

**Durham County Council  
Privacy Notice  
Corporate Fraud Team  
Data Matching/Mismatching**

**1. Who we are and what we do**

**Who we are:**

Durham County Council  
Internal Audit, Risk & Fraud  
Corporate Fraud Team

For the purposes of Data Protection, Durham County Council is the Data Controller for your information.

**What we do:**

Durham County Council has a responsibility to protect the public purse and recognises the potentially significant risk that fraud and corruption pose to the achievement of the Council's aims and objectives. The public also expects the Council to safeguard public funds and ensure they are available and used for their intended purpose that of providing services for the residents and service users of the Council.

As part of this responsibility the Council actively participates in the National Fraud Initiative (NFI), a national data matching exercise currently run by the Cabinet Office under its statutory powers.

As well as the NFI, under the Council's Counter Fraud and Corruption Strategy and within the Counter Fraud Operational Plan, a programme of local data matching/analytical exercises is also included to proactively seek out fraud and error in areas identified as being at risk of fraud.

The Corporate Fraud Team has data warehousing software which allows for this programmed work to be carried out, by collecting data from various sources both internally and from external organisations i.e. other Local Authorities.

For further information about the services available please contact the Corporate Fraud Team on:

Telephone: 03000 266745

Email: [corporatefraudteam@durham.gov.uk](mailto:corporatefraudteam@durham.gov.uk)

Website: [www.durham.gov.uk](http://www.durham.gov.uk)

In person: County Hall, Durham, DH1 5UL

**2. What type of personal information do we collect and how do we collect it?**

**What type of personal information do we collect**

The majority of personal information we collect is electronic but we can receive paper documents to collect personal information to deliver the service.

We may collect the following types of Personal Data:

- Name;
- Contact details (addresses, telephone numbers, email addresses etc);
- Date of birth;
- National insurance number;
- Details of family and household members;
- Financial information;

- Current employment and employment history;
- Identity information (passports, driving licenses, birth certificates);
- Vehicle information;
- Photographs and video footage;

Special category data:

- Health information, such as evidence for injuries for an insurance claim or evidence to assist investigations into potential blue badge fraud or direct payment fraud.

For the data warehousing software, we receive monthly data extracts of current personal information from the following areas:

- Blue Badge
- Council Tax
- Council Tax Reduction
- Direct Payments
- Electoral Role
- Housing Waiting List
- Insurance
- Licenses
- Livin Social Housing
- National Non Domestic Rates
- Payroll
- Pension

The NFI and local data matching allows the comparison of various data sets against other data sources to help detect potential fraud and error in areas such as blue badges, concessionary travel, council tax, creditors, electoral role, housing benefit, housing waiting list, licensing, payroll and pensions. The main NFI data matching exercise currently occurs over a two year cycle but is moving to real-time and 'near' real-time fraud prevention activity. A supplementary NFI exercise takes place annually in relation to the Electoral Register and Council Tax Single Person Discounts. Local data matching can be done in real time and there will be a programmed activity within the Counter Fraud Operational Plan.

We may collect information about you in the following ways:

- Most of the personal information we hold is provided by you in applications and the supporting information you include with it;
- Paper forms;
- Online information;
- Communication with yourself (telephone, in person, written);
- Information received from a third party / external organisation;
- Allegations of fraud reported direct to the Corporate Fraud Team.

The legislation that allows us to collect this information is:

- Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013;
- Prevention of Social Housing Fraud Act (Power to Require Information) (England) Regulations 2014;
- Local Government Finance Act 1992;
- Regulation of Investigatory Powers Act 2000;
- Criminal Procedures and Investigations Act 1996;

- Police & Criminal Evidence Act 1984;
- Freedom of Information Act 2000;
- Data Protection Act 1998;
- Public Interest Disclosure Act 1998;
- Part 6 of the Local Audit and Accountability Act 2014;
- Digital Economy Act 2017.

The legislation that allows us to prosecute is:

- Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013;
- Prevention of Social Housing Fraud Act (Power to Require Information) (England) Regulations 2014;
- The Fraud Act 2006;
- Forgery and Counterfeiting Act 1987;
- Computer Misuse Act 1990;
- Identity Card Act 2006;
- The Bribery Act 2010;
- Welfare Reform Act 2012;
- Housing Act 1996;
- Road Traffic Regulation Act 1984;
- Proceeds of Crime Act 2002;

### 3. What is our power to obtain and use the personal data?

#### Lawful Basis (Article 6)

- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- processing is necessary for compliance with a legal obligation to which the controller is subject;
- processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

#### Conditions from Article 9

Conditions for processing special category data are known under Article 9.

- processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law;
- processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- processing is necessary for reasons of substantial public interest

#### **4. What is your personal information used for?**

We use your personal information:

- To prevent, detect and prosecute fraud and other crime;
- To protect the public purse
- To verify that the information you have supplied is correct and accurate. Where necessary, we will do this by verifying your information with the other Local Authorities and Government Departments for example.

It is the Council's intention to continue with the existing arrangements and further explore opportunities for data matching both internally between services and externally with neighbouring authorities, and develop links with other external agencies, to enhance opportunities for information sharing.

Data matching is carried out by the Corporate Fraud Team to assist the corporate framework to help counter any fraudulent activity. The team proactively use council data to assist the prevention and detection of crime.

The sharing of fraud intelligence between authorities via restricted internet forums and groups is critical in alerting to rising fraud trends and is a mechanism the Council actively engages in. The Council receives regular data analysis and fraud information alerts from its memberships.

#### **5. Will your personal information be shared?**

Your personal information can be shared if the law allows this. We do investigate and share information with other local authorities, other law enforcement agencies and any partners that we have service level agreements in place.

We may also enter into specific information sharing arrangements with partners such as local authorities where it would support our statutory functions. Any information sharing is managed in accordance with relevant privacy and data protection legislation.

The Corporate Fraud Team also shares personal information with, (and receives information from) a number of other organisations as part of our prevention and detection of fraud. Such organisations may include the Police, Home Office, Cabinet Office, DWP, Registered Social Landlords and Local Authorities. Any information sharing is managed in accordance with relevant privacy and data protection legislation.

We have data sharing agreements with:

- County Durham Housing Group – we investigate Tenancy Fraud on their behalf and therefore could share your personal data to prevent and detect fraud
- Livin Housing - we investigate Tenancy Fraud on their behalf and therefore could share your personal data to prevent and detect fraud
- Gateshead Metropolitan Council
- Newcastle City Council
- Durham Constabulary

If you would like confirmation of who we do share information with please contact us.

## 6. How do we keep your personal information secure?

The security of your personal information is important to us. This is why we follow a range of security policies and procedures to control and safeguard access to and use of your personal information.

Examples of our security include:

- Encryption, meaning that information is hidden so that it cannot be read without special knowledge (such as a password). This is done with a secret code or what's called a 'cypher'. The hidden information is said to then be 'encrypted';
- Controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it;
- Training for our staff allows us to make them aware of how to handle information and how and when to report when something goes wrong;
- Regular testing of our technology and ways of working including keeping up to date on the latest security updates (commonly called patches).

## 7. How long will we keep your personal information?

After we deliver a service to you, we have to keep your information as a business record of what was delivered. The type of service will determine how long we have to keep it. Our corporate and service retention guidelines [\[insert hyperlink\]](#) show how long we keep it for different purposes. This ranges from months for some records to decades for more sensitive records.

The retention periods for this Corporate Fraud Team are as follows:

➤ <u>Type of personal information</u>	➤ <u>Retention period</u>
<ul style="list-style-type: none"><li>• Data Warehousing Extracts in Corporate Fraud System.</li></ul>	- 1 month  Note: Each month a new data extract is loaded and replaces the previous month.
<ul style="list-style-type: none"><li>• Data Warehousing Extracts received from Service Areas (stored in Fraud &amp; Error folder).</li></ul>	- Date loaded into Warehouse + 1 year
<ul style="list-style-type: none"><li>• National Fraud Initiative</li></ul>	- Current and previous exercises kept only.  Note: will follow Cabinet Office retention guidance.

## 8. Is your personal information processed overseas?

We do not process your personal information outside the EU.

## 9. Marketing (if applicable)

At no time will your information be passed to organisations external to us and our partners for marketing or sales purposes or for any commercial use without your prior express consent.

## 10. What are your Information Rights?

Your Information Rights are set out in the law. Subject to some legal exceptions, you have the right to:

- to have any inaccuracies corrected;
- to have your personal data erased;
- to place a restriction on our processing of your data;
- to object to processing; and
- to request your data to be ported (data portability).

**If you wish to exercise your information rights, please contact the Data Protection Officer** at [DPO@durham.gov.uk](mailto:DPO@durham.gov.uk) or alternatively write to DPO, Room 143-148, Floor 4, County Hall, Durham County Council, DH1 5UF.

You also have the right to request a copy of the personal information council holds about you. To do this, you can apply online or download an application form from the [DCC website](#) or you can contact the data protection team at [dataprotection@durham.gov.uk](mailto:dataprotection@durham.gov.uk)

To learn more about these rights please see the [ICO website](#).

If something goes wrong with your personal information, or you have questions about how we use it, please contact the Data Protection Officer at [DPO@durham.gov.uk](mailto:DPO@durham.gov.uk) or by calling 03000 268050.

If we have not been able to deal with your complaint, you can also contact the [Information Commissioner's Office](#):

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

**Telephone:** 0303 123 1113 (local rate) or 01625 545 745

**Fax:** 01625 524 510