

**Service Area: Safer Housing
Directorate: Environmental Health & Public Protection
PN-0337**

12/2023

The **MEES Enforcement Team** are part of Nottingham City Council, who are the data controllers for the personal data (or personal information) that we process about you. When we process personal information relating to you, we will only do so when it is necessary and where we have a lawful reason to do so.

The Council is using personal data to investigate potential breaches of The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015, which puts a duty on the Council to enforce Minimum Energy Efficiency Standards in the Private Rented Sector and serve Compliance Notices where appropriate.

The role of the MEES Team is the implementation and enforcement of the requirements of the Minimum Energy Efficiency (MEES) Regulations. The MEES Team will use your information to:

- Determine if your property is rented accommodation.
- To contact you regarding the inspection and assessment of your property.
- To take enforcement action if required.
- To ensure recovery of a financial penalty if issued.

When we process your personal information, we will comply with data protection legislation and enable you to exercise your rights contained within the legislation.

Lawful basis for processing

The basis under which we use your personal information for these purposes is that this is **in the exercise of official authority vested in the Council**

Nottingham City Council is required under the Energy Act 2011 to enforce the Minimum Energy Efficiency Standards in the Private Rented Sector introduced by The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

How has my information been obtained?

The Council will use public registers such as the Electoral Roll and HMLR to collect personal data to identify occupiers and owners of a property. In addition to this, information will be provided by the Revenue and Benefits Team which will include information you have provided for the billing and collection of Council Tax and/or Business Rates. This data will be shared under the provisions contained in the Housing Act 2004 at section 237.

If you have registered with the Council regarding a Housing Licence or If you have registered an exemption in relation to the Minimum Energy Efficiency Standards you will be contacted from the information collected directly from the exceptions register. In addition to this if the Council holds Landlord details in records relating to Housing Complaints, this data will be used to contact property owners regarding MEES compliance.

The MEES team will collect personal data from the following sources:

- Housing licence applications received – **Landlord's Contact Details**
- Housing Complaints data - **Landlord's Contact Details**
- Selective licence applications received - **Landlord's Contact Details**
- HM Land Registry – **Property Owner's Name and Service address**
- Council Tax – **Occupiers Name and Landlord's Name and Contact Details.**

- Electoral Roll - **Occupiers Name and Landlord's Contact Address**

The MEES Enforcement Team will use the information collected from the above sources to determine if a property is rented, the name of the property owner and their correspondence address where there is a suspected breach of The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

Will my information be shared with other organisations or used for other purposes?

The Council will only share your personal information with other departments within the Council, and with other organisations when it is necessary for enforcement purposes, and when we have a lawful reason to do so. The Council may also share your information when we are obliged to by law.

The information may also be used for the purpose of any other function carried out by the Council. This may include sharing your information across the Council, or with external organisations. Information about these functions and the legal basis on which information is used for them can be found at <http://www.nottinghamcity.gov.uk/privacy-statement/>

The information will only be used for another purpose where it is lawful to do so.

How long will the Council retain the data for?

The information that you have provided will be kept for 7 years from final interaction with the property. If enforcement action is taken data will be held for 7 years from the resolution of the enforcement action.

The Council publish an Information Asset Register (IAR), this will outline the retention periods for the personal data we process. You can find this IAR on our website <https://geoserver.nottinghamcity.gov.uk/information-asset-register/>

Information Rights

The UK General Data Protection Regulation provides for the following rights as prescribed by the legislation:

A right to request a copy of your information

A right to request rectification of inaccurate personal data

A right to request erasure of your data known as 'the right to be forgotten'

A right to in certain circumstances to request restriction of processing

A right in certain circumstances to request portability of your data to another provider

A right to object to processing of data in certain circumstances

A right regarding automated decision-making including profiling

However, Nottingham City Council can restrict the above rights in certain circumstances for example to avoid obstructing an investigation, avoid prejudicing the prevention, detection, investigation or prosecution of criminal penalties or to protect the rights and freedoms of others.

Data Protection Officer

You can contact the data protection officer at:

Loxley House,

Station Street,

Nottingham,

NG2 3NG

or at data.protectionofficer@nottinghamcity.gov.uk .

Information Commissioner's Office

The Information Commissioner's Office (ICO) website provides guidance on data protection and privacy matters, you can visit the website at www.ico.org.uk. You also have the right to complain to the ICO if you consider that the Council have processed your personal data incorrectly or that we have breached our obligations to you. You can contact the ICO at:

Wycliffe House,

Water Lane

Wilmslow,
Cheshire
SK95AF

www.ico.org.uk

Further Information

For more information about these rights please refer to our detailed privacy statement at <https://www.nottinghamcity.gov.uk/privacy-statement> .