

# Privacy Notice

The Council is required by law to protect the public funds it administers. It may share information provided to it with other bodies responsible for: auditing or administering public funds, or where undertaking a public function, in order to prevent and detect fraud.

The Cabinet Office is responsible for carrying out data matching exercises.

This privacy notice relates to personal data processed in connection with the Cabinet Office's data matching exercises, which include participation in the data matching exercises conducted by the National Fraud Initiative ("NFI").

This notice applies to potential, current and former customers, creditors, suppliers and employees of any service of the Council. It is important that you read this notice so that you know how and why we use information about you and how the Council participates in the data matching exercises conducted by the NFI. It is also important that you inform us of any changes to your personal information so that the information which we hold is accurate and current.

## **DATA MATCHING**

Data matching involves comparing computer records held by one body against other computer records held by the same or another body. This is usually personal information. Computerised data matching allows potentially fraudulent claims and payments to be identified. Where a match is found it indicates that there is an inconsistency which requires further investigation. No assumption can be made as to whether there is fraud, error or other explanation until an investigation is carried out.

We participate in the Cabinet Office's National Fraud Initiative: a data matching exercise to assist in the prevention and detection of fraud. We are required to provide particular sets of data to the Cabinet Office for matching for each exercise, details of these can be found at the following website:

<https://www.gov.uk/guidance/national-fraud-initiative-public-sector-data-requirements>

The use of data by the Cabinet Office in a data matching exercise is carried out with statutory authority under Part 6 of the Local Audit and Accountability Act 2014 (LAAA). It does not require the consent of the individuals concerned under the General Data Protection Regulations (GDPR).

Data matching carried out as part of the NFI is subject to a Code of Practice. This may be found at:

<https://www.gov.uk/government/collections/national-fraud-initiative>

Date of Issue: January 2023

Update History:

January 2023	First issue of a new Privacy Notice

Directorate: Resources  
Service: Strategy and Governance  
Team: Legal Services

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## About the Organisation

The Council is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address:

West Berkshire District Council  
Market Street  
Newbury  
Berkshire  
RG14 5LD

ICO Registration Number: **Z6825178**  
<https://ico.org.uk/ESDWebPages/Entry/Z6825178>

## The Data Protection Officer

Contact details for the Data Protection Officer at the Council can be found at:  
<https://www.westberks.gov.uk/contact-data-protection-team>

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## **THE PERSONAL DATA WE HOLD ABOUT YOU**

The information to which data matching relates is personal information that you provide when making a claim or applying for:

- payroll
- pension
- taxi driver licence
- market trader license - voluntary
- personal alcohol licence - voluntary
- social housing (current tenants and individuals on a housing waiting list)
- right to buy (completed and in progress)
- transport pass and permit (including residents' parking, blue badges and concessionary travel)
- council tax reduction scheme
- council tax
- universal credit
- housing benefits
- other state benefits
- COVID-19 financial support
- help with NHS health costs
- electoral register
- social care
- personal budget

## **SPECIAL CATEGORIES OF PERSONAL INFORMATION**

Included in the above list are certain special categories of personal information which includes medical and equality information.

## **SOURCE OF YOUR PERSONAL DATA**

Most of the personal information the Council process is provided to us directly by you or your representative for one of the following reasons:

- as part of an application for a service, discount or benefit
- supplier or contract for a service or product
- employee payroll

## **LEGAL BASIS FOR PROCESSING YOUR PERSONAL DATA**

The purpose for which we are processing your personal data is to assist in the prevention and detection of fraud.

In accordance with the data protection laws, we need a "legal basis" for collecting and using information about you. There are a variety of different legal bases for using personal data which are set out in the data protection laws.

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We have set out below the different purposes for which we collect and use your personal data, along with the legal basis we rely on to do so.

Why we use your information	Our legal basis for using your information
<p>The Council is required by law to protect the funds we administer. We may share information provided with others responsible for auditing or administering public funds to prevent and detect fraud.</p>	<p><b>Legal Obligation</b> Article 6(1)(c) UK GDPR</p> <p><b>Public Task</b> Article 6(1)(e) UK GDPR processing is necessary for the performance of a task carried out in the public interest.</p> <p>The legal basis for processing your special category personal data is:</p> <p><b>Substantial Public Interest:</b> Article 9(2)(g) UK GDPR: processing is necessary for reasons of substantial public interest, on the basis of 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.</p>

## SHARING YOUR PERSONAL DATA

The Council use the information that you have given us in order to enable the Council to fulfil its financial responsibility and regulatory requirements in preventing and detecting fraud or error.

Data will be submitted to the Cabinet Office and shared with other NFI participants including public and private sector organisations.

In addition, your data will be seen by employees of the Council relevant to the service or information request you have made.

We may also share your data if we are required to do so by law, for example by court order or to prevent fraud or other crime.

## RETAINING YOUR PERSONAL DATA

Your personal data will not be kept longer than necessary. You can check how long the organisation will keep each type of data against West Berkshire Council's retention schedule ([www.westberks.gov.uk/retention](http://www.westberks.gov.uk/retention)).

Data extractions prepared for submission to the NFI and data downloads from the Cabinet Office are held by us until the next NFI exercise commences. In addition, progress reports concerning the results of participation in the NFI are presented to our Audit Committee. The Cabinet Office have their own NFI privacy notice and retention periods.

## YOUR RIGHTS

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

## HOW TO MAKE A REQUEST

If you wish to make a request associated with any of the rights listed above, contact the Council using the contact details at the top of this notice.

## INTERNATIONAL TRANSFERS

Your personal data will not be processed outside the UK or by an international organisation.

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## COMPLAINTS

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. Further information can be found at: <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/>

The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
0303 123 1113

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

## CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

Enquiries about this notice can be submitted to Data Protection Officer, Strategic Support, West Berkshire Council Offices, Market Street, Newbury, West Berkshire RG14 5LD Tel: 01635 519591. Email [dp@westberks.gov.uk](mailto:dp@westberks.gov.uk)

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