

# **South Oxfordshire District Council**

## **Community Enablement - Assets of Community Value Privacy Notice**

We provide an Asset of Community Value Right to Bid (ACV) service which enables eligible community interest groups to nominate local land or buildings to be included in our list of assets of community value. When a listed asset is to be sold, eligible community interest groups will have the opportunity to make a bid to buy the asset.

South Oxfordshire District Council understands the importance of ensuring that personal data, including sensitive personal data, is always treated lawfully and appropriately and that the rights of individuals are upheld.

You have the right to be informed what the council does with your personal data in accordance with the Data Protection Act 2018 and UK General Data Protection Regulation (GDPR).

### **1. Why do we need your personal data?**

The Community Enablement Team – ACVs, collect personal data for the following reasons:

- our legal obligations under the Land Registration Rules 2003
- our legal obligation(s) under the Localism Act 2011
- our legal obligation(s) under the Assets of Community Value (England) Regulations 2012

### **2. Types of personal data processed**

- name
- email address
- postal address
- contact number
- information pertaining to why an asset should be listed as an Asset of Community Value
- documentary evidence as part of such a nomination
- evidence of the validity of a nomination for example addresses of registered electors who make up an unincorporated body, as per the requirements of S89 of the 2011 Localism Act

We don't not process any special category or criminal record types of personal data.

### **3. How we collect your data?**

This is the information that you provide to us directly. We are only able to collect your data for the prescribed purposes.

Automated individual decision-making is a decision made by automated means without any human involvement. Additional rules apply to protect individuals if we carry out solely automated decision making. However, this does not apply for processing ACV applications.

### **4. Lawful processing and your rights**

We will only process your personal data where we have a lawful reason to do so, as set out in article 6 of GDPR. It is in the council's legitimate interest to process your personal information for the purposes stated above.

With regard to the personal data you provide, you have the right to:

- know what data the council holds about you; best done through a Right of Access request
- update any incorrect or out of date information, either by amending your own records or asking us to do it on your behalf
- ask us, where appropriate, to stop processing/using your data temporarily
- ask us to permanently remove all your personal data from our system/records

To exercise one of these rights please contact the data protection officer as detailed below in the Data Controller section.

### **5. Keeping your information secure**

We will take appropriate steps to make sure we hold records about you (on paper and electronically) in a secure way, and we will only make them available to those who have a right to see them. Our security includes:

- Encryption on our mobile devices such as laptops
- Access controls on systems
- Security training for all staff

### **6. Sharing your information**

Where authorised by legislation, we will share the name and contact details of the nominee and the asset owner and their legal advisors, for example:

- when an eligible community group submit an intention to bid for an ACV
- when the owner requests a review or appeal of the council's decision to list a nominated asset

To ensure our record keeping is efficient and to be able to provide excellent customer service we hold your personal information in a centralised, online system that can be accessed by officers of the council in order to process your ACV nomination.

We also have personal information of asset owners/ nominators in case folders.

Our software provider Fluent Technology (trading as FlexiGrant) may view your personal information to help us resolve any software issues, but they will not use or access the information outside their contracted work on behalf of the council. We aim to restrict processing of your data to the UK and our cloud based software service is UK based. We ensure there are additional protections on your information if it leaves the UK ranging from secure ways of transferring data to ensuring we have a robust contract in place with that third party.

We may share the information you provide with other bodies that are responsible for auditing our systems and may supply information to government agencies, law enforcement agencies, internal audit, regulators or other external bodies for such purposes.

## **7. Retention of your personal information**

Your record will be retained, whether successful or not for six years.

## **8. Data Controller & ICO reference**

South Oxfordshire District Council is a registered Data Controller with the Information Commissioners Office.

**Data controller name:** South Oxfordshire District Council Registration number: Z6629204

You can find out more about how we handle your data by visiting the Council's Privacy Notice page on the [website](#).

If you believe we have not handled your personal data as we have described here, please contact us by email [data.protection@southandvale.gov.uk](mailto:data.protection@southandvale.gov.uk) or write to the Data Protection Officer at South and Vale District Councils, 135 Eastern Avenue, Milton Park, Abingdon, OX14 4SB and your concerns will be fully investigated. If, after we have investigated your concerns, you are not satisfied with our conclusion, you have the right to refer the matter to the Information Commissioner's Office (ICO). You can reach them [through this link to their website](#) or call them on 0303 123 1113. Their mailing address is:

Information Commissioner's Office  
Wycliffe House

Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

The council's Data Protection Officer can be contacted via  
email [data.protection@southandvale.gov.uk](mailto:data.protection@southandvale.gov.uk)

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