

PRIVACY NOTICE

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AN.
 Email: dataprotection@aberdeenshire.gov.uk

Your information is being collected to use for the following purposes:

- The processing of your application for a Houses In Multiple Occupation (HMO) Licence
- The determination of your application for an HMO Licence
- The issue of any HMO Licence Granted
- Inclusion on the Register of HMO Licences available for public inspection
- Ensuring compliance with the terms of your HMO Licence
- The processing of any complaints made in respect of your HMO Licence
- The determination of any complaints made in respect of your HMO Licence

Your Information is:

Being collected by Aberdeenshire Council	X
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The legal Basis for collecting the information is:

Personal Data		Special categories of personal data	
Consent		The data subject has given explicit consent to the processing	
Performance of a Contract		Processing is necessary for the purposes of carrying out the obligations of the controller or of the data subject in the field of employment, and social security and social protection law	
Legal Obligations	X		
Vital Interests		Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent	
Task carried out in the Public Interest		Processing relates to personal data which are made public by the data subject	

Legitimate Interests ¹	Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity	
	Processing is necessary for reasons of substantial public interest	
	Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment, or the management of health or social care systems	
	Processing is necessary for reasons of public interest in the area of public health	
	Processing is necessary for archiving purposes in the public interest , scientific or historical research purposes or statistical purposes	

Where the legal basis for processing is either Performance of a contract or Legal obligation, please note the following consequences of failure to provide the information:

If you fail to provide the information required on the attached application form, Aberdeenshire Council may not be in a position to accept the application as a competent application. This means that your application cannot be processed and will be returned to you.

Your information will be shared with the following recipients or categories of recipient:

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| <ul style="list-style-type: none"> • <i>Police Scotland</i> • <i>Environmental Health</i> • <i>Planning Services</i> • <i>Some information will also be shared with the Public via the Register of HMO Licences</i> | <ul style="list-style-type: none"> • <i>Scottish Fire & Rescue Service</i> • <i>Civic Licensing Standards Officers</i> • <i>HMO Enforcement Officer</i> • <i>Housing Service in relation to Landlord Registration</i> |
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Your information will be transferred to or stored in the following countries and the following safeguards are in place:

NOT APPLICABLE

The retention period for the data is:

- (1) Where an application for the grant of a licence, permit or permission is refused by the Business Services' Licensing Sub-Committee information relating to that licence, permit or permission will be retained for a period of five years from the **date of refusal** and thereafter will be destroyed
- (2) In any other case, information relating to a licence, permit or permission will be retained for a period of five years from the date the licence, permit or permission **ceases to have effect** and will thereafter be destroyed

The following automated decision-making, including profiling, will be undertaken:

Not Applicable

Please note that you have the following rights:

- to withdraw consent at any time, where the legal basis specified above is consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- To object, where the legal basis specified above is:
 - (i) Performance of a Public Task; or
 - (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.