

# Privacy Notice for Council Tax

## 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 Council Tax, including discounts and exemptions.

## Processing activity

In order to administer Council Tax, 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;
- Payment;
- Recovery;
- Discounts;
- Exemptions

## Information requirements

This may include the following information from you and any other person in your household:

- Name
  - Address
  - Date of birth
  - Telephone number
  - Email address
  - Health information
  - Employer details
  - Income details
  - Expenditure details
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- Financial details
  - Power of attorney details

## Lawful basis for processing your information under GDPR

The Council's **lawful bases** for processing your personal information are<sup>1</sup>:

- For the performance of a task carried out in the public interest (to accurately levy and collect council tax and the prevention and detection of fraud in relation to council tax lawfully due); and
- 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 1992 and associated Regulations including:

- Administration of Council Tax under the Local Government Finance Act 1992 (and amendments);
- Administration of Council Tax under the Local Government Finance Act 2012 and associated Regulations;
- Administration of Council Tax under the Council Tax (Administration and Enforcement) Regulations Council Tax Privacy Notice 1992 (and amendments);
- Administration of the Council Tax Reduction Scheme under S13A and Schedule 1a of the Local Government Finance Act 1992 and associated Regulations;
- 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 processed<sup>2</sup> for exercising specific rights of the council (under the regulations<sup>3</sup> above). And where the Council collect and process criminal convictions information<sup>3</sup>, this is done lawfully under the provisions of the Data Protection Act 2018 (DPA)<sup>4</sup>.

### **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

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<sup>1</sup> Under article 6 of GDPR

<sup>2</sup> Under Article 9 of GDPR

<sup>3</sup> Under Article 10 of GDPR

<sup>4</sup> 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.

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 council's 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, and the Cabinet Office (as part of the National Fraud Initiative);
- 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; and
- 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.

We may also rely on a number of exemptions, 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. Please refer to the Kent & Medway Information Agreement for further details on our sharing arrangements.

### **Automated decision making**

We may make automated decisions to end some time-limited discounts and exemptions, and to determine your eligibility for a Single Occupier discount 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. The automated decision for a Single Occupier discount is related to information provided by a partner organisation (credit reference agency) to ensure that the number of people living in your household is correct.

### **Your rights**

The Data Protection Act 2018 in conjunction with the General Data Protection Regulation (GDPR) grants you 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 be told if we have made a mistake whilst processing your data and we will self-report breaches to the Information Commissioner.

For more information on your rights, how we process your personal information and how to make a subject access request, please visit <https://www.thanet.gov.uk/privacy-statement/>

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

### **Complaints**

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](mailto: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.  
Phone: 0303 123 1113 or 01625 545745  
Website: [www.ico.org.uk](http://www.ico.org.uk)