

HOW FYLDE COUNCIL USES YOUR DATA

Notice of Fair Processing of Personal Data

Fylde Council is committed to compliance with Data Protection legislation. Keeping your personal information accurate and secure is a vital part of providing efficient services to you.

The council will only use the information it holds about you for the purpose you provided it except in the circumstances outlined in this notice. It will also only collect the minimum information necessary to fulfil that purpose.

When you provide information you will be told what it will be used for and whom it will be shared with. However, you need to be aware that the council is required to share your information, on occasion, between different sections of the council to help reduce crime or investigate fraud. An example of this is in reducing Housing Benefit fraud and involves the council sharing Council Tax, Housing Benefit, Electoral Registration and other licensing and registration data to ensure that claimants are not claiming illegally.

Other organisations the council may share data with in order to protect public funds include government departments, local authorities and financial institutions such as banks and credit reference agencies.

The council also works closely with other councils and community organisations and often needs to share information with them in order to deliver your services. However, the council will not supply these organisations with your information unless it is satisfied that equal measures are in place to protect the information from unauthorised access. The council will also not supply your information to any organisation for marketing purposes without your prior consent.

The council has a responsibility to promote social wellbeing and works in partnership with other councils and agencies such as the Police, Fire and Rescue Service, the voluntary services and the Health Service in order to preserve life, reduce accidents, reduce crime and disorder and improve health.

To promote this social wellbeing the council may need to share your personal and sensitive information with other councils and partner agencies.

What is Personal Data?

Personal Data is information that relates to a living individual who can be identified either:

- From the information or
- From the information combined with any other information which is already in the possession of, or likely to come into the possession of, the person or organisation holding information.

The information includes any expression of opinion about the individual, and any indication of the intentions of the data controller or any other person in respect of the individual. Personal data will therefore cover basic details such as name, address, date of birth and telephone numbers.

The council must always comply with the eight Principles of Data Protection when handling your personal information. These principles state that data must be:

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive

- Accurate and up to date
- Not kept for longer than is necessary
- Processed in line with your rights
- Secure
- Not transferred to other countries without adequate protection

What is Sensitive Personal Data?

Certain data is also categorised as 'Sensitive Personal Data', for example:

- Racial or ethnic origin
- Physical or mental health or condition
- Sexual life
- Offences (including alleged offences)
- Religious or other beliefs of a similar nature

The law says explicit consent should be sought to before using your Sensitive Personal Information. Usually your consent will be sought when you make an application for council services.

Why does the council collect and retain Personal Data?

In order to provide you with efficient and effective services Fylde Council needs to collect personal data. The council may also need to share your personal data with other service providers who are contracted to carry out services on their behalf. These providers are obliged to keep your personal details secure and use them only to fulfil your service request.

The council will process the information you provide in a manner that is compatible with the Data Protection Act and in particular aims to comply with the principles stated above.

Fylde Council will use information about you for the provision of services and specifically for the following:

- for all law enforcement, regulation and licensing, criminal prosecutions and court proceedings which the council is obliged to undertake
- All financial transactions to and from the council including payments, grants and benefits. Where monies are due or outstanding the council reserves the right to use all the available information at its disposal to protect public funds.

Your information will only be held as long as necessary and will be disposed of in a secure manner when no longer needed. The periods for retention of information are specified in the council's Retention Schedule.

Sharing information with governmental and financial institutions

Fylde Council may also share information with other bodies responsible for auditing or administering public funds, in order to prevent and detect fraud such as the Department for Work and Pensions or HM Revenues and Customs, as allowed by law.

The council may check information you have provided, or information about you that someone else has provided, with information held by the authority. We may also get information about you from certain third parties, or give them information in order to:

- for prevent or detect crime
- Protect public funds
- Make sure the information is correct

These third parties include government departments, local authorities and private sector companies such as banks, organisations that may lend you money and companies that assist the council in fraud detection and prevention such as credit reference agencies.

Sharing information with other partner agencies

The council has a responsibility to promote social wellbeing and to work with other councils and partner agencies such as the Police, Fire and Rescue Service, the voluntary services and the Health Service in order to preserve life, reduce accidents, reduce crime and disorder and improve health. To promote this social wellbeing the council may need to share your personal and sensitive information with other councils and partner agencies.

The sharing of sensitive personal data where your consent has not been directly secured will only occur in order to promote community wellbeing for example in saving life, reducing crime, reducing accidents and improving health and will be on a “need to know” basis.

Sharing information for the National Fraud Initiative

Fylde 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.

Data matching involves comparing computer records held by one body against other computer records held by the same or another body to see how far they match. This is usually personal information. Computerised data matching allows potentially fraudulent claims and payments to be identified. Where a match is found it may indicate 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 Minister for the Cabinet Office for matching for each exercise, as detailed [here](#).

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. It does not require the consent of the individuals concerned under the Data Protection Act 1998.

Data matching by the Cabinet Office is subject to a [Code of Practice](#).

View further information on the [Cabinet Office’s legal powers and the reasons why it matches particular information](#). For further information on data matching at this authority please contact Ian Curtis, Council Solicitor on 01253 658506 or email ianc@fylde.gov.uk