



PRIVACY NOTICE – COUNCIL TAX (GENERAL)

Who will process Your Information?

The personal data you provide to us through any of our forms relating to Council Tax and also any personal data we collect about you (“**Your Information**”) will be processed by East Dunbartonshire Council 12 Strathkelvin Place, Kirkintilloch, G66 1TJ for the administration of Council Tax and any benefits, reductions or discounts you are entitled to.

You can contact the Council on 0300 123 4510 or customerservices@eastdunbartonshire.gov.uk.

The Council’s Data Protection Officer is Karen Donnelly who can be contacted on the below noted details:

12 Strathkelvin Place, Kirkintilloch, G66 1TJ

Email: DPO@eastdunbarton.gov.uk

Tel: 0300 123 4510

Why will Your Information be processed?

Your Information will be processed to help administer and collect Council Tax as part of the Council Tax regime. It was also be used to ensure you get any benefits, reductions or discounts from Council Tax which you are entitled to.

Your Information may also be shared with other departments within East Dunbartonshire Council or other organisations for the same purposes and also to:

- check the information we hold is accurate;
- prevent and/or detect crime; and
- protect public funds.

Other organisations may include bodies responsible for auditing or administering public funds, other councils, public sector agencies, governmental departments, regulatory and law enforcement bodies and other private companies or entities (such as credit reference agencies, service providers/contractors and/or partner bodies).

What is the legal basis for us to process Your Information?

The legal basis for processing Your Information is:

- Our legal obligations under the following legislation:
 - The Local Government Finance Act 1992 (to levy and collect Council Tax);
 - The Local Government (Scotland) Act 1973 (to ensure proper administration of the Council’s financial affairs (including the detection and/or prevention of fraud) (and providing such information as necessary to the Accounts Commission));

- The exercise of official authority vested in the Council under: The Serious Crime Act 2007 (the ability to disclose information to prevent fraud);
- The following task carried out in the public interest:
 - to accurately levy and collect Council Tax;
 - the prevention and detection of fraud in relation to Council Tax lawfully due

Do I have to provide my information?

Without the correct information we may charge you the incorrect rate of Council Tax and you may not receive the benefits, reductions or discounts from Council Tax which you are entitled to.

If we ask you to provide specific information in order to assess the correct amount of Council Tax payable and you do not provide this information we may fine you.

Deliberately providing false information in order to avoid or reduce Council Tax is also a crime.

How do you collect information about me?

Some of the information East Dunbartonshire Council hold about you may come from third party sources.

For example, the Council Tax (Administration and Enforcement) (Scotland) Regulations 1992/1332 allows the Council to request information for the purposes of collecting and levying council tax from:

- other local authorities;
- electoral registration officers;
- local assessors;
- community charges registration officers; and
- housing bodies operating in the East Dunbartonshire area.

Such information includes: i) your name; ii) dates of residence in a particular premises; and iii) the type of past or present interest you may have in a property.

Information can also be provided to the Council from the district registrar.

Revenue and Customs officials may also provide information they hold about you to the Council relating to council tax reductions. This information can be provided for the purposes of: determining an application for council tax reduction, reviewing or appealing a determination, preventing or detecting fraud or error in connection with a council tax reduction or as a result of an attempt to obtain council tax reduction fraudulently.

How long will you keep my Information?

East Dunbartonshire Council uses the Scottish Council of Archives Records Retention Schedules to manage the amount of time the Council keeps Your Information. Further information on these can be found at: <http://www.scottisharchives.org.uk/scarrs>.

If you are searching SCARRS the Reference which covers Your Information is: 12.005

We will hold Your Information from the end of the year it was provided for a period of 6 years. Your information will be retained for the minimum period necessary. Your Information will be destroyed under confidential conditions after this period.

Who will we share Your Information with?

Your Information will be accessed by Council Staff who need to do so to administer Council Tax and any benefits, reductions or discounts you are entitled to. If such administration is provided on the Council's behalf by an external agency, that agency will have access to Your Information.

The Council is also required to ensure proper administration of its funds so details will be checked internally for fraud prevention and verification purposes. Information is also analysed internally in order to provide management information, inform service delivery reform and similar purposes.

Your Information may also be shared with other departments within the Council, bodies responsible for auditing or administering public funds, other councils, public sector agencies, governmental departments and other private companies or entities (such as credit reference agencies, service providers/contractors and/or partner bodies).

The Council will also generally comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate.

Set out below are examples of who we share your information with and why:

Example 1:

- East Dunbartonshire Council's accounts are required to be audited by the Accounts Commission. Your Information may be shared with the Accounts Commission or any auditors they appoint as part of the audit under section 97B of the Local Government (Scotland) Act 1973.

Example 2:

- Audit Scotland may require East Dunbartonshire Council to take part in data matching exercises to assist in the prevention and detection of fraud and other crime under the terms of section 26C the Public Finance and Accountability (Scotland) Act 2000.
- Data matching involves comparing sets of data held by one body, against other records held by another body. Your Information may therefore be used as part of a data matching exercise.
- The data matching by Audit Scotland allows potentially fraudulent claims and payments made to or by East Dunbartonshire Council to be identified. The inclusion of personal data within a data matching exercise does not mean that any specific individual is under suspicion. Where a match is found it indicates that there is an inconsistency which requires further investigation.

Example 3:

- If you are in Council tax arrears East Dunbartonshire Council may take court action against you. Your Information may be shared with Sheriff Officers who will assist the Council in bringing the matter to court and also enforcing any court order granted. East Dunbartonshire Council may therefore share your bank and employment details with the Sheriff Officers in order to carry out any diligence.

Example 4:

East Dunbartonshire subscribes to a tracing system called LoCTA. This system allows subscribing local authorities to trace individuals who have an outstanding council tax debt and

prevent duplicate council tax claims by searching a subset of all subscribing local authorities' revenues systems.

The system allows East Dunbartonshire to collect outstanding council tax debts even when the person concerned moves areas. It also helps detect individuals making claims they are not entitled to across different local authority areas.

Your Information is included in this system and is shared with other local authorities to allow them to access the trace search.

The information held about you on this system includes:

- Details of the Authority(s) where you have been identified as living
- Council Tax reference number
- Council Tax Band
- Full name
- Full address including postcode
- Move in date
- Move out date
- Forwarding address
- A list of additional occupants at the address

LoCTA Search is operational over the Public Services Network (PSN) ensuring that access is only made available to subscribing local authorities securely.

East Dunbartonshire can share Your Information with other local authorities in this way under regulation 3(5) of the Council Tax (Administration and Enforcement) (Scotland) Regulations 1992/1332.

Example 5

- Your Information may be shared with the Council's suppliers in order to allow them to provide ancillary services to the Council e.g. Your Information may be passed to the printers used by the Council who produce Council Tax bills or print documents which are then sent out to you.

Example 6:

- Your Information may be shared with third parties to ensure that only genuine claimants are claiming Single Person Discount as part of the Council Tax regime.
- In order to do this we may pass Your Information (such as account number, name, property address and mailing address) to a third party who specialise in the provision of revenue and benefits software and who deal with revenue and benefits processing work for many other local authorities.
- Your Information will then be passed to a credit reference agency who will conduct a data matching exercise against a variety of data sources
- These sources are drawn from consumer credit agreements, previous credit applications, the electoral register, address links where the person gives a forwarding/previous address to a lender, and mortality data (taken from deaths register, insurance records etc.).

- The Council is provided with a record detailing the likelihood of whether there are additional people linked to a property, which may mean Single Person Discount is not applicable. A list of is also generated detailing adults who are associated with a property.
- The list details:
 - the names and date of birth of adults linked to the property in receipt of the Single Person Discount;
 - the first and last transaction date of any history of that person linked to the property;
- No assumption can be made as to whether there is fraud, error or other explanation until an investigation is carried out.
- The inclusion of your information in this process does not mean that you or any specific member of your household is under suspicion. It is simply a process undertaken to protect the funds the Council administers and ensure the appropriate allocation of benefits and resources in accordance with its legal requirements.
- If you would like more information about how we may use Your Information for checking whether Single Person Discount is applicable please refer to the Privacy Notice – Single Person Discount available at: www.eastdunbartonshire/counciltax

Will we transfer Your Information outside the UK?

In general we do not transfer personal data outside the UK and on the rare occasions when we do, we will inform you.

We will only transfer data outside the UK when we are satisfied that the party which will handle the data and the country it is being processed in will provide adequate safeguards for personal privacy.

Your Rights

You have the right to:

- **Access Personal Data Held About You;**

You have the right to access the personal data the Council holds about you. This right is called a Subject Access Request, often referred to as a SAR.

You can receive a copy of your personal data held by the Council, details on why it is being used, who it has been/ will be shared with, how long it will be held for, the source of the information and if the Council uses computer systems profile or take decisions about you. Details on how to submit a Subject Access Request can be found [here](https://www.eastdunbarton.gov.uk/council/data-protection/subject-access-request).

- **Rectification of Personal Data;**

You have the right to request the Council correct any personal data held about you that is inaccurate.

- **Erasure of Personal Data**

You have the right to request that the Council deletes personal data about you. This is known as the right to be forgotten.

You can request erasure of personal data in certain circumstances for example: i) the personal data is no longer necessary for the purpose it was collected; ii) it is being processed

unlawfully; iii) the personal data has to be erased due to a legal obligation the Council is subject to.

- **Restrict Processing**

You have the right to request that the Council restrict processing your personal data if: i) you think the personal data is inaccurate; ii) the processing is unlawful; iii) the Council no longer need the personal data but you may need it for legal purposes; or iii) you object to the Council processing for the performance of a public interest task or the official authority vested in the Council.

- **To Object**

You have the right to object to the Council's use of your personal data. The Council will have to demonstrate why it is appropriate to continue to use your personal data.

Complaints

If you are unhappy with the way East Dunbartonshire Council has processed Your Information you have the right to complain to the Information Commissioner's Office:

Head Office Address: Wycliffe House, Water Lane, Wimslow, Cheshire, SK9 5AF

Tel: 0303 123 1113

Regional Scottish Office Address: 45 Melville Street, Edinburgh, EH3 7HL

Tel: 0303 123 1115

Email: scotland@ico.org.uk

You should however raise any issues regarding Your Information with the Council's Data Protection Officer in the first instance.

The Council do not use profiling or automated decision-making processes for administering and/or collecting Council Tax or any relevant benefits, reductions or discounts from Council Tax which you are entitled to. Some processes are semi-automated (such as the data matching as set out above) but a human decision maker will always be involved before any decision is reached in relation to you.