

Privacy Notice - Financial Services

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

In order for Thanet District Council (“the Council”) to provide a range of financial services to the council and external clients including financial planning, statements of accounts, budgeting, financial systems & controls, income and payments, it is necessary for the Council to collect, store and process personal data.

Where we get your information from

Personal data is accessed from council systems, for example social care systems and the payroll/HR system. Responsibility for the data within these systems rests with the relevant service. However, where individuals’ data is downloaded and processed within finance services responsibility for this information is within the section.

Personal data, e.g. bank details may also be collected directly from the individual where required.

For insurance purposes, information may be obtained from claimants, witnesses, the police, insurance providers and brokers.

How your information will be used

The information you shared with the Council may be used to carry out effective financial management including:

- processing payments and income from external individuals;
- processing payments to employees and elected councillors;
- procurement card administration recording transactions on the ledger;
- properly accounting for expenditure and income;
- budget setting and budget monitoring;
- providing financial management information;
- costing staffing budgets;
- providing financial analysis and advice to internal and external customers;
- management of corporate appointee accounts;
- submission of grant funding claims;
- administering prepaid cards for direct payment clients;
- calculating and setting council housing rents;
- administration of employee car loans and leases;

- managing insurance claims from the public, employees and clients;
- management of the section and all related policies including attendance, performance, conduct etc.

What information we hold

The section collects and processes the following types of personal data in order to provide the services:

- personal, for example: name, address, telephone, date of birth;
- employee information, for example, payroll number, salary, taxation, national insurance, pension details, sickness details;
- bank account details;
- email addresses;
- corporate appointee details;
- housing rent account details;
- private vehicle details;
- personal details relating to insurance claims;
- insurance related legal records.

Lawful basis for processing data under GDPR

As a Local authority, Thanet District Council can use individuals' personal information to provide services that we are under a statutory obligation to provide, or to perform tasks that are in the public interests¹. In this regard, most personal information are processed by the Council for its financial services in order to comply with its legal obligations.

Some Acts of law provide a duty to process information, these include:

- Section 151 of the Local Government Act 1972 requires local authorities to make arrangements for the proper administration of their financial affairs;
- In addition, the Chief Financial Officer (CFO) in local government are also subject to professional standards, as Section 113 of the Local Government Finance Act 1988 requires the responsible officer under Section 151 of the 1972 Act to be a member of a specified accountancy body;
- The Chartered Institute of Public Finance and Accounting (CIPFA)'s Statement on the role of the (CFO) in local government describes the role and responsibilities of the CFO including responsibility for the finance function. The CFO and the finance function need to access individuals' information as required in order to carry out the role.

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 processed² for reasons of substantial public interest, on the basis of exercising specific rights of the council (under the regulations above). And where the Council collects and process criminal convictions information³, this is done lawfully under the provisions of the Data Protection Act 2018 (DPA)⁴.

¹ Under Article 6 of GDPR

² Under Article 9 of GDPR

³ Under Article 10 of GDPR

⁴ 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.
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Who do we share your information with?

The Financial services section may share or disclose your information to any of the following recipients as may be necessary for the financial administration of the authority in line with statutory obligations and/or to comply with contractual obligations relating to it:

- service providers, professional advisers and auditors who in certain circumstances will also be “data controllers”;
- regulators, the government, local and foreign law enforcement authorities;
- Her Majesty’s Revenue and Customs;
- past and present insurance providers, brokers and claims handlers.
- Agencies committed to protecting public funds and/or preventing fraud in line with the National Fraud Initiative. More information on the work undertaken is available from the Cabinet Office.

We will not share your information with any other person or company, except where required to do so by law.

How long do we keep your personal information

We will endeavour to only keep information for as long as it is needed in line with legal considerations such as 7 years for financial records. 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 you a number of other rights. You have the right to request information that is held about you and this is known as the ‘right of subject access’. Making a request for your personal information is known as a ‘Subject Access Request’. You are entitled to receive a copy of your records **free of charge and within one calendar month**. For more information on how we process your personal information and how to make a subject access request, please visit <https://www.thanet.gov.uk/privacy-statement/>

Please note that in certain circumstances access to your records may be limited, for example, if the records you have asked for contain information relating to another person.

You also have the right to rectify errors in your records, the right to withdraw consent given to process your data, and the right to have your data erased when you have withdrawn consent. If you wish to exercise any of these rights, you should contact the Data Protection officer using the contact details provided below.

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.

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?

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