

Privacy Notice (How we use your information)

Business & Commercial Centres

When you apply to rent business premises from the Council, you enter into a contract with us. The Council may use the information you provide as part of your application to prevent and detect fraud and to protect public funds. It may also share this information, for the same purpose, with other Council services, local authorities and organisations that handle and protect public funds.

On entering into a legal contract with the Council, for the purpose of the contract, the Council may provide and release company information to utility companies and other licensed service providers but **will not** provide details to any other third party without first obtaining the your prior written consent to do so.

With your permission we may use your information to send you marketing communications that are related to our business, for example information on premises to let or funding. Information will not be shared externally to a third party and you may opt in or out of receiving this information at any time.

The categories of information that we collect, process, hold and share include:

- **Personal information:**

1. Names and addresses of individual business owners and Limited companies, Directors, Company Secretaries, Trustees, who apply to occupy a Council owned commercial property and enter into a Legal Agreement. We will verify your details from the council tax database, a utility bill, and Passport or Driving Licence showing photographic evidence.
2. Bank account and/or financial information for the purpose of collecting a contractual rental fee, arrears due from non-payment of rental and Non Domestic Rates or to recover non-payment of a utility bill.
3. Any information taken from Companies House website that is already in the Public Domain.
4. Names of Employees of contracted businesses provided to maintain a secure access system.
5. Names and addresses of anyone who may write to us to make a complaint, compliment, appeal against a parking charge, or request a refund.

Recorded CCTV images

6. CCTV - We may record images of tenants, employees, visitors and members of the public on CCTV located on our premises. These recordings will only be used for the purpose of site security, the prevention of crime and prosecution of offenders, to comply with Health & Safety Legislation, Safeguarding or relating to any other incident resulting in prosecution or injury.

We collect and hold this personal data to:

- Provide you with a commercial contractual letting.
- To verify your identity and Right to Work in the UK.

- For the prevention of crime, fraud and /or money laundering.
- Provide you with the support you need to manage your business.
- Enable us to carry out specific functions for which we are responsible such as site security, Health & Safety Compliance and Safeguarding.
- To ensure you comply with your legal contractual obligations.
- Assess the quality of our services;
- Evaluate and improve our performance;
- Derive statistics which inform decisions about future delivery of services.

The lawful basis on which we use this information which we collect and process about you:

We collect and process information about you under Article 6(1)(b), in order to enter into a legal contract with you, and also in order to comply with the following legislation:

- Sanctions and Anti-Money Laundering Act 2018 Part 2 relating to the Proceeds of Crime Act 2002 Chapter 29 Part 7;
- Health and Safety at Work Act 1974 and associated Regulations relating to the management of commercial premises;
- Local Government Finance Act 1988.

If you wish to receive selected information from us via email, we collect and process this information under Article 6(1)(a) – consent.

Storing this information

All information retained will be stored in secure areas and/or on secure systems on Council servers which can only be accessed or viewed by authorised staff.

We will hold the information for no longer than reasonably necessary for the duration of the contract or for a minimum period determined by:

- Statutory Requirements;
- Legal Claims/criminal investigations on a case by case basis;
- Financial & Audit compliance.

CCTV recordings are stored on secure hard drives which are overwritten once the drive is full. Recordings may be downloaded to a CD/USB or saved in a secure folder for the purposes set out in point 6 above. These will be deleted following resolution of an issue or passed to the relevant Crime Agency.

We routinely share some of this information with:

- Other services within Kirklees Council – for example but not limited to Legal Services, Business Rates, Risk & Financial Management, Environmental Health Officers, Enforcement Officers, Governance, Corporate Landlord, CCTV Engineers.
- Valuation Office Agency

We occasionally share some of this information with:

- West Yorkshire Fire Service
- Utility providers where sharing agreements exist.

Why we share this information

- To enter into a Legal Contract.
- To ensure that the Council is not supporting criminal activity and to comply with Sanctions and Anti-Money Laundering Act 2018 Part 2, relating to the Proceeds of Crime Act 2002 Chapter 29 Part 7
- To meet the Council's Legal obligations under Statutory Legislation, Health and Safety at Work Act 1974 and associated Regulations relating to the management of commercial premises.
- Sharing with the Valuation Office (VO) is to comply with Schedule 6 (1) of the Local Government Finance Act 1988 (LGFA 1988) that 'if in the course of the exercise of its functions any information comes to the notice of a billing authority which leads it to suppose that a list requires alteration it shall be the authority's duty to inform the valuation officer who has the duty to maintain the list.'
- We share information with the West Yorkshire Fire Service on a statutory basis, under Part 2 of the Regulatory Reform (Fire Safety) Order 2005 to comply with legislation and ensure that general fire precautions are in place for the safety of all users of the premises within the responsible person's control.

Information is also shared to ensure that your contractual obligations are adhered to but we do not share personal information about you with anyone else without consent unless the law and our policies allow us to do so.

Further information

If you would like further information about how we manage your data, please see the privacy notice for Kirklees Council at www.kirklees.gov.uk/privacy

If you would like further information about this privacy notice, please contact: **Yvonne Walsh Senior Business Centre Manager on 01484 225290**

If you have any worries or questions about how your personal data is handled, please contact the Data Protection Officer at DPO@kirklees.gov.uk or by ringing 01484 221000.