

## **Privacy Notice – Brent Building Control**

This privacy notice explains how the Building Control Service collects and uses personal information. The Building Control Service service uses information, including personal details and sometimes sensitive personal data, for carrying out of its functions as a local building control authority. This statement sets out the types of information that we collect, how it is stored, displayed, used and retained.

In this notice Brent Council, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ is the data controller as defined by Data Protection legislation.

The Council's Data Protection Officer is

Rajesh Seedher

Email: [dpo@brent.gov.uk](mailto:dpo@brent.gov.uk)

Phone: 020 8937 1402

### **What do we use the data for?**

The information that you provide for a building control application including personal data, will be used to deal with your building control application

The most common things we use data for are:

- Notify other organisations of proposals to seek their views
- Write and consult on building control matters
- Investigate allegations of unauthorised building works
- Make decisions
- Provide advice
- Monitor developments
- Carry out inspections

The following legislation enables us to collect and use data as a building control authority. If you fail to provide the data required, we may not be able to deliver services to you and may also take action if required to do so by law. **Legal Basis for Collecting and Using Information**

#### **Legislation**

- Building legislation ([The Building Act 1984](#))
- [The Building Regulations 2010](#) (as amended)

### **Sharing information**

Your information may be shared within the Council and with some external organisations where required to deliver building control services. In special cases we may also share your information with other individuals and organisations. For example, if you make a complaint to your Councillor, or if the sharing would help with a safeguarding issue, or help prevent a crime. Sometimes, we might share your information without your knowledge.

<b>External Organisations</b>	<b>In association with the:</b>
<b>London Fire Brigade</b>	Consult on Fire Safety rudiments and guidelines
<b>3<sup>rd</sup> Party Consultants</b>	Consult on range of Building Control issues relevant to the specific application.
<b>Other Local Authorities</b>	Where applications are received for work which is outside of the borough, and information is required from host authority.

The Council will never sell your information to anyone else.

### **Responsibilities**

Do not include personal information about another person (including family members) unless the individual concerned has consented and you can provide evidence of this consent.

Tell us as soon as possible if any of the personal information you have provided should change.

### **How we get your information**

We get information in a number of ways

- it is supplied to us directly from an individual or an agent
- We receive it from a third party website that provides a transaction service. These include the Planning Portal, Submit a plan

### The categories of personal data we collect:

For most applications:

- personal details (applicant, agent details)
- financial details (associated with the payment of fees)

In a limited number of instances, we also collect:

- financial details (Invoice fees)
- Property ownership information in some instance from the Land Registry where required to serve an Enforcement Notice.

We might also use sensitive personal information, such as information about your physical health if it is relevant to your building control application (for example, as evidence of exemption of a fee for a registered disabled person).

The building regulation applications are closed applications, and no personal data is uploaded to the London Borough of Brent's website.

We redact the following details from the building control form and covering letter if information is requested for a particular application e.g. plans, certificate etc.

- Personal contact details for the applicant - i.e. telephone numbers, email addresses
- Signatures
- Personal Sensitive Information
- Information agreed to be confidential

## **Unauthorised Works**

We receive allegations of unlawful development that we investigate and decide whether or not to act. We treat allegations in confidence. We do not make any personal data in allegations public. We redact the name and address of the person to whom we serve an enforcement notice.

## **Pre-application Advice**

Applications for pre-application advice are stored in our system Acolaid. We treat all pre applications in confidence and details about the application and advice given are not made public

## **General Information**

### **Where in the world is your information stored?**

We do not routinely share your information with any organisation outside the UK, but our website is available across the internet and we communicate with agents, applicants, and other stakeholders wherever they are. Your rights

Brent Council shall process your information in adherence to your individual rights under the Data Protection legislation.

### **The right to be informed**

This is your right know about how your data is being processed, who it is given to, for what purpose and anything else that guarantees your rights. This web page provides a summary, the Record of Processing Activities gives further details. When you provide information the Council will ensure that you have a Privacy Notice.

### **The right of access**

You have a right to access your personal data and relevant supplementary information. This is known as a Subject Access Request. Further information can be found at [www.ico.org.uk](http://www.ico.org.uk). You can make a request by emailing the Data Protection Officer [dpo@brent.gov.uk](mailto:dpo@brent.gov.uk), or in writing to the Data Protection Officer, Brent Council, Engineers Way HA9 0FJ. You should receive a response within 30 days, unless a different period applies as described under the ICO's SARs code of practice.

### **The right to rectification**

You have the right to have your personal data rectified if it is inaccurate or incomplete. You can do this by contacting the service area that you are concerned about directly. Otherwise you can make a request by emailing the Data Protection Officer at [dpo@brent.gov.uk](mailto:dpo@brent.gov.uk), or in writing to the Data Protection Officer, Brent Council, Civic Centre, Engineers Way HA9 0FJ

## **The right to erasure**

This is also known as “the right to be forgotten”. Please note that there are circumstances when your information cannot be erased. This includes situations whereby the council is required to retain information for statutory purposes in accordance with its data retentions policy. You can make a request by emailing the Data Protection Officer at [dpo@brent.gov.uk](mailto:dpo@brent.gov.uk), or in writing to the Data Protection Officer, Brent Council, Civic Centre, Engineers Way HA9 0FJ . You should receive a response with 30 days.

## **The right to restrict processing**

You have a right to request the council to ‘block’ or suppress processing of your personal data. Please note that this may not apply for most of the council’s processes because there is usually a legal duty to process information.

## **The right to data portability**

You have the right to obtain and reuse your personal data for your own purposes. You can make a request by emailing the Data Protection Officer at [dpo@brent.gov.uk](mailto:dpo@brent.gov.uk), or in writing to the Data Protection Officer, Brent Council, Civic Centre, Engineers Way HA9 0FJ.

## **The right to object to processing**

You have the right to object to processing for certain circumstances as listed by the ICO at [www.ico.org.uk](http://www.ico.org.uk). You can make a request by emailing the Data Protection Officer at [dpo@brent.gov.uk](mailto:dpo@brent.gov.uk), or in writing to the Data Protection Officer, Brent Council, Civic Centre, Engineers Way HA9 0FJ

## **Rights related to automated decision making including profiling**

There are restrictions on automated decisions based solely on automated means without any human involvement. Also there are restrictions on profiling. You can make a an enquiry by emailing the Data Protection Officer at [dpo@brent.gov.uk](mailto:dpo@brent.gov.uk), or in writing to the Data Protection Officer, Brent Council, Civic Centre, Engineers Way HA9 0FJ

Brent Council is required by law to protect the public funds it administers. We may use any of the information you provide to us for the prevention and detection of crime. We may also share this information with other bodies that are responsible for auditing or administering public funds including the Public Sector Audit Appointments Ltd, National Audit Office, Financial Reporting Council, Cabinet Office, the Department for Work and Pensions, and other local authorities, HM Revenue and Customs, and the Police.

In addition to undertaking our own data matching to identify errors and potential frauds we are required to take part in national data matching exercises undertaken by the National Fraud Initiative. The use of data by the National Fraud Initiative in a

data matching exercise is carried out under its powers in Part 2A of the Audit Commission Act 1998. It does not require the consent of the individuals concerned.

### **Concerns about data protection**

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with the council's Data Protection Officer in the first instance. Alternatively, you can [contact the Information Commissioner's Office](#).

You can raise your concern by emailing the Data Protection Officer at [dpo@brent.gov.uk](mailto:dpo@brent.gov.uk), or in writing to the Data Protection Officer, Brent Council, Civic Centre, Engineers Way HA9 0FJ.