[Short-term Lets Licensing Scheme]

**Privacy Notice**

1. **Who we are**

North Lanarkshire Council is a local authority constituted under the Local Government etc. (Scotland) Act 1994. Its head office is at Civic Centre, Windmillhill Street, Motherwell, ML1 1AB. North Lanarkshire Council is the data controller and responsible for your personal information.

The Short Term Lets Licensing Scheme is administered by the Council’s Regulatory Services and Waste Solutions Service under the Civic Government (Scotland) Act 1982 (Licensing of Short Term Lets) Order 2022 (“the 2022 Order”). This privacy notice provides information about how and why your personal information will be used by the Council when it processes applications for a short term lets licence.

1. **Commitment to Privacy**

We are committed to protecting the privacy and confidentiality of any personal information that we hold.  This privacy notice will tell you how we look after your personal information and tell you about your rights.

We will ensure that your personal information is kept secure, in line with the UK General Data Protection Regulation (“UK GDPR”) and the Data Protection Act 2018. We will only collect the minimum information necessary to fulfil a particular purpose; when we don't have a need to keep information about you, it will be disposed of in a secure manner.

**Information Commissioner’s Office**

You have the right to make a complaint at any time to the Information Commissioner’s Office, the UK data protection regulator who can be contacted via the contact details below, however, we would welcome the opportunity to discuss your concerns with you before you do so:

Information Commissioner’s Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Phone: 0303 123 1113 (local rate) or 01625 545 745 or visit their: [website](https://ico.org.uk/concerns)

1. **Data Protection Officer**

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this privacy notice.  If you have any questions about this privacy notice, including any requests to exercise your legal rights, you can contact the DPO via the contact details below:

Data Protection Officer Email: DataProtection@northlan.gov.uk

North Lanarkshire Council Telephone: 01698 302554

Civic Centre

Windmillhill Street

Motherwell

ML1 1AB

1. **The personal information we hold about you**

We may collect, store and use the following kinds of personal information about you:-

* Personal details (such as name, address, previous addresses, date of birth, place of birth, e-mail address, telephone number, mobile telephone number)
* Reasons for any refusal of previous licence application
* Previous licence number(s) (if applicable)

We may collect, store and use technical data including internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website and use age data including information on how you use our website and services.

We may also collect, store and use information about your criminal convictions and offences.

**Keeping your information up to date**

It is important that the personal information we hold about you is accurate and current.  Please keep us informed if your personal information changes during your relationship with us.

**How your personal information is collected?**

We use different methods to collect data from and about you.

We will collect data from you via paper/online forms and via the Short Term Lets website.

We don't rent or trade email lists with other organisations and businesses.

**Other sources of data** We may receive personal information about you from the following, as part of the consultation process:-

* Other Council services, including Building Standards, Development Management, Planning, Council Tax, Health & Social Care.
* Police Scotland
* Scottish Fire and Rescue Services
1. **Purposes for which we will use your personal data**

We will only use your personal information when it is lawful to do so.

We will use your personal information to comply with our legal responsibilities and in the carrying out of our functions and legal obligations to administer the Short Term Lets licensing scheme under the 2022 Order

We may retain personal information for evidential and historical reasons or use it for research and statistical purposes.

We may also use your personal information:

* for the prevention and detection of crime
* for the apprehension or prosecution of offenders
* for the assessment or collection of taxes or duties
* to prevent or detect unlawful acts
* to protect the public against dishonesty, malpractice or other seriously improper conduct
* to prevent fraud (including data matching under local and national fraud initiatives and the Housing Benefit Matching Service).

**Basis of processing**

 We will use your personal information on the following basis:

* where necessary to perform a task carried out in the public interest or in the exercise of official authority vested in us
* where we need to comply with a legal or regulatory obligation

We will process criminal convictions data on the basis of, and under the control of, the official authority set out in the 2022 Order.

We may process your personal information for more than one lawful ground depending on the specific purpose for which we are using your data.

**Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

1. **Sharing your personal information**

We may have to share your personal information with the following parties for the purposes set out above:-

* Scottish Government
* Other local authorities
* Police Scotland
* Scottish Fire and Rescue Service
* Scottish Public Services Ombudsman
* The Scottish Information Commissioner
* The UK Information Commissioner
* Professional advisers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services
* Credit reference agencies
* Fraud prevention agencies
* Debt collection and tracing agencies
* Courts, tribunals and hearings
* The Electoral Registration Officer
* Service providers acting as processors who provide IT and system administration and support services (including Grannicus GovDelivery Communications Cloud).

We require all third parties to respect the security of your personal information and to treat it in accordance with the law. We do not allow our third party service providers to use your personal information for their own purposes and only permit them to process your personal information for specified purposes and in accordance with our instructions.

1. **How long will we hold your information**

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 legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

Details of  [retention schedules [665kb]](https://www.northlanarkshire.gov.uk/CHttpHandler.ashx?id=21788&p=0) for different aspects of your personal information are available to download.

In some circumstances we may anonymise your personal information (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

7. **Your Legal Rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal information.  You have the right to

* **Request access** to your personal information (known as a "data subject access request").  This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
* **Request correction** of the personal information that we hold about you.  This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
* **Request erasure** of your personal information.  This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it.  You also have the right to ask us to delete or remove your personal information where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal information to comply with local law.  Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
* **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms.  You also have the right to object where we are processing your personal information for direct marketing purposes.  In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
* **Request restriction of processing** of your personal information.  This enables you to ask us to suspend the processing of your personal information in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
* **Request the transfer** of your personal information to you or to a third party.  We will provide to you, or a third party you have chosen, your personal information in a structured, commonly used, machine-readable format.  Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
* **Not be subject to a decision based on solely automated processing** if that produces a legal effect concerning you or similarly significantly affects you.  Note that this right does not apply if the decision is (i) necessary for entering into, or performance of, a contract between us and you; (ii) authorised by law; or (ii) based on your explicit consent
* **Withdraw consent** at any time where we are relying on consent to process your personal information.  However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.  If you withdraw your consent, we may not be able to provide certain services to you.  We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us.

**No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights).  However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive.  Alternatively, we may refuse to comply with your request in these circumstances.

**What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal information (or to exercise any of your other rights).  This is a security measure to ensure that personal information is not disclosed to any person who has no right to receive it.  We may also contact you to ask you for further information in relation to your request to speed up our response.

**Time limit to respond**

We try to respond to all legitimate requests within one month.  Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests.  In this case, we will notify you and keep you updated.