

DATA PROTECTION PRIVACY NOTICE FOR THE BUSINESS ASSURANCE COUNTER FRAUD TEAM

Why are we providing this Notice to you

The Council, in its capacity of Data Controller, holds certain information about you ("personal data") which it needs to process for the purpose of providing the following service - Business Assurance Counter Fraud Team (BACFT). This Notice is designed to give you information about the personal data we hold about you, how we will use it, your rights in relation to it and the safeguards that are in place to protect it.

Further information is contained in the Council's Generic Data Protection Privacy Notice which can be found on its website at the following link: <https://www.hillingdon.gov.uk/privacy>

What personal data do we hold

The BACFT collects personal data from a range of sources in the course of the exercise of its statutory functions related to fraud prevention, enforcement and investigation of criminal offences. We also process personal data that is collated in the course of our administrative functions, for example staff administration and procurement.

The personal data we collect and use will include personal data and special category personal data.

Types of personal data we process may include information such as;

- personal details such as name, address, date of birth & National Insurance number, NHS Number, Telephone number, Email address, Car registration number and Criminal convictions
- sound and visual images
- financial details
- Open source data i.e. internet search/ website information
- Social Media intelligence
- complaint, incident and investigation referral details
- employment details

Special category personal data may include:

- racial or ethnic origin
- political opinions
- religious beliefs, or those of a similar nature
- trade union membership
- biometric data

The BACFT will only use the minimum amount of personal information necessary to carry out a particular activity.

Whose personal data do we handle

In order to carry out our functions, we obtain and process data from you and from other sources. These sources include other council departments. We process information relating to a wide variety of individuals including:

- victims
- witnesses
- people convicted of an offence
- people suspected of committing an offence
- complainants, correspondents and enquirers
- Members of the public

We also process data relating to existing and former members of staff.

Information is likely to be held in various forms, including electronically in emails and in the BACFT's electronic filing system and databases as well as in paper-based records. It may also be held in other electronic forms such as CCTV.

What is our purpose for processing your personal data

The BACFT processes personal data for law enforcement purposes as outlined in Part 3 of the Data Protection Act 2018, which are the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties. This includes processing of personal data for the purpose of preventing fraud and financial loss, recovery of property and assets and assessing eligibility for services such as Housing or Council Tax exemptions.

Processing includes the use of local and national data matching.

If we intend to process your personal data for a purpose other than that for which the personal data was collected, we shall provide you details of that other purpose before we start processing your data.

What is the legal basis for our use of your personal data

- We need it to comply with a legal obligation under section 151 of the Local Government Act 1972, which involves the proper financial management of public funds. We also need to process personal data in order to carry out the council's statutory law enforcement functions.
- We need it to perform a task in the public interest which is to prevent, detect and deter fraud and error within the services that the council provides to its residents.

Lawful Basis (Article 6)

- processing is necessary for the 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 purpose 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 the reasons of substantial public interest.

Conditions from Article 10

The Council will be processing criminal offence data in an official capacity.

Asking for your consent to process personal data

Occasionally, where there are no other appropriate grounds, the BACFT may ask for your explicit consent in order to lawfully process your data. This will only happen in specific and limited circumstances and won't usually be relevant to law enforcement data. When we do require consent, we will explain clearly what we are asking for and how we will use it. Consent must be freely given, specific and informed and there must be a genuine choice about offering your data. Where we are processing data based on your consent, you have the right to withdraw that consent at any time.

What we do if your personal data is sensitive

We will only process your sensitive personal data with your consent, unless we can lawfully process it for another reason permitted by law. We will notify you if it is sensitive and you have the right to withdraw your consent to processing at any time by letting us know. Sensitive data is data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, genetic and biometric data, data concerning health or data concerning a natural persons sex life or sexual orientation.

For how long will we hold your personal data

The BACFT retains data in line with the Council's retention policy and in accordance with the legal obligations within the Criminal Procedures of Investigations Act 1996 and related Code of Practice.

We will only keep your personal data for as long as we need to in order to fulfil the purpose[s] for which it is collected and for so long afterwards as we consider it may be required to deal with any questions or complaints about the service which we provide to you, unless we elect to retain your data for a longer period in order to comply with our legal and regulatory obligations.

Organisations that we may share your personal data with

The general circumstances in which the Council may do this are set out in the Council's Generic Data Protection Privacy Notice. We may process personal data held within council departments which is obtained through the normal course of business. We will also share personal data with local and national Government Departments. We will also share personal data for the purposes of data matching.

What happens if you provide personal data to us because of a statutory or contractual requirement

We will let you know of your obligation and also let you know of the possible consequences if you fail to provide it.

What happens if your personal data is subject to automated decision-making including profiling

We will inform you of the existence of this as well as the significance and the envisaged consequences of such processing for you.

Your rights

You have a right to request access and ask for a copy of the personal data that we hold about you and to ask us to correct your personal data if there are any errors or it is out of date. In some circumstances, you may also have a right to ask us to restrict processing of your data until any errors are corrected, to object to processing or to transfer or [in very limited circumstances] erase your personal data. You can obtain further information about these rights from the Information Commissioner's Office at: www.ico.org.uk or via their telephone helpline 0303 123 1113.

If you wish to exercise any of these rights, please contact Zac O'Neil. You also have the right to lodge a complaint in relation to this Privacy Notice or our processing activities with the Information Commissioner's Office, which you can do through the website above or their telephone helpline.

Updates

We may update this notice periodically. Where we do this, we will inform you of the changes and the date on which the changes take effect.

Contacting us

Please contact Head of Counter Fraud, for further information

Counter Fraud Team
Business Assurance, Finance Group
London Borough of Hillingdon,
Counter Fraud Room - 2N

Civic Centre
High Street
Uxbridge
UB8 1UW

Statutory Data Protection Officer

You may also contact our Data Protection Officer for further information:

Glen Egan, Acting Head of Legal Services and Monitoring Officer
Civic Centre, High Street,
Uxbridge UB8 1UW

E-mail: gegan2@hillingdon.gov.uk Telephone: 01895 277602