

Privacy notice – Self and Custom Housebuilding Register

The Data Controller for the information outlined in this privacy notice is Reigate & Banstead Borough Council (RBBC).

Why we are going to collect the data

All local authorities, including this Council, are required by law to maintain a 'register' of people who wish to express an interest in acquiring land within the authority's area, for self or custom housebuilding. This data can then assist in determining local planning policy regarding self and custom housebuilding, and can inform local monitoring of need for these types of housing.

The government also uses some of the information collected (in statistical form) to monitor the progress of national strategies for self and custom housebuilding.

Local authorities are also placed under an obligation to have regard to the information contained within the register as decisions are made regarding housing, regeneration, planning, and disposal of council land.

What information we will hold about you

In order to be included on the Register you must provide the following information:

- First name and surname*
- Address (and for correspondence if different)*
- Email address and phone number/preferred means of contact
- Whether or not over 18 years of age*
- UK nationality or membership of EU/EEA/Switzerland/none*
- Details of connection to the borough (residency, employment, relatives' residency), or membership of the armed forces*
- Various information about opinions/aspirations/experience regarding self or custom housebuilding
- Ability to meet the financial criteria (yes or no)*

If you choose to provide the following information we will also include it on the register:

- Title
- Employment status
- Numbers of adults and children within the household
- Status of inclusion on the Council's housing register/another council's housing register
- Various information about opinions/aspirations/experience regarding self or custom housebuilding
- Status of inclusion on another council's self/custom housing building register
- Status regarding finding a site
- Financial information, including (within ranges) income, access to funds, home ownership status/access to mortgage

How we will use the information we hold about you

We will collect information about you to:

- Enable us to determine your eligibility for entry onto the Self and Custom Housebuilding Register
- Contact you regarding any appropriate self or custom build plots matching your criteria which become available within the borough
- Assist in preparing planning policy with respect to self and custom housebuilding needs
- Publish anonymised monitoring data and submit statistics to central government – so that it can assess whether the Council is providing or facilitating sufficient land for self and custom housebuilding (as part of wider national strategies for housing)
- Allow us to have regard to this information when decisions are made regarding land disposal, development, regeneration or housing within the borough

Within the Council we will share the information between service areas to:

- Enable the relevant service areas to discharge their statutory duty to have regard to the needs of self and custom housebuilding when decisions are taken about housing, regeneration, planning, and the disposal of land. The information on the register will therefore be shared between officers in:
 - Property Services
 - Planning
 - Housing Services
 - Regeneration
 - Legal Services

What is the legal basis for us to process your data?

The legal bases for processing your personal information are:

- The *Self-build and Custom Housebuilding Act 2015* – It contains the statutory requirement for each local authority area to maintain a register of people wishing to acquire land for self/custom housebuilding. This is also set out in the Housing White Paper 2017.
- The *Self-build and Custom Housebuilding (Register) Regulations 2016* – These set out the provisions for the register's purpose and use, including what information is gathered and the local conditions applied (local connection and financial criteria).
- The 2015 Act as amended by the *Housing and Planning Act 2016* and *Self and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016* – This is regarding the government's requirements for permissions for

land to be given, against information contained in the register, and monitoring of this.

- Section 2, 2015 Act and 2015 Act's *Commencement Regulations* - These set out the 'duty' to have regard to the register.

Who we will share your information with

We have specific data sharing agreements in place with local agencies and sometimes the law requires that we may have to pass your details on to a third party, for example, to prevent crime.

Information will only ever be shared when it is strictly necessary to help us provide effective services, and you may have the right to refuse. We will not pass it onto any other third parties unless required to do so by law, or in all reasonable circumstances the disclosure is fair and warranted for the purposes of processing or subject to a legal requirement.

Only the minimum information for the purpose will be shared.

We may share your data with:

- The Ministry of Housing, Communities and Local Government (MHCLG) - as part of our legal obligation to monitor the number of permissions granted or land facilitated for self/custom housebuilding against information in the register (only in aggregate statistical form – never personal data).
- In anonymised form, with external consultants commissioned by us to prepare evidence to support emerging planning policy

How long will we keep your records?

We will destroy all records held in our self and custom housebuilding register after three years of admission to the register, unless we receive written request for the information to be kept.

This will include all data provided by applicants who are not officially included to the register - through inadequate provision of proof of identity, etc. The assumed start date will be when further information is requested.

All personal data provided in hard copy as proof of age, nationality, income, etc will be destroyed securely immediately after verification of eligibility for entry onto the Register

All information will be held securely, and will be securely destroyed when it is no longer required.

Will any of your data be used for profiling and/or automated decisions?

The Council does not carry out automated decision-making, and as such any decision taken by us which affects you will always include human intervention. We do on occasion carry out profiling to enable us, as a local authority, to target services to those in society who are in need of help and support and who may suffer harm without our assistance.

This Self and Custom Housebuilding Register will not be used for profiling.

Will any of your data be transferred abroad?

No.

Your rights

You have a number of rights under data protection law. The Council's over-arching [privacy notice](#) contains details of those rights and how to exercise them.

Your responsibilities: providing accurate information

It is important that we hold accurate and up to date information about you in order to assess your needs and deliver the appropriate services. If any of your details have changed, or change in the future, please ensure that you inform us as soon as possible so that we can update your records.

Email: LDF@reigate-banstead.gov.uk

Post: Planning policy, Reigate & Banstead Town Hall, Castlefield Road, Reigate.
RH2 OSH

Questions or concerns?

If you have any concerns about how we are collecting or using your personal data please contact our Data Protection Officer:

- data.protection@reigate-banstead.gov.uk
- 01737 276000 (ask to speak to the Data Protection Officer).

You can also contact to the Information Commissioner's Office (ICO), the UK's independent body set up to uphold information rights:

- ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
www.ico.org.uk
0303 123 1113.

Last updated: January 2019