

Privacy Notice Last updated: December 2020

The following information applies to Housing Benefit, Council Tax Reduction, Second Adult Rebate applications, Discretionary Housing Payments and Discretionary Awards of Council Tax.

**Data Controller:**

Tamworth Borough Council

Marmion House

Lichfield Street

Tamworth

Staffordshire

B79 7BZ

**Data Protection Officer:**

Nicola Hesketh

Tamworth Borough Council

Marmion House

Lichfield Street

Tamworth

Staffordshire

B79 7BZ

Email: [data-protection@tamworth.gov.uk](mailto:data-protection@tamworth.gov.uk)

**Retention:**

Records are kept in accordance with the Council's disposal schedule and we will not keep your information for longer than necessary. Our Retention Schedule can be found at:

<https://www.tamworth.gov.uk/sites/default/files/privacy/Retention-Schedule.pdf>

**Rights:** You have certain rights under UK Data Protection law including:

* The right to be informed
* The right of access to your personal data
* The right of rectification (to have any inaccuracies corrected)
* The right of erasure (to have your records deleted)
* The right to restrict processing
* The right to data portability
* The right to object
* Rights in relation to automated decision making and profiling

All rights may not be available to you in all circumstances. Further information about your rights is available on our website at: <http://www.tamworth.gov.uk/privacy-notice> or the ICO Website at: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

**Information Collected**

Name

Address

Date of Birth

Gender

Contact Information

National Insurance Number

Proof of identity

Housing status

Household composition

Income

Employment and training

Benefits and Allowances

Multi-Agency Public Protection Arrangements

Homelessness Status

Banking details

Capital/savings/investments;

**Purpose Collected**

Allow us to calculate your entitlement to Housing Benefit in accordance with the following legislation;

The Housing Benefit Regulations 2006 and subsequent Consequential Amendments and

The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 and subsequent Consequential Amendments This includes the recovery of Housing Benefit overpayments

The Prevention of Social Housing Fraud Act 2014 for the investigation of suspected tenancy fraud

The Rent Officers (Housing Benefit Functions) Order 1997

The Rent Officers (Housing Benefit Functions) (Local Housing Allowance) Amendment Order 2003 and 2005

The Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001 in relation to the handling of appeals

The Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008 and the First-tier Tribunal and Upper Tribunal (Chambers) Order 2010

Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Regulations 2013

Enable us to establish your entitlement to Council Tax Reduction in accordance with The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, Tamworth Council’s Local Council Tax Reduction Scheme Policy and The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013

Establish your eligibility for Discretionary Housing Payments in accordance with The Discretionary Financial Assistance Regulations 2001, Welfare Reform Act 2012, The Housing Benefit (Permitted totals) Order 1996 The Social Security Regulations 2012

**Legal Purpose**

We will only use your personal information when the law allows us to. Most commonly we will use your personal information under **Legal Obligation** as the processing is necessary for us to comply with the law namely:

The Housing Benefit Regulations 2006 and subsequent Consequential Amendments

The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 and subsequent Consequential Amendments. This includes the recovery of Housing Benefit overpayments

The Prevention of Social Housing Fraud Act 2013 for the investigation of suspected tenancy fraud

The Rent Officers (Housing Benefit Functions) Order 1997

The Rent Officers (Housing Benefit Functions) (Local Housing Allowance) Amendment Order 2003 and 2005

The Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001 in relation to the handling of appeals

The Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008 and the First-tier Tribunal and Upper Tribunal (Chambers) Order 2010

Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Regulations 2013

The Social Security Contributions and Benefits Act 1992

The Social Security Administration Act 1992

The Social Security Act 1998

The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

Tamworth Council’s Local Council Tax Reduction Scheme Policy

The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013

The Discretionary Financial Assistance Regulations 2001

Welfare Reform Act 2012

The Housing Benefit (Permitted totals) Order 1996 The Social Security Regulations 2012

Some of your information may also be used:

* to safeguard adults, and children under the Childrens Act 1989
* for the prevention and detection of fraud under Digital Economy Act 2017 (Part 5)
* to ensure the electoral register is accurately maintained in accordance with Section 9A of the Representation of the People Act
* for the prevention of homelessness in connection with the Housing Act (1996) and Homelessness Reduction Act 2018
* to assist with debt management and the collection of money owing to the Borough Council such as rent, Council Tax, or other sundry debts

**Third Parties we might share information with**

We will share your personal information with third parties where required by law or where it is necessary to administer your Housing Benefit, Council Tax Reduction or Second Adult Rebate application. In circumstances where sharing your information is not required by law or is necessary to provide administration, we will collect your consent that the information can be shared. Examples of the organisations we may need to share information with are below, the list is not exhaustive:

Tamworth Borough Council Tenancy Services

Tamworth Borough Council Environmental Health

Tamworth Borough Council Revenues Department

Tamworth Borough Council Elections Department

Tamworth Borough Council Audit Department

Other Local Authorities

The Department for Work and Pensions

Housing Associations

Private Landlords

Citizens Advice Bureau

Welfare Services

Staffordshire County Council

HM Revenues and Customs

Credit Reference Agencies

Banks and other organisations that may lend you money

Appointees or representatives

**Third-Party Service Providers – Which third parties process my personal information?**

Third-Party Service Providers are companies who process your information on Tamworth Borough Council’s behalf.

DWP and local authorities work together and share information often to provide a number of services. DWP and local authorities are joint data controllers for Housing Benefit and, in England and Wales, for Discretionary Housing Payments.

The following third parties process personal information about you for the following purposes:

**Capita –** The Council’s IT provider Capita may have to access the Benefits system on occasions where there is a fault

**PSL -** the Council shares your details for the purposes of distributing letters

**Civica -** The Council’s IT provider Capita may have to access the Benefits system on occasions where there is a fault

**TransUnion –** For the use of a Risk Based Verification tool to analyse the level of evidence required to support a claim for Housing Benefit and/or Council Tax Reduction

**How secure is my information with third-party service providers?**

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with the GDPR regulations. Our third-party service providers are not permitted to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

Your personal data is processed (including storage) within the European Economic Area only.

**More information**

Tamworth Borough Council‘s Privacy Notice can be found at: <http://www.tamworth.gov.uk/privacy-notice> or a hard copy provided upon request.

If you have a concern about the way that we are collecting or using your personal data, we ask that you contact us in the first instance. Alternatively, you can [contact the Information Commissioner's Office](https://ico.org.uk/concerns).

This Privacy Notice may change from time to time and will be subject to annual review. The last known update/review date can be located at the top of the page.

By regularly reviewing this page you will ensure that you are always aware of what information we collect, how we use it and under what circumstances, if any, we share it with others.