



## PRIVACY NOTICE – FRAUD

### WHAT IS THE PURPOSE OF THIS DOCUMENT?

Three Rivers District Council is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you for the purposes of prevention of fraud and corrupt acts and to ensure that any instances of these are investigated and dealt with effectively to protect public funds.

Three Rivers District Council is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

### DATA PROTECTION PRINCIPLES

We will comply with data protection legislation. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

### THE KIND OF INFORMATION WE HOLD ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We process personal data for the prevention of fraud and corrupt acts and to ensure that any instances of these are investigated and dealt with effectively to protect public funds. As part of this strategy we conduct a programme of pro-active counter fraud reviews into transactions and records held across different business areas. They are designed specifically to identify unusual, erroneous or potentially fraudulent transactions. Personal Data may also be processed for internal corporate investigations.

We may collect and use the following categories of personal information about you:

- Personal contact details – name, address, telephone numbers, e-mail addresses
- Gender
- Date of birth
- Employment details
- Housing status
- Vehicle registration details
- Licenses (market traders, alcohol, taxi driver)
- Benefits/Pensions
- Transport passes including blue badge and concessionary travel.
- Criminal convictions
- Financial information
- Photographic and video footage
- Personal correspondence in written and electronic forms
- Verbal and written statements
- Communications data

The personal data we process may also include sensitive or other special categories of personal data where relevant such as:

- Racial or ethnic origin
- Religious or philosophical beliefs
- Trade union membership
- Genetic data, biometric data for the purpose of uniquely identifying a person
- Data concerning health (physical and mental), including details of medication or treatment
- Data concerning a person's sex life or sexual orientation.

## **HOW IS YOUR PERSONAL INFORMATION COLLECTED?**

We collect personal information about you from:

- Online fraud reporting systems
- Telephone/face to face reporting from complainants/whistleblowers
- Written complaints
- Referrals from partner agencies including the Police, other Councils, the Department for Work and Pensions (DWP), employers, HMRC and other government agencies.
- CCTV footage
- Council whistleblowers
- Data matching
- Intelligence organisations including National Anti Fraud Network (NAFN)
- Other agencies/employers

## HOW WE WILL USE INFORMATION ABOUT YOU

We will only use your personal information when the law allows us to.

The lawful basis for processing your personal data will be:

- Processing is necessary for compliance with a legal obligation including the discharge of our statutory functions and powers
- Processing is necessary in accordance with Part 6 of the Local Audit and Accountability Act 2014 (it does not require the consent of individuals)
- Processing is necessary for compliance with section 17 and section 115 of the Crime and Disorder Act (1998) to prevent crime and disorder
- Processing is necessary to take enforcement action under the Anti-Social Behaviour Crime and Policing Act 2014.
- Processing is necessary in order to protect the vital interests of the data subjects or of another natural person
- 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

## DATA SHARING

We will share your personal information with third parties where required by law, or where it is necessary to fulfil our legal obligation.

Your personal information may be shared with and processed by:

- The Police
- Housing Providers and Private Landlords
- Schools, colleges and universities
- Adult/Children's Services
- HMRC
- Other mandatory or voluntary participants of data matching including the National Fraud Initiative (NFI) see ;  
<https://www.gov.uk/government/publications/fair-processing-national-fraud-initiative/fair-processing-level-3-full-text>
- Department for Work and Pensions
- Other services within Three Rivers District Council that might include Housing Needs, Environmental Protection, Environmental Health, Trees, Leisure, Customer Services Centre, Electoral Registration and Revenue and Benefits.
- National Anti Fraud Network (NAFN)

All of the Council's third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal information for their own purposes and they may only process your personal information for specified purposes and in accordance with our instructions.

## DATA SECURITY

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees and third parties who have a business need to process it. Third parties will only process your personal information on our instructions and they are subject to a duty of confidentiality.

Information about you is held on Watford BC and Three Rivers DC secure servers, and on secure servers hosted by software providers in the United Kingdom and/or European Union.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## DATA RETENTION

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Your personal information is retained for 6 years plus current for matters resulting in a sanction (prosecution, financial penalty or official caution) and 2 years plus current for all other matters.

## RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

### Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes.

### Your rights in connection with personal information

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.

- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal information, or request that we transfer a copy of your personal information to another party, please contact the Data Protection Officer in writing.

### **No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **RIGHT TO WITHDRAW CONSENT**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **DATA PROTECTION OFFICER**

The Council's Data Protection Officer (DPO) is responsible for overseeing compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO – see [www.threerivers.gov.uk/dataprotection](http://www.threerivers.gov.uk/dataprotection) for details.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

### **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time

to time about the processing of your personal information.

#### **PRIVACY NOTICE OWNERSHIP**

Position:	Fraud Manager
Department:	Finance
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