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North Hertfordshire Council Privacy Statement National Fraud Initiative and Shared Anti-Fraud Service 2024

This Privacy Statement should be read in conjunction with the [Corporate Privacy Policy](#).

The National Fraud Initiative (NFI) is an exercise that matches electronic data within and between public and private sector organisations to prevent and detect fraud. The NFI is run by the Cabinet Office.

Legal Basis

This is a statutory duty that is placed upon the Council by the Minister for the Cabinet Office by Part 6 of the Local Audit and Accountability Act 2014. Under the legislation the Cabinet Office may carry out data matching exercises for the purpose of assisting in the prevention and detection of fraud. The legislation does not require consent of the individuals concerned under the Data Protection Act 2018. The legal basis under the data processing legislation for the processing stems from article 6(1)(e) of the UK GDPR which allows processing where it 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'*.

You have the right to object to processing on this ground based on circumstances relating to your particular situation – where there is something about your particular situation which makes you want to object to processing on this ground.

Data matching involves comparing sets of data, such as the payroll or benefits records of an organisation against other records held by the same or another organisation including but not limited to police authorities, other Councils and a number of private sector organisations to see how far they match.

The data matching allows potentially fraudulent claims and payments to be identified. When a match is found it may indicate that there is an inconsistency that requires further investigation to be carried out. When a data match is found, it is returned to the Council for further investigation if deemed necessary. No assumption can be made as to whether there is fraud, error, or other explanation until the investigation is carried out.

- How we collect your personal data
- How we process your personal data

- Automated Profiling
- With whom we may share your data
- How we store your data
- Your rights
- Your right to lodge a complaint with the ICO

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1 How do we collect your personal data?

- When you apply for our products and services
- When you talk to us on the phone or in our reception
- When you use our website
- In emails and letters
- Application forms either online or paper forms
- We may receive information from landlords.

2 How do we process your personal data?

As a Local Authority we are required to share core areas of data with the NFI on a mandatory basis, these include but not exclusively: -

- Payroll including bank account details, tax status information, salary, employment records of NHC employees
- Trade creditors' payment history and trade creditors' standing data.
- Housing – individuals on a housing waiting list
- Housing benefits data (provided by the DWP)
- Council tax reduction scheme including single person discount.
- Council tax
- Electoral register
- Licences – taxi drivers
- Residential Parking Permits
- COVID grants
- Personal contact details such as name, title, address, telephone numbers and personal email addresses
- Date of birth
- Gender
- Marital status
- Information about criminal convictions and offences

There are data specifications which set out exactly what data we process in the above areas for this data matching exercise. Further information can be found at www.gov.uk and searching for “National Fraud Initiative”.

Special Category Personal Information as defined under Article 9 of the UK GDPR and Chapter 2 Section 10 of the DPA 2018.

Special categories of personal information are included in the above list.

Housing benefit data includes a disability flag which is an indicator of physical or mental health condition but does not identify the specific condition. The information is shared as it has an impact on the entitlement to claim housing benefit.

If the data matching through NFI results in a prosecution for fraud, then the data subject may be subject to a criminal conviction. Such conviction may be recorded by participating organisations and any third parties with whom the Council may share your personal data if a fraud investigation is commenced.

3 Automated Profiling

Your personal data will be subject to the following automatic profiling (as defined in Article 4, paragraph 4 and article 22 UK GDPR):

Data matching involves comparing sets of data such as payroll and benefits records of an organisation against other records held by the same or another organisation to see how far they match.

All organisations participating in the Cabinet Office’s data matching exercise receive a report of matches that they should investigate, to detect instances of fraud, over or under-payments and other errors, to take remedial action and update their records accordingly. This may result in fraud-related investigations and convictions.

All automatic data matches identified are manually checked by a member of staff for accuracy of the information we hold. If fraud is identified this is further escalated for checking by a senior member of staff. If the match then warrants further investigation this may be shared with our Shared Anti-Fraud Service who undertakes the investigations on the Council’s behalf.

4 Sharing your personal data.

We may share your data with third parties in the following circumstances:

Data and Data Matches will be shared with the Council’s Shared Anti-Fraud Service who carry out investigations on our behalf.

5 How will we store your personal data and for how long will we keep it?

Most personal data are stored within computer application systems, (including a corporate document imaging system), which are accessible only by those authorised to process the data.

A very limited amount of personal data is stored in paper files, which are securely locked when not in use.

The Council will retain data in accordance with its Retention Policies. These are available at:

<https://www.north-herts.gov.uk/home/council-performance-and-data/data-protection-and-freedom-information/retention-schedule>

6. Your rights

Under certain circumstances, you have the rights 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 in certain circumstances. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it.
- **Object to processing** – please see detail above under the heading ‘Legal Basis’.
- **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.
- **Request the transfer** of your personal information to another party (data portability).

If you want to exercise your rights, please contact datacontroller@north-herts.gov.uk in writing.

7. Your right to lodge a complaint with the Information Commissioner

You have the right to lodge a complaint against the Council’s processing of your data with the Information Commissioner.

The Information Commissioner can be contacted via www.ico.org.uk or

Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF