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<b>Service Area:</b>	Corporate Finance
<b>Work Area:</b>	National Non-Domestic Rate (NNDR) or Business Rates
<b>Contact Details:</b>	01443 863002 <a href="mailto:nndr@caerphilly.gov.uk">nndr@caerphilly.gov.uk</a>
<b>Privacy Notice Name:</b>	NNDR/Business Rates
<b>Description of Privacy Notice:</b>	The Privacy Notice will explain how we will use your information in order to administrate Business Rate accounts.

## How we will use your information

### Your Obligations

#### **You have an obligation to provide the information requested**

You have a statutory obligation to provide us with your data under Section 16 Local Government (Miscellaneous Provisions) Act 1976 (as amended).

We need your business name, trading name, details of the nature of your business, business address and business contact information.

#### **Consequences of not providing the information requested**

If you do not provide us with your data this will mean that we cannot process financial transactions or administrate your account/s.

We may not be able to contact you to correct errors in relation to payments that you may have made or process refunds, apply discounts or exemptions.

If you do not provide this information we may obtain this information from other sources as payment of NNDR is a legal obligation.

### Purpose and legal basis for using your information

#### **Purpose of processing**

The purpose of processing your personal data is to ensure we meet our legal obligations, to collect and recover amounts due to the council, to allow the council to communicate with you in respect of transactions that may have been processed and to protect public funds.

We will use your information for the purposes of billing, collecting and enforcing National Non-Domestic Rate (NNDR), also known as Business Rates, and corresponding with you regarding the administration of this tax. This may involve contacting you for non-payment of these accounts.

In order to do this we need to collect and hold information about you in order to contact you by post, email or telephone. This is to process financial transactions, to update our financial records, to update or maintain your accounts, to allow us to meet our statutory functions effectively and to make best use of public funds.

We are not able to do this if we do not have enough information or correct and accurate information.

We will need your personal information and this may include your name, address and it may also include some sensitive personal information, for example, if you are applying for some types of rate relief.

### **Legal basis for processing**

There is a statutory / public task obligation to process your information detailed below:

The Local Government Finance Act 1988 (as amended), Rating (Empty Properties) Act 2007 (as amended), The Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989 (as amended) and numerous other statutory instrument regulations made under the 1988 Act and other related acts of parliament.

In order for the processing of personal data to be lawful under the General Data Protection Regulations 2016, a valid condition from Article 6 of the Regulations must be identified, which is outlined below:

ie. processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

## **Who will have access to your information**

### **Identity of Data Controller and Data Protection Officer**

The Data Controller for your information is Caerphilly County Borough Council. The Data Protection Officer is:

Ms Joanne Jones  
Corporate Information Governance Manager / Data Protection Officer  
Email: [dataprotection@caerphilly.gov.uk](mailto:dataprotection@caerphilly.gov.uk)  
Tel: 01443 864322

Other Data Controllers may also be responsible for your information, depending on the specific circumstances. Please contact the Service Area for further information.

### **Details of main users of your information**

The Council Tax and NNDR (Business Rates) Section will be the main users of your information.

### **Details of any sharing of your information within Caerphilly County Borough Council**

Information may be shared with our Benefits Section if you are the owner or landlord of a domestic dwelling, such as a flat over a shop, and a tenant living there is claiming a Council Tax Reduction and/or Housing Benefit.

We may also share information with:

- Our Legal Section, internal auditors, Corporate Finance service area and our Customer Services;

- Corporate Finance – Sundry Debtors -To trace debtors recover revenue for the council
- Corporate Finance – Insurance/Risk Section - to establish whether a claimant resides at the given address to protect public funds
- Public Services - Enforcement Officers - to establish landlord/owner/ rateable occupier details regarding fine enforcement
- Environmental Health/Building Control - to secure dangerous structures; assist in serving enforcement notices to correct address for fly-tipping offences, noise pollution, pest control, dog warden service, trading standards.
- Planning – Local Land and Property Gazetteer (LLPG) - to maintain LLPG
- Planning enforcement – to assist in serving planning enforcement notices to correct name and address
- Planning – Licensing – to confirm landlord/owner/ rateable occupier details regarding applications for licenses to sell alcoholic beverages
- Legal Services - To establish landlord/owner/rateable occupier details in respect of various legal matters the council is pursuing
- Economic Development – to confirm that Business Rate is being paid on a property before issuing payment of various grants
- Internal Audit.

### **Details of any sharing of your information with other organisations**

We may share information with:

- We may share your data with relevant enforcement agents and/or debt collection agencies who the council has engaged to collect and recover monies owed to the council.
- We may share your data with specific third parties we have engaged to locate absconded ratepayers.
- We may share your data with the HM Court & Tribunal Service in order to exercise our legal obligations to recover unpaid amounts due to the council.
- We may share your data with the Her Majesty's Revenues and Customs (HMRC) Valuation Office for the purposes of determining the non-domestic rating rateable value of your property, in order to calculate your non-domestic rate liability.
- We may share your data with HMRC to prevent and detect fraud.
- We may share your data with insolvency practitioners regarding unpaid business rates.
- We may share some of your information with the Welsh Government (WG). For further information on how WG will use your information please click this link: [privacy notice](#).
- We may share your data (name and address details only) with credit reference agencies who the council have engaged to assist in the collection and recovery of monies owed to the council.
- We may share your information with the Land Registry under The Land Registration (Amendment) Rules 2008 to help us identify the legal owner of a property for business rate purposes.
- We may share your information with other public bodies or organisations using data matching techniques to collect taxes detect and prevent fraud on the public purse or to assist in the investigation and detection of crime, the prosecution of offenders, protection of property and to maintain law and order.
- We may share your data with our external auditors for the purposes of complying with the accounts and audit regulations in the annual audit of the council's annual financial accounts.

## **Details of any external Data processors**

HMRC Valuation Office may process your data regarding the assessment and appeals processes for rateable values of your non domestic property

The Insolvency Service may process your data if you apply for a moratorium under The Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020.

## **Requests for information**

All recorded information held by Caerphilly County Borough Council may be subject to requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Data Protection legislation.

If the information you provide is subject to such a request, where possible Caerphilly County Borough Council will consult with you on its release. If you object to the release of your information we will withhold your information if the relevant legislation allows.

## **How long will we retain your information?**

### **Details of retention period**

How long Caerphilly County Borough Council retains information is determined through statutory requirements or best practice.

Your personal data will be held for the life of your business rate account and liability or obligations to the council. Once a liability order has been obtained for a business rate debt there is no time limit relating to the collection of the amount and as such records need to be retained to continue with that action.

## **Your Rights (Inc Complaints Procedure)**

### **Your rights under the Data Protection**

Data Protection gives data subjects (those who the information is about) a number of rights:

- The right of subject access – Application forms for this process are available on our website: [SAR Form](#)
- The right to be informed
- The right of rectification
- The right to erasure
- The right to restrict processing
- The right to object
- The right to data portability
- Rights in relation to automated decision making and profiling.

Further information on your rights is available from: [www.ico.org.uk](http://www.ico.org.uk).

To enact your rights please contact the service area detailed on the top of this form.

### **Complaints Procedure**

If you are unhappy with the way that Caerphilly County Borough Council has handled your request / information, you have the right of complaint. Please contact the Service Area

detailed at the top of this document outlining your issues.

If you remain unhappy you also have a right of complaint to the Information Commissioner's Office. Please follow this link for further information on the complaints process.

[www.caerphilly.gov.uk/My-Council/Data-protection-and-freedom-of-information/Questions-and-complaints](http://www.caerphilly.gov.uk/My-Council/Data-protection-and-freedom-of-information/Questions-and-complaints)

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# Summary Privacy Notice

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## How we will use your information

The information provided will be treated in accordance with the General Data Protection Regulation. It will be used by authorised employees and external bodies for the following purposes:

The management, administration and collection of a National Non-Domestic Rate (NNDR), to establish eligibility for other forms of statutory relief & allowances; to prevent and detect fraud, in order to collect revenues and protect the public funds; for Electoral purposes; to locate individuals for safeguarding of children or vulnerable adult cases and to assist the Council in delivering public services. If you are in receipt of rate relief(s) in respect of your rate liability, some of this information will be shared with the Welsh Government (WG) so that WG can complete its public duty.

You have a number of rights in relation to the information including the right of access to information we hold about you and the right of complaint if you are unhappy with the way your information is being processed.

For further information on how we process your information and your rights please click the following link:

[{Hyperlink to Full Privacy Notice on our website}](#)