at:

<https://www.ashfield.gov.uk/your-council/legal-information-public-data/privacy-notice/>

Why we collect personal data about you and how we use your information

We collect and hold personal information about you because the law says we must to fulfil the Council's duties under [Parts 2 of the Housing Act 2004](#) and [Part 3 of the Housing Act 2004](#).

We use this information to:

- Determine whether the property is suitable to be licensed under the Act.
- Processing your licence application
- Determine whether the proposed licence holder is a Fit & Proper Person to operate a licensable HMO, as defined by the Act
- Maintain a public register of licensed HMOs as required by the Act and its related statutory instruments.
- Fulfil the Council's statutory licensing enforcement obligations

Legislation Context:

- Housing Act 2004
- The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
- Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007
- The Selective Licensing of Houses (Additional Conditions) (England) Order 2015.
- The Licensing and Management of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018;

Whom we share your information with

The information regarding your licence application will be held on a Licensing public register pursuant to s232 Housing Act 2004 and as prescribed by the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006. We will provide a copy of the information [prescribed by law](#) in the form of a public register upon request.

A form of the register will be found on the Council's website <https://www.ashfield.gov.uk/housing/finding-renting-or-owning-a-home/private-housing/houses-in-multiple-occupation/>

The information may be shared with the internal and external agencies at their request, to identify potential fraud and for the prevention or detection of crime, the capture or prosecution of offenders; and the assessment or collection of tax or duty, namely,

- Nottinghamshire Police
- Nottinghamshire Fire and Rescue Service
- Teams within Ashfield District Council e.g., Regulatory and Environmental Services, , Electoral Services, Housing Benefits
- The Home Office to ascertain the right to work
- HM Revenue and Customs
- Database of rogue landlords and property agents under the Housing and Planning Act 2016

How long do we keep your information?

The information shall be retained for as long as the HMO licensing law is in effect, typically, the duration of the licence plus 6 years, and shall be processed in adherence to your legal rights, including but not limited to the right to withdraw consent, right to copies of your information and right to be forgotten.

You have the right to make a complaint at any time to the Information Commissioner by visiting <https://ico.org.uk/concerns/>. The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.