

## **Data Protection Privacy Notice**

Service: Revenues and Benefits Service

Team: Benefits

Processing activity: Administration of Housing Benefit and Council Tax Reduction

### **The Data Controller**

East Devon District Council's Revenues and Benefits Service

Address: Blackdown House, Border Road, Heathpark Industrial Estate, Honiton, EX14 1EJ.

Contactable by emailing [benefits@eastdevon.gov.uk](mailto:benefits@eastdevon.gov.uk) or by calling 01395 517446.

### **The Data Protection Officer**

Contactable by emailing [dataprotection@eastdevon.gov.uk](mailto:dataprotection@eastdevon.gov.uk)

### **Obtaining your personal information**

We are likely to have been provided with the information by you a Landlord or property agent or as an applicant for Housing Benefit, Council Tax Reduction, Discretionary Housing Payment or Exceptional Hardship Fund. Your information may be referred to us by a third party such as The Department for Work and Pensions and the Pension Service, a Landlord, Agent, Welfare advice agency or another service area within the council. The information we will hold is your name, national insurance number, date of birth, contact details and medical and financial information. We will also hold these details for any partner you may have, along with details confirming names, dates of birth and, where relevant, national insurance numbers and financial details of other members of your household. The administration of benefits will include various activities to ensure the accuracy and timeliness of benefit payments such as calculation of entitlement; processing of payment files; internal and external audits; system maintenance; and quality assurance checks.

Some benefit decisions may be made through automated processes, such as yearly rent increases. If you would not like your claim to be dealt with using automated processes, please contact us at [benefits@eastdevon.gov.uk](mailto:benefits@eastdevon.gov.uk)

When assessing eligibility for support we may also obtain information about you, your household, your employment and income details from the Department for Work and Pensions, His Majesty's Revenues and Customs, the Home Office, The Pension Service, employers, Landlords and agents and other service areas of EDDC.

Where we process special category data relating to your health, in connection with assessing eligibility for support, this will only be processed in accordance with Article 9 of the UK General Data Protection Regulation.

### **Use of your personal information**

We are using your personal information for the purpose of administering Benefits (including Housing Benefit, council tax reduction, discretionary housing payment, exceptional hardship fund applications and recovering Housing Benefit overpayments) on the basis of a legal obligation and public task under the Social Security Administration Act 1992, Housing Benefit General Regulations 2006 (as amended), Housing Benefit (persons who have attained the qualifying age for state pension credit) Regulations 2006 (as amended), Welfare Reform Act 2012, The Discretionary Financial Assistance Regulations 2001, EDDC Council Tax Reduction Scheme Policy, The Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2013 (as amended) and EDDC Council Tax Discretionary Discount Policy.

We may also use your contact details and case history to communicate with you when we are consulting on, or implementing, changes to the council tax reduction working-age scheme in accordance with our obligations under the Local Government Finance Act 2012.

We will use your data in profiling to help to inform us of where additional local welfare support funding for low-income families, such as administration of the Household Support Fund, EDDC's hardship funds, EDDC's action on poverty funding should be utilised. In addition, we will use your data to help inform policies and work we are completing under our Poverty Strategy. When using your data for informing policies and targeted support, your data will be anonymised. As a result of this you could be allocated a payment from welfare funds. If you would like us to review any automated decision made, or you would like your details removed from the dataset we use, you can contact us at [hardship@eastdevon.gov.uk](mailto:hardship@eastdevon.gov.uk)

### **Who will receive or see my personal information?**

Your personal information will be available to be seen by those within the Revenues and Benefits Service for the purpose of assessing and administering your application, recovering any Housing Benefit overpayments and by our support services (such as the Legal and Finance Teams and third party payment handler) where necessary to carry out the purpose and supporting functions such as payment of housing benefit to your bank account.

Your data will be provided to internal service areas including Housing, Electoral Services, Environmental Health and Council Tax for the purpose of carrying out our regulatory functions and legal obligations including those under the Homelessness Reduction Act 2017 and the Environmental Protection Act and for the purpose of identifying and preventing fraud

We may also share information with our corporate safety officer when our staff safety is viewed as being at risk. Information may also be shared with partner agencies during safeguarding investigations; for fraud identification and prevention; and in relation to our Prevent duty pursuant to the Counter Terrorism Act and associated legislation.

Externally, we may share information about you with other billing authorities for the purpose of recovering debt; and your name, national insurance number, date of birth, household composition, payment and account information with the Child Support Agency, DWP, NFI, credit reference companies; HM Courts and Tribunal Services and HMRC for the purposes of assessing liability and for fraud identification and prevention.

Your claim information is processed by external printers acting on the council's behalf and is scanned by our IT company.

With your consent, we may also share financial information with EDDC's financial resilience team for the purpose of preventing homelessness and providing financial resilience support and access to discretionary funding from Local Welfare Funding and our Private Sector Housing team for the purpose of assessing eligibility for energy efficiency support. Your contact information may also be shared with local Foodbanks, Exeter Community Energy and other partners providing resilience support. We may also discuss your application with your Landlord where authorised, by you, or where regulations require us to do so.

Information about debts owed by you to the council may be provided to the insolvency service in response to requests received under the The Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020

Your personal information will be stored securely and will not be accessible to anyone else, including other services within the Council, unless detailed above.

## **Retention**

All your personal information will be held by us only for as long as is necessary and then in accordance with any legal requirements imposed upon us and the Council's retention schedule. For more information please go to our website to view our [Retention schedule](#)

## **Transferring personal information outside of the EU**

Your personal information will not be transferred outside the EU or to any international organisations by the Council. It should be noted that the Council has no control over those accessing its online public registers nor what someone does with any information they obtain from them.

## **Your Rights**

Whatever our use of your personal information you have the right of access to that personal information (this means confirmation that we are using your personal information, access to it as well as other detail) and the right to seek rectification if the information is inaccurate. In the event that we become aware that information held by another agency, such as the DWP, is incorrect, we have a responsibility to notify them of the correct details.

We may only be able to provide you with information that has not originated from another organisation or agency. On occasion we may need to check with the relevant agency before we can release information. We will advise you if this is the case. For example, we might not be able to give you all of the information provided to us by DWP without checking with them first. You will still be able to ask DWP for this information directly.

As we are processing your personal data on the basis of legal obligation and public task you also have the right to object and the right to restrict processing and where we are processing special category data with your consent, you have the right to withdraw your consent.

Also, if you object to our use of your personal information and there is no overriding legitimate interest for us to continue using it or we have used your personal information unlawfully or it is no longer necessary for us to have the personal information, the right to erasure is also available to you.

Details on each of these rights and to how you exercise can be found on our website in the [Your Rights](#) pages.

## **Complaints**

If you are dissatisfied with the way the Council has used your personal information then you may wish in the first instance to make a complaint to the Data Protection Officer. This can be done by;

Writing to: Data Protection Officer, Information and Complaints, East Devon District Council, Blackdown House, Border Road, Heathpark Industrial Estate, Honiton, EX14 1EJ.

You can also email: [dataprotection@eastdevon.gov.uk](mailto:dataprotection@eastdevon.gov.uk) or call 01395 517417.

Alternatively, or if you remain dissatisfied following your complaint to the Data Protection Officer, you may lodge a complaint with The Information Commissioner. The Information Commissioner is the UK's independent body set up to uphold information rights. The ICO can help and advise you on all matters relating to data protection.

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow

Cheshire  
SK9 5AF

Tel: 0303 123 1113

Information Commissioner's Office [website](#)