

DATA PROTECTION PRIVACY NOTICE - HOUSING BENEFIT/COUNCIL TAX SUPPORT AND DISCRETIONARY AWARDS



Why are we collecting your data?

Braintree District Council is committed to protecting and respecting your privacy. This notice is provided to clarify what information the council needs for the purpose of assessing and processing your claim for Housing Benefit or Council Tax support (or both) and discretionary awards. It is necessary for the council to gather, collect, store and process personal information relating to individuals to assess the eligibility of your claim. We will only collect the personal data from you we need in order to provide this service to you. The council puts measures in place to protect the privacy of individuals throughout this process.

For the purposes of data protection, Braintree District Council is the data controller for the personal information you provide. All personal information is held and processed by Braintree District Council in accordance with Data Protection legislation.

Categories of personal data

The council will process some or all of the following personal data where necessary to assess and process your claim and to perform its tasks:

- Names, aliases, photographs.
- Contact details such as telephone numbers, addresses and email addresses.
- Gender, age, marital status, nationality, immigration status, current employment status, national insurance number, family composition and dependants.
- Financial information relating to income, benefits, savings, investments and financial identifiers such as bank account numbers including those of your partner or persons living with you.
- Other relevant information needed to assess your situation, such as your landlord details.
- The personal data we process will include sensitive or other special categories of personal data such as mental and physical health, medication/treatment received.

Lawful basis for processing personal data

The lawful bases for processing your personal data are as follows:

- Compliance with legal obligations – information is required by the council in line with the Local Government Finance Act 1992, Housing Benefits Regulations 2006 and the Council Tax Reduction Schemes (Default Scheme)(England Regulations 2012).
- Public Task - personal information is required to fulfil our functions as a local authority to provide you with Housing Benefit advice and support/Council Tax advice and support.
- Where you have provided your explicit consent to allow us to process your personal data.

Providing accurate information

It is important that we hold accurate and up to date information about you in order to assess your needs and deliver appropriate services. If any of your details change please tell us as soon as possible so that we can update your records. It is an offence to give false statements, withhold any information or fail to disclose any changes in circumstances.

We will not make any decisions about you based on automated processing or send/store your data abroad.

Sharing information

To assess and process your claim for Housing Benefit or Council Tax support (or both), we may get information from third parties or be required to share your personal information with other departments within the Council, other local authorities, police, NHS, landlords, voluntary services or organisations which provide you with help or support, government departments such as the Department for Work and Pensions and Her Majesty's Revenue and Customs. We will check some of the information you have provided with third parties to ensure the information you have provided is accurate.

Where we need to disclose sensitive information such as medical details to a third party, we will do so once we have obtained your explicit consent, or where we are legally required to. We may disclose information when necessary to prevent risk of harm to an individual.

We may also share information with bodies that are responsible for auditing or administering public funds, including the Cabinet Office. The Cabinet Office requires councils to participate in data matching exercises to assist in the prevention and detection of fraud.

We will not disclose any information to other organisations unless we have a legal duty to release information for the purposes of preventing and detecting fraud or crime.

If you fall behind with your rent or council tax payments our housing or council tax staff may need to read your application so that they can help you.

Your rights

The council will only retain your data for as long as necessary. We will retain your information for a period of seven years after all action on your claim has finished. After this time, your information will be securely destroyed. Full details of how long the Council retains information for can be found in our retention policy published on our website.

Data retention

For further details on how we maintain the security of your information, your rights to access the information we hold on you, including correcting or removing your information, please refer to our 'Privacy' page on our website which can be found at www.braintree.gov.uk/privacy. Alternatively you can contact our Data Protection Officer, Ian Hunt on 01376 552525 or email DPO@braintree.gov.uk.

You have the right to lodge a complaint with the Information Commissioners Office (ICO) if you are unhappy with the way in which we have processed your personal information. Further details can be found on our 'Privacy' page on our website at www.braintree.gov.uk/privacy.