High Peak Borough Council
Revenues and Benefits
Privacy Notice

Why the Council needs your information

High Peak Borough Council is a data controller under the Data Protection Legislation, as the council collects and processes personal information to meet statutory obligations and administer:

- Housing Benefit
- Council Tax Reduction
- Recovery overpaid Housing Benefit
- Collection, administration and enforcement of Council Tax and Business Rates
- Collection of sundry debt from individuals and businesses
- Investigations into fraud and error

This notice explains why the council asks for your personal information, how that information will be used and how you can access your records.

Any questions regarding our privacy practices should be sent to:

E-mail: DPO@highpeak.gov.uk
Or by post: Data Protection Officer, Buxton Town Hall, Market Place, BUXTON SK17 6EL

What we do

We collect, process and hold your personal and financial information to:

- Collect Council Tax, Business Rates and sundry debt
- Award discounts, exemptions and reliefs

- Administer Housing Benefit and Council Tax Reduction
- Verify evidence regarding income and capital to calculate your eligibility to Housing Benefit/Council Tax Reduction
- Collect any overpaid Housing Benefit
- Consider any reconsiderations and appeals where you do not agree with your award of Housing Benefit/Council Tax Reduction/Council Tax Liability
- Consider and administer applications for financial assistance under the Crisis Resilience Fund (CRF), including crisis payments.

Information we collect

We collect and process the following information:

- Your name, address and contact details
- Date of birth
- Location data (such as full residential address, telephone number)
- National Insurance number
- Characteristics (such as ethnicity, gender, religion)
- Contact/appointee details (such as full name, full residential address)
- The date you wish to claim from and what you wish to claim for
- Details concerning health and disabilities if provided by yourself in support of your claim
- Bank details for invoicing/payments
- Information relating to household income (including state benefit)
- Information relating to household expenditure (including rent charges)
- Details of any second properties and rent received, if applicable
- Details of any expenses
- Employment details
- Information relating to any rent arrears
- Detail of your Council Tax liability
- Credit References
- Notification of debt relief orders, bankruptcy and individual voluntary arrangements
- Details of any other member of your household. From 5 January 2023, your non-dependant's earnings listed on the claim may be verified with the Department for Work and Pensions Searchlight system to work out how much the applicant will be paid.

How we collect information from you

We may collect information in the following ways:

- Paper or online forms
- Email
- Letter
- Telephone
- Face-to-face, with one of our employees, or one of our partners
- Via the national ‘Tell Us Once’ scheme
- Via the Landlord portal
- From third-party sources who have a duty to share information to enable us to meet our statutory obligations (including the Department of Work and Pensions, HM Revenue and Customs, registered social landlords and other local authorities).

What is the legal process for collecting and processing this data

Housing Benefit and Council Tax Reduction collect and lawfully process your personal information under the following:

- Local Government Finance Act 1992
- Local Government Finance Act 1988
- Local Government Finance Act 2012.
- The Council Tax (Administration and Enforcement) Regulations1992
- The Non-Domestic Rating Collection and Enforcement (Local Lists) Regulations 1989
- Social Security Administration Act 1992 (consolidating act) as amended
- Social Security Contributions and Benefits Act 1992 (consolidating act) as amended
- Housing Benefit Regulations 2006
- Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012.

Under the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018, the lawful bases we rely on for processing this information are:

- UK GDPR Article 6 (1) (a) Consent – consent has been given by the data subject, yourself, for the lawful processing of your personal data.
- UK GDPR Article 6 (1) (c) Legal Obligation – we collect and lawfully process your personal data in accordance with the Social Security Contributions and Benefits Act 1992 and statutory legislations.

- UK GDPR Article 6 (1) (e) Public Task – we collect and lawfully process your personal data as it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us.

Who your information may be shared with

The council will use the information for the purpose of performing any of its statutory duties. We will make any disclosures required by law and may also share this information with other bodies responsible for detecting/preventing fraud or auditing/administering public funds.

The council will not share your information with third parties for marketing purposes.

We may share information with:

- Department for Work and Pensions (DWP)
- HM Revenue and Customs (HMRC)
- Police
- His Majesty's Courts and Tribunal Service.
- Legal representatives
- Council services
- Other local authorities
- Enforcement Agents
- Credit reference agencies
- Tracing services
- Government departments
- Housing providers
- Persons acting on your behalf (e.g. with power of attorney)
- Probation/Prison Services
- UK Border Agency
- Office for National Statistics
- National Fraud Initiative (NFI). You can read about the type of information we have to disclose to them on the National Fraud Initiative website

Debt collection

We use debt collection companies (enforcement agents) and third-party data sources to find contact or employment details, to trace debtors and collect money owed to the council. We may match data from multiple sources to make sure we have the most accurate information.
The council may share your information with other council departments or third parties. Information will only be shared among council services and other agencies, where we have a legal power or duty to do this. We also undertake general data

matching and data sharing in certain areas for the prevention or detection of crime and collection of debt.

Anonymisation

Your personal information may be converted ('anonymised') into statistical or aggregated data in such a way that ensures that you cannot be identified from it. Anonymised data cannot, by definition, be linked back to you as an individual and may be used to conduct research and analysis, including the preparation of statistics for use in our reports.

Automated Decisions

Some of our processes involve automated decisions, as with all decisions we make, you will be notified in writing, and you should let us know if you think this decision is incorrect.

System maintenance including testing

Customer data may be replicated in a secure testing environment, for the purpose of system maintenance and development.

How long the Council keeps your information (retention period)

Your data will be held for as long as your claim is open, or any overpayment has a balance outstanding. Once your claim has been closed and any overpayment has been cleared your data will be held for six years plus the current year. Once your data is no longer needed it will be securely and confidentially destroyed or disposed of the data in line with retention schedules.

How the Council protects your information

Your data is stored securely on our systems and accessed only by authorised officers using their own username and password created in line with pre-defined user credentials. Personal data is also held in electronic files on the council's network drives. These are only accessible through personal logon credentials and access privileges to specific drives. Access to our council sites require a personal electronic pass to access staff only areas. The council has strict procedures for the way this is done. All information about you is treated as confidential and with respect. There are also clear rules and guidance about storing, recording and sharing information which staff receive training on.

The council will not transfer your personal data outside the EU without your consent.

The council will notify you promptly in the event of any breach of your personal data which might expose you to serious risk.

Your rights

You have the following rights under the Data Protection Legislations:

- **The right to access** – you are entitled to see the information the service holds about you
- **The right to rectification** – we will amend information accordingly, if any of the information that the service holds about you is incorrect
- **The right to restrict processing** – you may wish to limit how we use your data
- **The right to object** – in addition to the right to limit the use of your data, you also have a right to object to the use of your data for certain actions
- **The right to erasure/right to be forgotten** – in certain circumstances, you may be able to ask for some of the information we hold to be deleted. The service has determined that all requests to permanently delete a service user record will be dealt with on an individual basis.

How you can access, update or correct your information

The Data Protection law gives you the right to apply for a copy of information about yourself. This is called a 'Subject Access Request'.
If you wish to see a copy of your records, you should contact the Data Protection Officer. You are entitled to receive a copy of your records free of charge, within a month.
In certain circumstances access to your records may be limited, for example, if the records you have asked for contain information relating to another person.
The accuracy of your information is important to us to be able to provide relevant services more quickly. The council is working to make our record keeping more efficient.

Further Information

If you would like to know more about how the council uses your information, please visit Data protection - High Peak Borough Council

If you are concerned about the way the council is handling your personal information you can contact the Information Commissioner (ICO): https://ico.org.uk/make-a-complaint/