

Privacy Notice for Business Rates

Introduction

This notice is provided within the context of the changes required by the EU General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This document will therefore be subject to ongoing review to ensure it continues to align with the requirements of all applicable legislation.

Service description

It is necessary for Thanet District Council to collect and process personal information to collect and administer your Business Rates, including discounts and exemptions.

Processing activity

In order to administer Business Rates, it is necessary for us to collect and hold personal information about you. The information collected and held will vary and depend on the nature of the service. We will process personal information relating to:

- Administration
- Billing
- Discounts
- Payment
- Recovery
- Exemptions

Information requirements

This may include the following information from you:

- Name
- Address
- Email address
- Telephone Number
- Financial details
- Trading name

Lawful basis for processing under GDPR

The Council's **lawful bases** for processing your personal information for the services are:

- For the performance of a task carried out in the public interest (under the legislation below); and/or
- That it is necessary for compliance with a legal obligation to which the council is subject

We require the information in order to carry out our duties under the Local Government Finance Act 1988 and associated Regulations including:

- The Non-Domestic (Collection and Enforcement) (Local Lists) Regulations 1989;
- Administration of Business Rates sections 44A, 47 and 49 of the Local Government Finance Act 1988 Section 69 of the Localism Act 2011; and

- The Serious Crime Act 2007 (where needed to disclose information to prevent fraud)

Additional lawful basis for processing other categories of data

Some of the information that is collected is classified as **special category personal data** or personal data consisting of **criminal convictions and offences** (including alleged offences). In order to process special category of data, the Council needs to have an additional lawful basis to above. In this instance, special category of data is processed¹ for exercising specific rights of the council (under the regulations above). And where the Council collects and process criminal convictions information², this is done lawfully under the provisions of the Data Protection Act 2018 (DPA)³.

Data Processors

We have outsourced some of our services to either joint arrangements with other local authorities, arm's length partly owned companies, or private sector companies who provide services on our behalf. These organisations collect and use personal information on our behalf to provide services. We will need to supply your information to these organisations in order to supply a service to you. These are:

EK Services

A joint administrative arrangement with Canterbury City Council and Dover District Council which provides services relating to revenues and benefits, ICT and manages the Councils contract with Civica UK Ltd.

Civica UK Limited

A private sector company which provides benefit services, income collection services, council tax and business rates administration and collection services and customer contact services to the Council.

Data sharing

The law says that we must protect the public funds that we handle. In order to do this we will check some of the information with other sources (e.g. HM Revenue and Customs, credit reference agencies) to verify your identity and to ensure that the information you have provided is accurate.

We may also share your information internally with other council departments (where it is in your interests to do so) as well as under legal obligations with partner organisations that inspect or handle public funds, to prevent and detect fraud and error including:

- Other councils
- Government departments such as HM Revenue and Customs, Magistrates Court, the Department for Work and Pensions, the Cabinet Office (as part of the National Fraud Initiative)
- The Valuation Office
- National Audit Office
- East Kent Housing
- Police
- Enforcement agents
- Credit reference agencies
- Health and social care organisations

If you have given us your permission in writing some of your information may be shared with:

- A named friend or family member
- Support worker or other individual authorised by you to act on your behalf

We will not share your personal data with third parties for commercial purposes nor will we use your personal data for marketing products or services without your consent.

¹ Under Article 9 of GDPR

² Under Article 10 of GDPR

³ The DPA 2018 [Part 2, para. 5 (1&2) and para. 6(1&2)] supplements the GDPR by providing the legal basis for processing criminal convictions and offences. In the Council's case, as a 'public authority' and when it is in the public interest to do so.

We may also rely on a number of **exemptions**, in certain circumstances, which allow us to share information without needing to identify a lawful basis for the sharing and without needing to provide you with information about the sharing. These are provided in Article 23 of the GDPR and includes:

- important public interests, in particular economic or financial interests, including budgetary and taxation matters, public health and security involving other councils or government departments;
- the enforcement of civil law matters

Automated decision making

We may make automated decisions to end some time-limited discounts and exemptions, to include Small Business Rate Relief following the result of a review undertaken by the Council in order to protect the public funds that it handles. You have the same rights of appeal as when an officer makes a decision.

How long we keep your personal information

We will endeavour to only keep information for as long as it is needed in line with legal considerations. Once information is no longer required, it will be deleted or destroyed confidentially.

Your Rights

The Data Protection Act 2018 in conjunction with the General Data Protection Regulation (GDPR) grants a number of other rights. These include the right to rectify errors in your records, the right to withdraw consent given to process your data, and the right to object to the use of your data.

You have the right to opt out of the open version of the register, at any time, and we must remove you from this version and tell the statutory recipients in the next update.

You have the right to be told if we have made a mistake whilst processing your data and we will self-report breaches to the Information Commissioner.

The Council's General Privacy Notice can be found at: <https://www.thanet.gov.uk/privacy-statement/>

This is also available in other formats (e.g. print).

Further information

If you would like to know more about how we use your information, please contact the Data Protection Officer (DPO) at Thanet District Council:

Data Protection Officer
Thanet District Council
Cecil Street
Margate
CT9 1XZ
Email: dataprotection@thanet.gov.uk
Tel: 01843 577 000

How do I Complain?

If you wish to complain about how we are processing your personal information please contact

The Data Protection Officer
Thanet District Council
Cecil Street,
Margate

CT9 1XZ

Email: dataprotection@thanet.gov.uk

Tel: 01843 577000

You also have the right to complain to the Information Commissioner's Office, at:

The Information Commissioner

Wycliffe House, Water Lane, Wilmslow, Cheshire

SK9 5AF

Tel: 0303 123 1113 or 01625 545745

Website: www.ico.org.uk