

# Privacy Notice (How we use your information)

## Welfare and Exchequer

### Fraud Investigation and Prevention – Council Tax discounts

The Council has a duty to make sure we bill properties correctly. To do this as effectively and efficiently as possible, we use third parties to help us detect potential fraud.

We share the personal information listed below with our providers, so they can carry out these checks. Links to their privacy information are included in this notice.

All recipients of discounts have their claims checked. The provider carries out initial checks on our behalf with a credit agency to sort claims according to risk banding.

Most people claim the discount lawfully and are unlikely to be flagged at higher risk and so would not have any additional checks carried out against them. Those individuals will only be asked to confirm continuing eligibility for the discount.

Where there is thought to be higher risk of fraud, our provider will carry out further checks, and you will be invited to confirm or challenge the accuracy of those checks. Although part of this processing is automated, it will always be reviewed by staff from our provider before any claim is challenged. This makes sure any risk of inaccuracy is minimised.

At this stage, the Council does not get to see any identifiable data that the provider collects about other people potentially living at your address. Any communications to you from them will have a large part of the names asterisked out. This is called pseudonymisation, and is best practice as recommended by the ICO (Information Commissioners' Office). It means the Council cannot tell who the other people are until the householder confirms it. This protects privacy but allows you to either accept the person lives there or challenge the finding.

For more information about pseudonymisation, see the ICO website [What is personal data? | ICO](#).

The provider updates our records, removing or confirming entitlement to discounts and benefits. They do this as our processor, because we are the ones responsible for administering Council Tax bills and other benefits.

Once they have worked through the claims verification process on all records, the provider erases all copies of our data from their systems, and we have the only record. The Council

retain those items of correspondence necessary to accurately administer the account and comply with the law. Our respective retention periods are below.

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

- Personal information:

**Council (as controller) allows access to Council Tax Caseload Discount & Exemption database.**

- Name
- Address
- Council Tax reference number
- Email and phone numbers (if held and provided by the Council)

**Datatank as processor identifies undeclared Additional Occupants with financial activity at the Council Taxpayers address using credit agency data and makes contact with the bill payer.**

- Names
- Address
- Date of birth
- Credit Files & Financial activity
- Other people resident at a billable address

The council receives this additional information from the provider only where we need to investigate and potentially prosecute.

## **Why we collect and hold this information**

We use this personal data to:

- Enable us to carry out specific functions for which we are responsible, including preventing and detecting fraud relating to Council budgets;
- 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**

Under Article 6 of the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing this information are:

**6(1)(e) We need it to perform a public task.**

These legal bases are underpinned by acts of legislation that dictate what actions can and should be taken by local authorities. This includes, but may not be limited to:

- [SI 1992/613 Council Tax \(Administration and Enforcement\) Regulations 1992 \(SI 1992/613\)](#)
- Local Government Act 1972
- Part 3 of the Data Protection Act 2018 (if we bring a prosecution for fraud).

## How we store your personal information

Your information is safely stored on our secure council tax systems and while reviews are carried out, on our provider's secure systems. They delete their copy of the information at the end of our contract and the Council keeps the records it needs.

We will only keep your information for the minimum period necessary. The information outlined in this privacy notice will be kept for the period required by the council for legal and audit purposes. All information will be held securely and destroyed under confidential conditions.

## Who we may share your information with

We may sometimes share the information we have collected about you where it is necessary, lawful, and fair to do so. In each case we will only share the minimum amount of information, only when required, for the following reasons:

- To manage local authority performance;
- To administer and allocate funding;
- To identify and prosecute fraud;
- To identify and encourage good practice.

We may share this information with:

- Other services within Kirklees Council;
- National government departments e.g. DWP (Department for Work and Pensions), HMRC (His Majesty's Revenue and Customs);
- Other partners such as the police
- Credit agencies to identify fraud and multiple occupancy.

We do not share personal information about you with anyone else without consent unless the law and our policies allow us to do so.

## Your data protection rights

Under data protection law, you have a number of rights, including the right to have your records rectified and the right to ask for access to all the information the Council holds about you. These rights are listed in more detail on [Kirklees Council's data protection rights page](#).

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

For any queries relating to this work, please contact the Council in the first instance. We will then make any necessary enquiries with providers who work for us. Please contact us at [Data.protection@kirklees.gov.uk](mailto:Data.protection@kirklees.gov.uk) if you wish to make a request.

## Further information

If you would like further information about how we manage your data, please see the [Kirklees Council privacy notice](#).

If you would like further information about how the other parties handle your data, please see:

Datatank Ltd [Privacy Policy – Datatank](#)

TransUnion UK [General Privacy Notice | A Global Information and Insights Company \(transunion.co.uk\)](#)

If you would like further information about this privacy notice, please contact:

[council.tax@kirklees.gov.uk](mailto:council.tax@kirklees.gov.uk)

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](mailto:DPO@kirklees.gov.uk) or by ringing 01484 221000.

You can also complain to the ICO if you are unhappy with how we have used your data. You can contact the ICO via the ['Contact us' page on their website](#), or by ringing 0303 123 1113.