



**WOKINGHAM  
BOROUGH COUNCIL**

## **Privacy Notice Commercial Property Service**

This notice, in conjunction with Wokingham Borough Councils overarching privacy statement, explains when as a service we collect personal information, what we use your data for, who has access, who we share it with, and what your rights are.

### **Who are we?**

Commercial Property  
Wokingham Borough Council,  
Shute End,  
Wokingham,  
Berkshire,  
RG40 1BN

### **What is the lawful basis for processing the information?**

The lawful basis for processing your information is the performance of a contract, is necessary for compliance with a legal obligation and by you providing consent to use the service, as specified by the following legislation:

- Energy Act 2008, 2010 and 2013
- Local Government Finance Act 1992
- Local Government Act 1972
- Neighbourhood Planning Act 2017
- Housing and Planning Act 2016
- Planning Act 2008
- Planning and Compulsory Purchase Act 2004
- Stamp Duty Land Tax Act 2015
- Rating (Empty Properties) Act 2007
- Housing Act 2004
- Land Registration Act 2002, 1997, 1988
- Local Government and Rating Act 1997
- Party Wall Act 1996
- Non-Domestic Rating (Information) Act 1996
- Non-Domestic Rating Act 1994, 1993, 1992
- Landlord and Tenants (Covenants) Act 1995
- Law of Property (Miscellaneous Provisions) Act 1994, 1989
- Leasehold Reform, Housing and Urban Development Act 1993
- Planning and Compensation Act 1991
- Landlord and Tenant (Licensed Premises) Act 1990
- Landlord and Tenant Act 1988, 1987, 1985
- Rent (Amendment) Act 1985
- Acquisition of Land Act 1981
- Compulsory Purchase (Vesting Declarations) Act 1981
- Rent Act 1977, 1974
- Local Land Charges Act 1975
- Land Compensation Act 1973, 1972
- Climate Change and Sustainability Act 2016
- Infrastructure Act 2015

### **How do we collect information from you?**

Information is collected from you as the service user via online web forms, hard copy documents, e-mail, by telephone or through face-to-face discussion. This information will be collected from either you directly as the data subject, or from a representative acting on your

behalf, e.g. a solicitor. We may also receive information from third parties such as Letting Agents, Landlords and other councils.

### **What type of information is collected from you?**

The service collects and processes a range of information about you. The information is provided to enable the Commercial Property service to carry out its duty and functions, provide you with a service, and continue to make service improvements.

We will collect the following information: Surname, Forename, Title, Address(es), Postcode(s), E-mail, and Phone number. We may also collect general personal demographic data such as Age brackets or Gender (engagement and consultation forms only), Financial and Company details (for property transactions such as lettings).

You will be informed of any other data we collect, that is not listed above, orally or through email at the time of collection of the data.

### **How do we use the information you have provided?**

All information provided is used by the Commercial Property service whilst carrying out their core functions of managing the Council's property assets, delivering key development projects and managing the Council's commercial property investment portfolio. This includes:

- Entering into lease agreements and contracts
- Registering land and leases
- Carrying out enforcement matters
- Collection of monies owed to us by you
- Management of properties
- Responding to enquiries and other matters
- Providing you with updates about our services
- Analysing statistical data for service development purposes (usually anonymised)

### **Who has access to the information about you?**

Your information is managed by staff employed in the Commercial Property service. Your information may also be shared with officers from other service areas for assistance with these matters. All personal data is stored securely; we have in place security measures which are intended to ensure, as far as possible, the security and integrity of all personally identifiable information.

Your data is stored securely on our systems and accessed only by authorised officers of Wokingham Borough Council by using their own Username and Password all created in-line with pre-defined user credentials. Personal data is also held in electronic files on the Councils network drives. These are only accessible through personal logon credentials and access privileges to specific drives.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our sites, any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access, and any exchanges of information carried out once we are in receipt of your data will be done securely.

Any personal data held in paper format is held in lockable filing storage, and accessed only by authorised officers, as is data held on audio or CD/DVD media. Data may be stored in paper form and is always secured in lockable cabinets when not in use. Access to Council sites is also secure requiring a personal electronic pass (lanyard) to access staff only areas.

## **Who we may share your information with?**

When contacting the Commercial Property service, your information will be shared with other Council staff to the extent required to provide you with the service you have requested. The Council shares your information where required and with parties required to carry out the council's statutory duties and functions or where required by law or where Commercial Property have entered into a controlled data sharing agreement through contract with a third party such as appointed Lettings Agents or Contractors.

Where the Council engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality, and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

To ensure that information is continued to be held securely and that accuracy is maintained, there will also be instances where our system suppliers will need to access individuals personal information. This will be on a strict need to know basis and all contracts have confidentiality clauses built in.

The Council will not transfer your information to countries outside the European Economic Area (EEA) unless this is necessary, and only to countries which have sufficient safeguards in place to protect information.

Information will be shared internally if required for better performance and efficiency of Council services and the welfare of individuals.

Wokingham Borough Council may also share personal information with the police and other local authorities under Article 23 of the General Data Protection Regulations in order to prevent or detect crime.

## **How long do we store your information?**

The duration that the Council will hold information, and what happens at the end of that period, are as described within the Councils corporate retention schedule available on our website: [www.wokingham.gov.uk/council-and-meetings/information-and-data-protection/privacy-statement](http://www.wokingham.gov.uk/council-and-meetings/information-and-data-protection/privacy-statement)

## **Does the service utilise automated decision-making?**

The Commercial Property service does not utilise automated decision-making in the services that it provides.