

# Privacy Notice: Durham County Council, Resources Financial Support Services Assessments and Awards

This Privacy Notice explains how we use and share information. We will review and update this privacy notice to reflect changes in our services and feedback from service users, as well as to comply with changes in the law.

## **1. Who we are and what we do**

The Assessment and Awards team is responsible for accurately billing council tax ensuring that the correct tax amount is calculated for collection. They also administer claims for housing benefit.

The Payments, Income and Support team are responsible for the collection of council tax.

We will only collect and use personal information to enable us to identify you and locate your personal data on our systems, ensuring that any discounts / exemptions / reductions are awarded and the amount due for council tax is charged correctly each year. That any entitlement to housing benefit is correctly calculated and paid. To enable us to effectively collect council tax and any overpaid housing benefit. Information may also be used for the prevention and detection of fraud.

For the purposes of Data Protection, Durham County Council is the Data Controller

## **2. What type of personal information do we collect and how do we collect it?**

You may be asked to enter personal data on one of our forms or asked to give personal information if you call us. 'Personal data' means any information relating to an identified or identifiable natural person.

The personal information we collect could be:

- name
- address
- occupancy status such as how many adults reside in the property and who they are
- who the liable party for council tax is
- Who the benefit claimant is
- employment and benefit details including employer name, payslips, type of benefit and amount
- contact details: telephone number, email address
- income and expenditure details, where a customer is in payment default
- bank details for customers paying by direct debit or benefit claimants who are paid by direct debit.

The above list is not exhaustive. The information we request will be the minimum necessary in order to provide our services effectively and to perform our statutory duties.

## **How we collect personal information**

We collect information about you in the following ways:

- Paper based forms

- by telephone
- by email
- by paper correspondence
- online web forms and web enquiries from the council's website
- information received from council property inspectors and other departments such as planning and housing
- information given to staff within customer service centres and to our call team

This information is then stored on our Open Revenues database.

### 3. What is our lawful basis to obtain and use your personal information?

When we collect and use your personal information we rely on the following power:

- **Public task:** The processing is necessary for us to perform our official function - to administer your council tax account in accordance with The Council Tax (Administration and Enforcement) Regulations 1992 and/or assess your entitlement to Housing Benefit in accordance with The Social Security Contributions and Benefits Act 1992.
- **Legal Obligation** processing is necessary for compliance with a legal obligation to which the controller is subject
- **Legitimate interests:** To monitor performance and seek your views on our services. Enabling us to ensure we are delivering an effective and efficient service.

### 4. What is your personal information used for?

We collect and processes information about you for the following purposes:

to calculate any entitlement to Housing Benefit;

- to respond to requests for advice and guidance;
- seek your views or comments on the services we provide;
- notify you of changes to our services;
- to respond to a complaint;
- to respond to Councillor or Member of Parliament enquiries;
- to monitor our performance;
- assess your entitlement to discretionary payments in line with Council policies;
- to accurately charge council tax;
- collect council tax in respect of any property you are liable for;
  - by the council
  - and enforcement agents contracted to the Council for the collection of council tax, overpaid Housing Benefit, unpaid Sundry Debtor accounts and related costs.
- for the prevention and detection of crime or fraud including data matching under the [National Fraud Initiative](#)

for enforcement or legal proceedings in respect of Sundry Debt

## **5. Will your personal information be shared?**

We may share your personal information in certain circumstances:

- where we have a statutory obligation to do so, such as for the purposes of the prevention, detection and prosecution of crime or in the interests of public safety.
- for enforcement action and legal proceedings in respect of unpaid taxes,
- if the benefits to a child or young person that will arise from sharing the information outweigh both the public and any individual's interest in keeping the information confidential.

In administering your council tax account in accordance with The Council Tax (Administration and Enforcement) Regulations 1992 and/or assess your entitlement to Housing Benefit in accordance with The Social Security Contributions and Benefits Act 1992 we may share your information with the following organisations:

- Department of Work and Pensions
- Valuation Office Agency
- our housing department
- our Welfare Rights Team
- private sector housing
- planning department
- customer service centre network
- Her Majesty's Courts and Tribunal Services
- Her Majesty's Revenue and Customs
- Office of National Statistics

We share information with these departments to prevent fraud and also to ensure we are billing the correct liable parties.

We share the information with the Welfare Rights Team to conduct benefit take-up/advice/support or other service the Council may offer.

We share information with the Department for Works and Pensions with regard to requests for attachments of benefits and with employers for requests for attachments to earnings. We share information with the Valuation Office Agency – to ensure we bring properties into the ratings list and bill the liable party for council tax.

We share information with Her Majesty's Court Tribunal Service with regard to council tax cases where recovery action is proceeding.

We share information with the Office of National Statistics for them to use for statistical and research purposes.

## **6. How do we keep your information secure?**

The security of your personal information is important to us. The records we keep about you are secure and are confidential within the Council. The Council have a range of procedures, policies and systems to ensure that access to your records are controlled appropriately.

Anyone who receives information from us is also under a legal duty to only use the information for the purposes agreed and keep the information secure and confidential.

## **7. How long will we keep your personal information?**

After we deliver a service to you, we have to keep your information as a business record of what was delivered. The type of service will determine how long we have to keep it and this is detailed in our corporate retention guidelines.

We will keep your personal data in the following cases;

- while you have an active Council Tax account,
- a closed Council Tax account but with an outstanding balance,
- an active Housing Benefit claim,
- a sundry debtor account with an outstanding balance

For all other cases the retention period for the personal data we hold in respect of Council Tax, Housing Benefit and Sundry Debtors is the current year plus a further six years.

*We review our retention periods for personal information on a regular basis. We are legally required to hold some types of information to fulfil our statutory obligations (for example accurate council tax billing). We will hold your personal information on our systems for as long as is necessary for the relevant activity, or as long as is required for us to satisfy our statutory obligations.*

## **8. Personal information processed outside of the European Union (EU)?**

We do not process your personal data outside of the EU

## **9. Marketing**

At no time will your information be used or passed to others for marketing or sales purposes, or for any commercial use without your express consent.

## **10. What are your information rights?**

Your Information Rights are set out in the law. Subject to some legal exceptions, you have the right to:

- request a copy of the personal information the council holds about you
- have any inaccuracies corrected;
- have your personal data erased;
- place a restriction on our processing of your data;
- object to processing;

To exercise your rights, you can apply on line or download an application form from the [DCC website](#) or you can contact the data protection team at [inforights@durham.gov.uk](mailto:inforights@durham.gov.uk)

To learn more about these rights please see the [ICO website](#).

## **11. Further Information**

Our Data Protection Officer (DPO) provides help and guidance to make sure we apply the best standards to protecting your personal information. If something goes wrong with your personal information, or you have questions about how we process

your data, please contact our Data Protection Officer at [DPO@durham.gov.uk](mailto:DPO@durham.gov.uk) or write to:

DPO  
Floor 4 Room 143-148,  
Durham County Council  
County Hall,  
Durham County Council  
DH1 5UF

If we have not been able to deal with your query, you can also contact the Information Commissioner's Office:

Information Commissioner's Office  
Wycliffe House  
Water Lane Wilmslow  
Cheshire  
SK9 5AF  
Telephone: 0303 123 1113 (local rate) or 01625 545 745