

# Privacy Notice for Sundry Debtors and Housing Benefit Overpayments Recovery

## Service description

It is necessary for Thanet District Council to collect and process personal information to administer recovery of debt owed to the Council.

## Processing activity

In order to recover outstanding debt owed to the Council, 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
- Invoicing
- Payment
- Recovery

## Information requirements

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

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

## Lawful basis

Our **lawful bases** for processing your personal information are:

- For the performance of a task carried out in the public interest (to administer recovery of debt and overpayments of Housing Benefit and the prevention and detection of fraud in relation to collection of debt.)
- 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 1972 and associated Regulations including:

- The recovery of Sundry Debts is covered by the Local Government Act 1972, the Accounts and Audit Regulations 2011, the Harbours Act 1964 and the Late Payment of Commercial Debts Regulations 2002.
- The recovery of Housing Benefit Overpayments is covered by the Housing Benefit Regulations 2006, the Council Tax Benefit Regulations 2006 the Housing Benefit (Pension Credit) Regulations 2006 and the Housing Benefit (Recovery of Overpayments) Regulations 1997 and more recently the Welfare Reform Act 2012 (Direct Earnings Attachments)

## Reasons for processing

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). This is processed for exercising specific rights of the council. We have a data protection policy that sets out how this information will be handled.

## 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 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 it handles. 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
- 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 it 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 recover outstanding debt to the council. This means that your information will be shared with other external Government agencies, in order to recover outstanding monies.

Please refer to our Corporate Privacy Notice at <https://www.thanet.gov.uk/privacy> for further details of how we process your personal information and your rights. This is also available in other formats (e.g. print).