

Nottingham City Council Information Compliance

December 2020

We will use the personal data provided by you for a number of reasons, depending on the service or reasons for interacting with you. This is related to Council Tax. We will use your personal data:

- To decide who is liable to pay Council Tax including assessing any entitlement to discounts, exemptions and discounts;
- To administer and facilitate the collection of Council Tax;
- To conduct enforcement action where payment is not made including the recovery of any outstanding amounts;
- To allow us to communicate with you for matters relating to Council Tax, or for any other services that you may have requested or require;
- To protect public funds by detecting and reducing fraud.

When we are conducting these activities, we may need to share your personal data with other organisations, this includes with:

- Our data processors, Northgate Public Services and Nottingham Revenue and Benefits;
- Other Local Authorities
- Courts (when conducting enforcement)
- Enforcement and collections agents when authorised to collect outstanding amounts;
- Credit reference agencies (when conducting enforcement, tracing and to verify information you have given to us);
- Law enforcement agencies in cases of fraud or other criminal activity.

When we process your personal data, we will comply with data protection legislation and enable you to exercise your rights contained within the legislation.

Nottingham City Council are the data controllers for the personal data that is processed about you relating to Council Tax. Nottingham City Council use two data processors, **Northgate Public Services** and **Nottingham Revenue and Benefits** for the administration, assessment and collection of Council Tax.

When we process personal data relating to you, we will only do so when it is necessary and where we have a lawful reason to do so.

Lawful basis for processing

The basis under which the Council uses personal data for this purpose is that it is:

- Necessary for the performance of task carried out in the public interest (**public task**); and
- Necessary for compliance with a legal obligation to which Nottingham City Council is subject (**legal obligation**).

The public task, and legal obligations that necessitate us to process your personal data is contained in the following legislation:

- Local Government Finance Act 1992;
- The Council Tax (Administration and Enforcement) Regulations 1992;
- The Council Tax Reduction Schemes (Default Scheme) Regulations 2012;
- The Council Tax (Reductions for Disabilities) Regulations 1992;
- The Council Tax (Exempt Dwellings) Order 1992;
- Social Security Administration Act 1992;
- Local Government Act 1972;
- Localism Act 2011

The above legislation is the main legislation that contains these legal obligations, but is not exhaustive.

The information provided by you may include the following special categories of personal data:

- Physical or mental health
- Data revealing religious beliefs

Information in these categories is used by the Council on the basis that such use is **necessary for reasons of substantial public interest** and in accordance with the provisions of the General Data Protection Regulation and the Data Protection Act 2018.

Information provided by you may also include criminal data (for example, where there is reason to believe that false information has been provided to obtain a Council Tax Reduction). The basis on which this information is processed is for **statutory reasons of substantial public interest**.

Do you need to provide the information?

You **are** obliged by statute to provide some of the information that is specified here. The Council Tax (Administration and Enforcement) Regulations 1992 allows the Council to request this information from you and obliges you to provide this information.

If you do not provide the information when it is requested in compliance with the above regulations, Nottingham City Council can impose a penalty on you.

How long will NCC retain the data for?

We retain your personal data for a period of seven years in relation to Council Tax. However, we may retain the data for longer in certain circumstances.

Documents in relation to benefits claims will be retained for 10 years after the last action.

Where the matter goes to court, for example when a Liability Order is obtained, all Court papers relating to Council Tax matters will be retained for 12 years from the date of last action.

Can the information be used for any other purpose?

The information provided by you may also be used for the purpose of any other function carried out by the Council. Information about these functions and the legal basis on which information is used for them can be found at <http://www.nottinghamcity.gov.uk/privacy-statement/>

The information will only be used for another purpose where it is lawful to do so.

The General Data Protection Regulation provides for the following rights as prescribed by the legislation:

- A right to request a copy of your information
- A right to request rectification of inaccurate personal data
- A right to request erasure of your data known as 'the right to be forgotten'
- A right to in certain circumstances to request restriction of processing
- A right in certain circumstances to request portability of your data to another provider
- A right to object to processing of data in certain circumstances
- A right regarding automated decision making including profiling

However, Nottingham City Council can restrict the above rights in certain circumstances for example to avoid obstructing an investigation, avoid prejudicing the prevention, detection, investigation or prosecution of criminal penalties or to protect the rights and freedoms of others.

Data Protection Officer

The Data Protection Officer for **Nottingham Revenue and Benefits, and Nottingham City Council** is Naomi Matthews. You can contact the data protection officer at:

Loxley House,

Station Street,

Nottingham,

NG2 3NG

or at data.protectionofficer@nottinghamcity.gov.uk .

Information Commissioner's Office

The Information Commissioner's Office (ICO) website provides guidance on data protection and privacy matters, you can visit the website at www.ico.org.uk. You also have the right to complain to the ICO if you consider that NCC or the Council have processed your personal data incorrectly or that we have breached our obligations to you. You can contact the ICO at:

Wycliffe House,
Water Lane
Wilmslow,
Cheshire
SK95AF

www.ico.org.uk

Further Information

For more information about these rights please refer to our detailed privacy statement at <https://www.nottinghamcity.gov.uk/privacy-statement> .