



Date Created: 25/05/2018
Date Published: 29/04/2019
Version Number: 1.01

Service Area: Corporate Finance
Work Area: Council Tax
Contact Details: counciltax@caerphilly.gov.uk
01443 863002

Privacy Notice Name: Council Tax
Description of Privacy Notice: The Privacy Notice will explain how we will use your information in order to administrate Council Tax 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 Part 2 of The Council Tax (Administration and Enforcement) Regulations 1992 (as amended) made under the powers provided by The Local Government Finance Act 1992 (as amended).

We need to know your name and details of when you occupied your home, and any previous addresses, we may also need to know if any other adults live with you.

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, exemptions or other reductions.

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 Council Tax 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 an exemption or discount for Council Tax.

Legal basis for processing

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

The Local Government Finance Act 1992 (as amended), The Council Tax (Administration and Enforcement) Regulations 1992 (as amended) and numerous other statutory instrument regulations made under the 1992 Act.

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

Data Protection legislation provides extra protection for certain classes of information called 'special personal data'. If any information falls within the definition of special personal data then an additional condition from Article 9 of the Regulations must be identified, as outlined below:

Tax payers or liable persons who are disabled and whose property has been adapted or those or who suffer certain mental impairments may receive reductions, discounts or exemptions from their Council tax liability.

We cannot process or grant these discounts or exemptions without certain additional information which we may request from you or from medical practitioners. There is a public interest in requesting this information from you as it means we can ensure that all persons entitled to a financial reduction in their council tax liability will receive it. We may from time to time need to verify ongoing entitlement to these discounts, reductions or exemptions.

6 (1) This condition is met if the processing—

- (a) is necessary for a purpose listed in sub-paragraph (2), and
- (b) is necessary for reasons of substantial public interest.

(2) Those purposes are—

- (a) the exercise of a function conferred on a person by an enactment or rule of law;
- (b) the exercise of a function of the Crown, a Minister of the Crown or a government department.

In respect of the data sharing with the Office of National Statistics under Section 45A of the Statistics and Registration Service Act 2007:

Article 9(2)(j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on union or Member State law which shall be proportionate to the aim pursued,

respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

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
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 claiming a Council Tax Reduction and/or Housing Benefit. This is to ensure that we are collecting the correct amount of council tax from you and to enable us to assist you if you have any enquiries or queries.

We may also share information with:

- Our Legal Section, internal auditors, Corporate Finance service area and our Customer Services;
- Social Services - to establish residency details of vulnerable adults / those responsible for vulnerable children
- Social Services – Finance - to ensure correct information is used for means-tested help for clients receiving personal care thus resulting in accurate financial assessment
- Social Services – Community Alarms - to establish whether or not clients are eligible for Supporting People funding towards the cost of the alarm service
- Education – Welfare - to identify whereabouts of parents of absent pupils
- Registrar of Births, Marriages and Deaths - to confirm name and address of deceased person and/or executors
- Education - Transport – to assist in determining eligibility for free school transport
- Education - Schools Admissions - to confirm student residency details and other residents (if any) in household
- Education - School Meals – to confirm details of parents of pupils for billing purposes
- Education – Childcare Offer for Wales – to confirm residency of parent(s) within Caerphilly County Borough
- 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 residency details regarding fine enforcement
- Housing – Private Sector Housing – to establish property owner details – facilitate bringing empty homes back into use; assist in correct service of enforcement notices; establish compliance with housing grant and/or loan conditions; confirm eligibility for

- financial assistance; assist in the development of strategic schemes; investigation of formal complaints
- Housing – Area Offices and Rents Section- to confirm residency of potential tenants and locate absconders; to obtain address details of owners not residing in adjoining council properties in order to consult and then to charge for joint repairs; to ensure leaseholder details are correct in order to forward service charge bills and for consultation purposes; to confirm that a person was registered at a property when claiming succession rights to a tenancy.
 - 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
 - Legal Services - To establish residency details in respect of various legal matters the council is pursuing
 - Internal Audit

Details of any sharing of your information with other organisations

We may share information with:

- Relevant enforcement agents and/or debt collection agencies who the council has engaged to collect and recover monies owed to the council.
- Specific third parties we have engaged to verify your entitlement to certain exemptions and discounts.
- Electoral Registration Services to maintain the voters' roll.
- HM Court & Tribunal Service in order to exercise our legal obligations to recover unpaid amounts due to the council.
- Her Majesty's Revenues and Customs (HMRC) Valuation Office for the purposes of determining the correct council tax banding of your property, in order to calculate your council tax liability.
- HMRC to prevent and detect fraud.
- Credit Reference Agencies (name and address details only) with who the council have engaged to assist in the collection and recovery of monies owed to the council.
- Land Registry under The Land Registration (Amendment) Rules 2008 to help us identify the legal owner of a property for council tax purposes.
- 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.
- External auditors for the purposes of complying with the accounts and audit regulations in the annual audit of the council's annual financial accounts.
- Internal Audit.
- Rent Smart Wales to assist them in processing landlord registrations and granting licences to landlords and agents who need to comply with the Housing (Wales) Act 2014.
- Office for National Statistics under Section 45A of the Statistics and Registration Service Act 2007 (as inserted by section 79 of the Digital Economy Act 2017) which permits any public authority to disclose to the Statistics Board any information they hold in connection with their functions. Acquisition of Council Tax data will help ONS in achieving its corporate aims laid out in the 'Better Statistics, Better Decisions' strategy. The aims of this strategy include, but are not limited to; the reduction in respondent burden, replacing survey questions with administrative data sources, delivering an online Census in 2021, and utilising administrative data to work towards replacing the traditional ten yearly Census.

Details of any external data processors

Data in respect of single person discount will be shared when necessary with external organisations which are engaged under contract to contact liable persons in receipt of the discount and share your data with other organisations in order to verify discounts. This is to protect the Council from fraud or error and protect the public purse.

Your information may be processed by an external organisation which is engaged under contract to print and issue new-year annual council tax demand notices on behalf of the Council.

HMRC Valuation Office may process your data in relation to the banding of your property and banding appeals processes for council tax

MAG:NET Solutions (LoCTA) - data regarding council tax payers is processed and shared with other local authorities in order to trace a debtor's whereabouts for the collection of taxes and to prevent and detect fraud.

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

Your personal data will be held for the life of your council tax account and liability or obligations to the council. Once a liability order has been obtained for a council tax 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 Act 1998

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.

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