

# Revenues Service Privacy Notice



**Oldham**  
Council

Date and version

31 March 2020 version 3

## 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](http://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 administer and enforce the collection of:

- Council Tax,
- Non-Domestic Rates (also known as Business Rates),
- Housing Benefit Overpayments,
- Sundry Debts (often referred to as Miscellaneous Invoices or Accounts Receivable,

We may share your information with other departments within the Council, if there is a legal basis to do so for the purposes of delivering other Council activities. Where this happens, data sharing agreements are in place to control the use of this data.

We may also check the information you provide, or the information about you which somebody else provides, with other information we hold. We may also receive information from other people or organisations or give information to them to check the accuracy of information, to prevent or detect crime, or to protect public funds in other ways, if the law allows us.

## 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	
Health (Physical/Mental)	✓

We will use information about your physical or mental health, or disability status to administer discounts and exemptions. If you are in arrears we may also use this information to determine whether you are vulnerable and tailor our recovery methods accordingly.

## Legal basis for processing

Oldham Council has a statutory responsibility to provide services that administer and enforce the collection of local taxation and miscellaneous debts.

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 each Revenues Service is set out in the table below:

Service Area	Legislation
Council Tax	<ul style="list-style-type: none"> <li>▪ Local Government Finance Act 1992</li> <li>▪ The Council Tax (Administration and Enforcement) Regulations 1992 (as amended).</li> </ul>
Non-Domestic Rates	<ul style="list-style-type: none"> <li>▪ Local Government Finance Act 1988</li> <li>▪ The Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989.</li> </ul>
Housing Benefit Overpayments	<ul style="list-style-type: none"> <li>▪ The Housing Benefit (General) Regulations 2006, regulations 99 – 107</li> </ul>
Sundry Debts	<ul style="list-style-type: none"> <li>▪ Local Government Act 1972</li> <li>▪ Accounts and Audit Regulations 1996</li> </ul>

If you fail to provide certain information when requested, we may be prevented from complying with our legal obligations to administer and collect outstanding monies owed to the Council. Similarly in not providing your information you may find yourself subject to legal and debt recovery proceedings.

## Information sharing/recipients

We may share personal information about you with the following organisations:

- The Unity Partnership Ltd: The Unity Partnership is a wholly owned council company which provides administers revenues services on behalf of the Council.

- Debt Collection, external solicitors and Tracing Agencies: If you have accrued arrears and we have been unsuccessful in recovering any monies owed or you have absconded without providing a forwarding address.
- Our software providers may have to access to our revenues systems on occasion where there is a fault, to perform necessary upgrades, or to host information on our behalf. Our current software providers are:
  - Capita PLC – We use Capita Advantage to administer and enforce the collection of Council Tax, Non-Domestic Rates, and Housing Benefit Overpayments. We also use Capita One Digital for our online services.
  - Unit4 – We use the Unit 4 A1 system to administer and enforce the collection of sundry invoices.
  - Onestep Solutions LLP – We use Onestep to administer the collection of arrears through Council employed Enforcement Agents. Without the use of this software the Council wouldn't be able to use internal Enforcement Agents to collect arrears. Onestep also allows the Council to send SMS txt message reminders to taxpayers to request they contact prior to arrears being passed to Enforcement Agents.
- If you have not made payments as required we may also share information with our software provider to enable us to issue SMS text message reminders.
- Local Government and Social Care Ombudsman: We may share information when requested as part of any ongoing complaint investigation.
- HM Courts and Tribunals Service (HMCTS): If we are required to take legal action to recover monies you owe, we will share necessary information with the HMCTS to ensure legal proceedings commence.
- Valuation Tribunal (VT): We may share information when requested as part of a VT appeal.
- Credit Reference Agencies: We may share your details to verify your entitlement to Council Tax discounts.
- Department for Works and Pensions: we may share your details for the purpose of requesting a deduction from your benefits for unpaid arrears.
- Your employer: we may share your details for the purpose of requesting an attachment to your earnings.
- Valuation Office Agency: We may share your details in order to obtain a Council Tax band for your property.
- Printing and Mailing Companies: We may share your details for the purposes of issuing Council Tax bills and Reminder Notices.
- Cabinet Office: We participate in the Cabinet Office's National Fraud Initiative, a data matching exercise to assist in the prevention and detection of fraud. We are required to provide particular sets of data to the Minister for the Cabinet Office for matching for each exercise. This data may then be passed on to other public bodies to investigate any matches.

We may share your information with other departments within the Council, if there is a legal basis to do so. Where this happens, data sharing agreements are in place to control the use of this data. These services currently include:

- Children's Safeguarding: To enable the Council to provide local Council Tax discounts to Care leavers up to the age of 25
- Environment Health: to support housing enforcement activities in relation to empty or properties subject to legal action due to disrepair or abandonment.
- Children Missing in Education: The Council has a statutory duty to ensure that we are able to establish the identities of children, aged 5 – 16 years, in the borough area who

are not registered pupils at a school, and are not receiving suitable education otherwise than at a school

- School Admissions: To support the School admissions process.
- Electoral Register: to support the administration of the electoral register.
- Client Financial Affairs: To support the processing of fairer charging assessments.

If you provide another person or organisation authority to discuss or to act on your behalf in revenues matters we may share information with them. In all cases we would require evidence you had granted authority before any information is shared.

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.

As well as information collected directly from you, we may also obtain or receive information from:

- Letting Agents: To provide confirmation of occupation and vacation dates for tenants.
- Solicitors: If they obtain relevant information in relation to you whilst acting on our behalf to recover monies owed.
- Landlords: To provide confirmation of occupation and vacation dates for tenants
- Department of Work and Pensions: Information to administer Council Tax Reduction, and confirmation of any deductions from benefit in place.
- Valuation Office Agency: If they make any amendments to Council Tax bands or the rating list.
- Credit Reference Agencies: to confirm entitlement to Council Tax discounts, to verify whether a property is empty, or if you're in arrears to ascertain your ability to pay.
- Other Council Services and other local authorities: To keep our records up to date and to prevent and identify fraud.

## 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](http://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.

In some instances the amount payable in relation to Council Tax and Non-Domestic Rates can change retrospectively to the date they came into effect (Council Tax from 1<sup>st</sup> April 1993

and Non-Domestic Rates from 1st April 1990). Consequently, in order that we are able to refund any money that may become due, we keep the necessary records from those dates

### **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](http://www.oldham.gov.uk/dataprotection)