

Counter Fraud Privacy Notice



Oldham
Council

Date and version

18 May 2018 version 1

What this privacy notice is for

Our core data protection obligations and commitments are set out in the council's primary privacy notice at www.oldham.gov.uk/dataprotection

Updating our privacy notices

We may update or revise our privacy notices at any time so please refer to the version published on our website for the most up to date details

What we use your information for

We collect or obtain your personal information to in relation to the prevention and detection of fraud:

- Council Tax,
- Non-Domestic Rates (also known as Business Rates),
- Housing Benefit,
- Social Care Patients
- Payroll,
- Suppliers,
- Students,
- Blue Badge

We may be asked to provide access to personal information by relevant authorities with regulatory powers such as the police, government departments and other local authorities for the purposes of the prevention or detection of crime and/or the apprehension or prosecution of offenders without the permission of the data subject. The Council will consider such requests on a case by case basis.

What categories of personal information we use

Personal information can be anything that identifies and relates to a living person. This can include information that when linked with other information, allows a person to be uniquely identified. For example, this could be your name and contact details.

The law treats some types of personal information as 'special' because the information requires more protection due to its sensitivity. This information consists of:

- Racial or ethnic origin
- Sexuality and sexual life
- Religious or philosophical beliefs
- Trade union membership
- Political opinions
- Genetic and bio-metric data
- Physical or mental health
- Criminal convictions and offences

In order to carry out these purposes we collect and obtain the following personal information.

Category of personal data	Special/ Sensitive
Name	
Address	
Telephone Number(s)	
Email address	
Employer Details	
Income Details	
Bank Details	
Household Composition	
Income and Expenditure	
Date of Birth	
National Insurance Number	
Nationality	
Health (Physical/Mental)	✓

We may use information about your physical or mental health, or disability status to review risks and controls around council services such as adult services provision or to audit grants for property adaptations and other spend related to these health conditions.

Legal basis for processing

The Council's Director of Finance has a statutory duty under Section 151 of the Local Government Act 1972 to establish a clear framework for the proper administration of the authority's financial affairs. To perform that duty the Section 151 Officer relies, amongst other things, upon the work of Counter Fraud in the prevention and detection of fraud and error.

The legal basis for processing and or sharing your personal information is article 6(1) (c) and 6(1) (e) of the General Data Protection Regulations.

The legal basis for Counter Fraud investigations is set out in the table below:

Legislation

- Local Government Finance Act 1992
- The Council Tax (Administration and Enforcement) Regulations 1992 (as amended)
- Data Protection Act 1988 – Section 29 and 35
- Local Audit and Accountability Act 2014 (Part 6)
- Fraud Act 2006

Information sharing/recipients

The authority has a duty to protect the public funds it administers, and may use information held about you for all lawful purposes, including but not limited to the prevention and detection of crime including fraud and money laundering.

The Cabinet Office is responsible for carrying out data matching exercises. We participate in the Cabinet Office National Fraud Initiative; a data matching exercise to assist in the prevention and detection of fraud. The use of data by the cabinet office in a data matching exercise is carried out with statutory authority under Part 6 of the Local Government and Accountability Act 2014. It does not require consent of the individuals concerned.

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As a service we do not collect data from the public directly but have access to the systems used across the council to ensure that the highest standards of controls are in place to protect the public purse. Therefore whilst we draw conclusions from personal data the data used to draw those conclusions is not shared beyond the internal service that shared it with us initially unless otherwise stated above.

Data Transfers beyond European Economic Area

We do not transfer any of your personal information outside the European Economic Area ('EEA').

Automated Decisions

All the decisions we make through the processing of your personal data involve human intervention.

Our Guide to Exercising Your Rights outlines the procedure to ask us for an automated decision to be reviewed by an appropriate officer. This can be found at www.oldham.gov.uk/yourdatarights

How long we keep your data

We will only keep your information for as long as it is required by us or other regulatory bodies in order to comply with legal and regulatory requirements or for other operational reasons. In most cases this will be a minimum of six years.

Where can I get advice

More information on how to seek advice in order to exercise your rights, raise a concern or complain about the handling of your personal information by the council can be found in the council's privacy notice which can be found at www.oldham.gov.uk/dataprotection