

## **Privacy Notice – Housing Benefit, Council Tax Reduction and Discretionary Housing Payment**

This notice is provided to explain what information the council needs in order to process housing benefit, council tax reduction and discretionary housing payment claims.

### **Who is responsible for your information?**

All personal information is held and processed by West Lothian Council having its headquarters at West Lothian Civic Centre, Howden South Road, Livingston, EH54 6FF in accordance with data protection law. Within West Lothian Council, the information will be processed by the Benefit and Financial Support Team, Anti-Poverty Service (contact name : Nahid Hanif contact details: [benefits@westlothian.gov.uk](mailto:benefits@westlothian.gov.uk) )

### **What information do we need?**

West Lothian Council will collect personal information about you, your family and your landlord. This information is required to work out your entitlement and will include:

- Details about you, your name, address, telephone number, email address, national insurance number, date of birth;
- Details about people living with you, income, allowances, savings and investments including those of your partner, dependants or non-dependants. You should advise any non-dependant that resides with you, that their data held by the Department of Works and Pensions may be processed for the purpose of determining your entitlement to Housing Benefit/Council Tax Reduction Scheme;
- Other relevant information needed to process your claim, such as your landlord details and bank details.

West Lothian Council will collect the above information in a number of ways including application forms, correspondence from you and other assessment activities. We will also collect data about you from third parties, for example The Department of Work and Pensions, Tracing Agencies, His Majesty's Revenue and Customs, Registered Social Landlords, Registers of Scotland and the Scottish Social Security Agency.

West Lothian Council may request information from you and applicants are obliged to provide certain information in relation to claims or awards.

### **Why do we need your information?**

We need this information to process your claim or enquiry relating to housing benefit, council tax reduction and/or discretionary housing payment. If this information is not provided it may affect our ability to process your enquiry or claim. We also have a duty to ensure that your award is correct and will from time to time review your entitlement so that we are satisfied that we hold the correct income details for you. This may also involve reviewing your income to ensure that you are receiving the correct entitlements. Our officers can provide assistance and will undertake a Benefit Health Check at your request.

### **What is the legal basis for us to process your data?**

The legal basis for processing the data is:

We need it to perform a public task. We provide these services as part of our statutory function as your local authority.

In limited circumstances, your consent. Where the council wishes to refer you to other services or agencies, the council will seek your consent to do so, as appropriate. Where consent is used as the legal basis to process your personal information, you can withdraw your consent to that processing at any time by contacting Nahid Hanif (contact details noted above).

### **Who will we share your information with?**

To enable the council to administer housing benefit, council tax reduction and/or discretionary housing payment we will share information where necessary with partner organisations, including:

- The Department for Work and Pensions and other Government departments;
- Police Scotland and other United Kingdom police authorities;
- Scottish Government;
- Social Security Scotland;
- Our Social Work Department (financial Assessments only);
- Your Landlord;
- Other Local Authorities;
- Contracted external suppliers

The council is required by law to participate in National Fraud Initiative (NFI) data matching exercises and council tax and council tax reduction information may be shared with the Cabinet Office for NFI purposes and will be used for the prevention and detection of fraud.

### **Data Re-Use**

From time to time we re-use your data for a number of reasons including but not limited to:

- Benefit take-up campaigns
- Statistical and research purposes linked to Benefits and Welfare
- Any other lawful use that is linked to our business needs or statutory duty.

Where possible this data will be anonymized to remove any personal details during transfer between systems or for statistical and research purposes.

### **How long do we keep your information?**

The council will only keep your information as long as necessary. For the purposes detailed above this is for a maximum of seven years. After this time your information will be securely destroyed.

### **Providing accurate information**

It is important that we hold accurate and up to date information about you in order to assess your needs and process your claim. From time to time we may review your income to ensure both claim accuracy and advice regarding other benefits we feel you may be entitled to. If any of your details have changed, or change in the future, please ensure that you tell us as soon as possible so that we can update your records.

### **Automated Processing**

We use information received from the Department of Work and Pensions (DWP), in relation to changes to DWP benefits which are in the process of payment or have just been awarded, which can automatically amend a claimant's entitlement.

Some of the data provided by the DWP through their automated transfer to local authority systems is imported electronically into our core benefits system.

Claims are then re- assessed using automated processes.

Notification letters to customers and landlords following these re-assessments are also generated automatically.

Details of new rent levels are received from registered Housing Providers and are updated automatically into our core benefits system.

The automation is used for consistency and the efficient processing of claims. It also helps to ensure that your current details are used so that you receive the correct amount of benefit / support.

**Your rights and further information** - Under data protection law, you have rights including:

**Your right of access** - You have the right to ask us for copies of your personal information.

**Your right to rectification** - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

**Your right to restriction of processing** - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

**Your right to object to processing** - You have the right to object to the processing of your personal information in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

If you wish to make a request please contact us at:

Benefits Section,  
West Lothian Council,  
West Lothian Civic Centre,  
Howden South Road,  
Livingston EH54 6FF  
email: [benefits@westlothian.gov.uk](mailto:benefits@westlothian.gov.uk)  
Tel: 01506 280000 (option 2)

You can also contact the Data Protection Officer,

West Lothian Council,  
West Lothian Civic Centre,  
Howden South Road,  
Livingston EH54 6FF  
West Lothian,  
email: [dpo@westlothian.gov.uk](mailto:dpo@westlothian.gov.uk).

More information about data protection and how it applies to you, including how you can make a complaint, is available from the Information Commissioner's Office.

You can also complain to the Information Commissioner's Office if you are unhappy with how we have used your data.

The Information Commissioner's Office – Scotland  
Queen Elizabeth House  
Sibbald Walk  
Edinburgh  
EH8 8FT

Helpline number: 0303 123 1115

Email - Scotland@ico.org.uk

Information Commissioner's Office website:

<https://ico.org.uk/about-the-ico/who-we-are/scotland-office/>