

Council Tax and Business Rates Privacy Notice

This privacy notice provides information on how we collect, store and process your data as part of our council tax and business rates service provision.

We are committed to protecting your personal information.

The council is the data controller for purposes of the Data Protection Act (2018), and the retained EU law version of the General Data Protection Regulation (EU) 2016/679 ("UK GDPR"), and is also registered as a data controller with the Information Commissioner's Office (ICO) registration number: Z6717508.

As a data controller, we have a responsibility to make sure you know why and how your personal information is being collected. This is according to relevant data protection law.

The primary laws which govern how East Herts Council collects and uses your personal information (known as "Data") are:

- [General Data Protection Regulations \(GDPR\)](#)
- [Data Protection Act \(DPA\) \(2018\)](#)

Why we are collecting your data

We are collecting your data for the purpose of administering local taxation services. As a Billing Authority, we have a statutory duty to establish liability for Council Tax and Business Rates and maintain an accurate register of taxpayers for billing and collection purposes.

We use your information to establish who should pay Council Tax or Business Rates and assess how much tax is due. Our processing activity may include creating accounts, issuing bills, awarding discounts, exemptions and rate relief, collecting payments and taking enforcement action where unpaid liability is owed to the council.

We may use your information where relevant to resolve complaints and protect public funds through the detection and prevention of crime and fraud, including data-matching. We may also undertake consultations in connection with the administration of Council Tax and the Council Tax Reduction scheme. If we use your information for statistical or research purposes we will only use anonymised data.

Sometimes we also receive information about you from other organisations, including the Valuation Office Agency, the Department for Work and Pensions, the Land Registry, landlords and managing agents, credit reference agencies and enforcement agents.

We will use your information to help us confirm your identity when you contact our services. We may also check your information with other sources to ensure the information you have provided is accurate. If you do not provide the information requested you will still be liable as the occupier of the property. If you do not pay when required you could be subject to enforcement action.

What is the legal basis for collecting your data?

The council is collecting this data in accordance with the UK GDPR and Data Protection Act 2018:

- 6(1)(a) you have given consent to the processing of your personal data for one or more specific purposes. You can remove your consent at any time by contacting the Data Protection Officer using the contact details below;
- 6(1)(c) processing is necessary for compliance with a legal obligation to which we are subject, specifically:
 - Local Government Finance Acts 1988 and 1992
 - Council Tax (Administration and Enforcement) Regulations 1992
 - Non-Domestic Rating (Collection and Enforcement)(Local Lists) Regulations 1989
 - Taking Control of Goods Regulations 2014;
- 6(1)(d) processing is necessary in order to protect your vital interests or those of another natural person - In some circumstances we collect special category data about health to administer discounts and exemptions;
- 6(1)(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us;

- 6(1)(f) processing is necessary for the purposes of the legitimate interests pursued by us or by a third party, except where such interests are overridden by your interests or fundamental rights and freedoms.
- 9(2)(b) processing is necessary for the purposes of carrying out obligations or exercising rights we have under social security or social protection law. The relevant legislation we rely on for this is mentioned in 6(1)(c) above.

The data we may collect

The type of personal data we may collect from you is as follows:

- Contact details: including name, address, email address, social media profiles, telephone numbers
- Date of birth, proof of identity, national identifiers, such as National Insurance numbers
- Information about your family and other people living in your household
- Housing information relating your tenancy
- Financial details for purposes of making or receiving payments
- Employment details
- business activities

If you are visited by an Enforcement Agent, audio and video recordings may be captured by body-worn video cameras

We may also collect special category (sensitive data) personal data that may include:

- Physical or mental health details, offences, criminal proceedings, outcomes and sentences.

Who we'll share your data with

We share information with a range of organisations depending on the service being provided and the statutory requirements we have to comply with. We only share information where it is necessary and appropriate to do so and we ensure it is used safely and securely. We require anyone we share information with, or who uses it on our behalf, to do so too. All our staff receive training on data protection and information security. If a taxpayer does not pay we may ask an

enforcement agent to collect the tax due. To fulfil this purpose we will provide some personal data to an enforcement agency.

Your personal data may be shared with:

- other council departments, councils and local government organisations
- other central government organisations and statutory bodies, such as HM Courts and Tribunals Service, the Valuation Office Agency, the Department for Work and Pensions, HM Revenue and Customs, HM Land Registry, HM Prison Service and the Cabinet Office
- ombudsman and regulatory authorities
- contractors or third parties commissioned by the council to process data or provide goods and services, including enforcement agents and IT providers
- specialist public sector service providers who undertake review services on behalf of the local authority, including Single Person Discount Reviews, discounts, exemptions and rates relief
- debt collection and tracing agencies
- the Insolvency Service and Insolvency Practitioners
- credit reference agencies
- law enforcement and fraud prevention agencies, such as Hertfordshire Police and prosecuting authorities
- Housing Associations, landlords and their agents
- voluntary, charitable and community organisations who assist people in need
- internal and external auditors
- the council operates shared services with Stevenage Borough Council and Hertfordshire County Council. We may share your information with one of these partners if necessary to provide these services.

If you have given us your written permission your information may be shared with:

- a named friend or family member, a support worker or other individual authorised by you to act on your behalf, such as a charity or voluntary sector representative.

There are other specific situations where we may be required to disclose information about you, such as:

- where we are required to provide the information by law
- where disclosing the information is required to prevent or detect a crime, including fraud
- where disclosure is in the vital interests of the person concerned

How Long We Will Keep Your Data

We will not keep your data for longer than is necessary, subject to any legal obligations we have to retain the data. For more information, please see the council's [retention schedule](#).

Transferring Data outside the United Kingdom

Your information is not processed outside of the United Kingdom.

Your Rights

You have a number of rights in relation to your personal data. Please note that not all rights are automatic and some may not be available in certain circumstances where a lawful exemption applies.

For more information on your data subject rights, please see our [corporate privacy notice](#).

Automated decision making and profiling

There are restrictions on decisions based solely on automated means without any human involvement, including restrictions on profiling. Your data will not be automatically processed for this purpose, however, if you have any queries, please contact the council's Data Protection Officer.

How to get advice or make a complaint

If you want to discuss any of your data protection rights, you can:

- phone 01279 502148
- send an email to data.protection@eastherts.gov.uk
- Write to us:

Data Protection Officer
East Herts District Council
Wallfields

Pegs Lane
Hertford
SG13 8EQ

Information Commissioners Office (ICO)

The ICO is the national regulator with responsibility for ensuring compliance with data protection.

We would prefer you to contact us first with any concerns, but you can also contact the Information Commissioner to make a complaint:

- on their website
- by phone: 0303 123 1113
- by post: Wycliffe House, Water Ln, Wilmslow, SK9 5AF

Changes to this privacy notice

This privacy notice may be subject to regular review and you will be notified about any changes on our website.