

Perth and Kinross Council Privacy Notice

Housing Benefit and Council Tax Reduction

2019-07

Details of process for which personal information is being used: to assess and process applications for Housing Benefit , Council Tax Reduction and Welfare Services.

Who is processing this information?

The personal information you've provided will be processed by Perth and Kinross Council, 2 High Street, Perth, PH1 5PH, enquiries@pkc.gov.uk , 01738 475000.

Why is this information being processed?

The information provided by you, the Department for Work and Pensions (DWP), Her Majesty's Revenues and Customs (HMRC), Scottish Government or other organisations will be used by Perth and Kinross Council to process your claim for Housing Benefit, Council Tax Reduction or Local Welfare Services.

This information will also be used to review your ongoing entitlement to Housing Benefit, Council Tax Reduction or Local Welfare Services.

Why is it lawful for the Council to process this information?

The Council is permitted to process your personal data in this way because it has a legal obligation to pay Housing Benefit (under the terms of the Social Security Contributions and Benefits Act 1992) and Council Tax Reduction (under the terms of the Council Tax Reduction (Scotland) Regulations 2012) if an application is received from an eligible household.

The Council is also obliged (under the terms of the Welfare Reform Act 2012) to share information with the DWP and HMRC in order to administer welfare benefits.

The Council has to ask for evidence when it is assessing your eligibility to receive Housing Benefit and/or Council Tax Reduction. Details of the evidence we have to ask you for are set out in legislation – the Housing Benefit Regulations 2006, Housing Benefit Regulations (State Pension Credit) 2006, and the Council Tax Reduction (Scotland) Regulations 2012. This information may be provided to us in a variety of formats including electronically, by post, in person or by telephone.

Sometimes this information is provided to Perth and Kinross Council by other organisations such as Department for Work and Pensions (DWP) or Her Majesty's Revenue and Customs (HMRC) or 3rd parties such as Social & Private Sector Landlords. Information may be provided by other Council departments where the law allows for this or through initiatives such as 'Tell Us Once'. Formally, the processing of personal data provided to us for this purpose satisfies Article 6(1)(c) of the *General Data Protection Regulation - Processing shall be lawful...to the extent that:* processing is necessary for compliance with a legal obligation to which the controller is subject

Some of the personal information that the Council processes when assessing and paying these benefits – such as information about medical conditions - is more sensitive, and is known as Special Category Data. When the Council is processing Special Category Data it has to provide details of why it's lawful for us to do so. In the case of benefit payments the Council is allowed to process this information under the terms of Article 9(2)(b) of the GDPR which permits the processing of information to carry out obligations in relation to social security.

Will this information be shared?

Your personal information will be shared with third parties, including the DWP, The Scottish Government, HMRC, HM Court and Tribunal Service, National Fraud Initiative (NFI) and Auditing Bodies. It's necessary for us to share information in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law. The Council may also check information provided by you, or information about you provided by a third party, with other information held by us.

The Council is permitted to share information with landlords relating to a payment of Housing Benefit that has been issued to that landlord. In some instances, the Council may issue invoices to landlords for the purposes of recovery of overpaid Housing Benefit. The Council is not permitted to discuss any other matter with a landlord without the consent of the data subject.

How long will this information be kept for?

Personal information held on Perth and Kinross Council systems in relation to Housing Benefit, Council Tax Reduction and other benefits is kept for 6 years after your claim has ended. After this it will be deleted or anonymised if deletion is not possible or practical.

Personal Information Rights

Individuals have rights in relation to the information the Council holds about them, including the right to request a copy of their information. You can find out more about your [Personal Information Rights](#) on our website or by contacting the Council's Information Governance team at the address below.

Data Protection Officer

The Council has a Data Protection Officer who you can contact in the first instance if you have any questions or complaints about how we are processing your personal information.

Please contact Data Protection Officer, 2 High Street, Perth, PH1 5PH, DataProtection@pkc.gov.uk, 01738 475444.

Information Commissioner's Office

If you want to complain about how the Council has processed your information you have the right to contact the Information Commissioner's Office (<https://ico.org.uk/> 0303 123 1113).

Information Governance Team

If you have any questions about how the Council processes your information, or if you would like a copy of this notice in another language or format, please contact the Information Governance team;

Information Governance

Legal and Governance Services

2 High Street

Perth

PH1 5PH

Email: DataProtection@pkc.gov.uk

Telephone: 01738 477933

