

Housing Benefit and Council Tax Support Privacy Notice

What type of information is collected about you?

For most people we collect the name, address, contract details, bank details for direct debits, income, rent details, benefits and other information required to assess the claim. The types of information that we collect about you includes the following;

- Name,
- Address,
- Contact details,
- National Insurance Number
- Identity details
- Rent Details
- Property Ownership,
- Property Management
- Occupancy
- Household
- Financial details
- Employment/Business
- Benefits and other income
- Assets
- Date of Birth
- Telephone number
- E-mail Address

If you apply for discounts, exemptions or there is a dispute about liability then we may need to collect additional information such as details of your household circumstances. Where payments are made by Direct Debit we collect financial details from you.

We may also record and monitor telephone calls to our Contact Centre for quality and training purposes. Recordings may also be used for complaint resolution

Upon visiting our websites, we collect technical information from your device including standard internet log information such as the Internet Protocol (IP) address, your browser type and version, and certain page interaction information

If there is a failure to pay council tax or benefit overpayments then additional details may be collected,

We may also collect special personal data that may include:

- Physical or mental health details
- Religious or other beliefs of a similar nature
- Criminal proceedings, outcomes and sentences.

This information will only be necessary in order to meet the requirements of the legal obligations for example in respect of discounts or exemptions. If you do not provide the information we may not be able to award any reliefs that you may be entitled to.

Why we need your information?

The Council uses your personal information to administer Housing Benefit and Council Tax Support under the Housing Benefit Regulations 2006, the Social Security Administration Act 1992, the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 and Burnley Borough Council's Council Tax Support Scheme and other applicable legislation.

The processing of your information is necessary for compliance with the legal obligations contained in these Acts and the public interest of maintaining a Council Tax Support scheme.

How will we use that information about you?

We will use the information you provide in a manner that conforms to the Data Protection Act. We will endeavour to keep your information accurate and up to date and not keep it for longer than is necessary. In some instances, the law sets the length of time information must be kept. We will process your information for the following purposes:

- for the public services you requested, and to monitor and improve the council's performance in responding to your request.
- to allow us to be able to communicate and provide services and benefits appropriate to your needs.
- to ensure that we meet our legal obligations.
- where necessary for the law enforcement functions.
- to prevent and detect fraud or crime.
- to process financial transactions including grants, payments and benefits involving the council, or where we are acting on behalf of other government bodies, e.g. Department for Work and Pensions.
- where necessary to protect individuals from harm or injury.
- to allow the statistical analysis of data so we can plan the provision of services.

We will not pass any personal data on to third parties, other than those who either process information on our behalf, or because of a legal requirement, and we will only do so, where possible, after we have ensured that sufficient steps have been taken to protect the personal data by the recipient.

We will not disclose any information that you provide 'in confidence' to us, to anyone else without your permission, except in the few situations where disclosure is required by law, or where we have good reason to believe that failing to share the information would put someone else at risk. You will be told about this.

We may process your information overseas using web services that are hosted outside the European Economic Area, but only with data processing agreements that meet our obligations under the Data Protection legislation.

Who your information may be shared with

We may also share your information with other Council services to ensure our records are accurate and up-to-date, to improve the standard of the services we deliver, and to perform any of our statutory duties, including Housing and Environmental enforcement duties.

We may be required to share this data with:

- Other Local Authorities
- Central Government (in details or as statistical returns)

We are required by law to protect the public funds we administer, and may use your information for the prevention and detection of crime (including fraud and money laundering) and the matching of Council Tax data with Electoral Registration records.

The Council works with third-parties to deliver certain services or carry out statutory functions on our behalf. Where this is the case, we may share your personal information with these third-parties for any of the purposes detailed above. We will always ensure that your information is kept secure, only used for these purposes and not disclosed further unless required by law.

Data Matching

We participate in the Cabinet Office's National Fraud Initiative, a data matching exercise to assist in the prevention and detection of fraud. We are required to provide particular sets of data (which includes Housing Benefit and Council Tax support data to the Minister for the Cabinet Office for matching for each exercise. This data may then be passed on to other public bodies to investigate any matches. For more information see National Fraud Initiative.

We will not share your information with any other organisations unless required to do so by law.

Where do we get your data from?

We collect personal data from you when you complete one of our forms or contact us about your property either online, in writing, over the phone or face to face with one of our officers or agents.

There are a wide range of sources including:

- Our service providers
- Other Council Services
- Previous Owners or Occupiers
- Landlords
- Estate Agents/Solicitors
- Land Registry
- Planning and Building Control
- Valuation Office
- Collection/Enforcement Agents
- Other Local Authorities
- Third Party Data companies – Experian etc.
- Members of the Public

- Your Bank
- Courts

We also conduct inspections of properties.

How long do we keep your information?

We will keep your information for as long as it is required by us or other regulatory bodies to comply with legal and regulatory requirements or for other operational reasons. In most cases this will be a minimum of six years.

What about Communications and Marketing?

We will use your contact details to send communications necessary for the delivery of the service and information that we are statutorily required to provide. We may provide further information in relation to the Council or other services which are in the public interest.

What about Automatic Profiling and Automated-Decision Making?

Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a person, to analyse or predict aspects concerning that person's economic and health situation, reliability, personal preferences and interests etc.

Automated-decision making means any processing that is carried out by automated means without any human review element in the decision-making. For example: carrying out credit checks searches to detect and reduce fraud.

We may analyse your personal information to improve services and for the following purposes:

- undertake statutory functions efficiently and effectively
- service planning by understanding your needs to provide the services that you request
- understanding what we can do for you and inform you of other relevant services and benefits
- help us to build up a picture of how we are performing at delivering services to you and what services the people of Burnley need
- analysis of costs and spend of services we provide so that we can to ensure better and efficient use of public funds

The Council is however committed to using pseudonymised or anonymised information as much as is practical, and in many cases, this will be the default position.

Pseudonymisation is a procedure by which the most identifying fields within a data record are replaced by one or more artificial identifiers, or pseudonyms. There can be a single pseudonym for a collection of replaced fields or a pseudonym per replaced field.

Anonymisation is the process of removing identifying data or details from (something, especially special category data) for statistical or other purposes.

How you can access, update, restrict, remove or correct your information?

The Data Protection laws give you the right to apply for a copy of information about yourself. This is called a 'Subject Access Request'.

The accuracy of your information is important to us to be able to provide relevant services more quickly. We are working to make our record keeping more efficient.

As there is a statutory requirement to process this data there is no right to restrict or remove your data from the processing, unless the processing is no longer necessary or not legal. The right to portability of data does not apply in this circumstance.

If you change your address or email address, or if any of your circumstances change or any of the other information we hold is inaccurate or out of date, please contact the Council.

If you require a subject access request email us at dataprotection@burnley.gov.uk, or write to us at:

Data Protection Officer
Burnley Borough Council
Town Hall
Manchester Road
Burnley
BB11 9SA
e-mail:
Telephone: 01282 425011

Alternatively, you can telephone the customer contact centre on 01282 425011