

This Privacy Notice tells you about what information the Corporate Assurance Team may collect about you, how the Team would use that information and who the Team share may it with.

1. The Corporate Assurance Team

Barnsley Metropolitan Borough Council has a responsibility to protect the public funds it administers and recognises the potentially significant risk that fraud and corruption pose to the delivery of its services. The public rightly also expects the Council to safeguard public funds and ensure they are available and used for their intended purpose, in providing services for the residents and service users of the Borough.

The Corporate Assurance Team exists to help prevent, identify and investigate any fraudulent activity.

For further information about the services available please contact the Corporate Assurance Team on: corporatefraudinvestigations@barnsley.gov.uk

For the purposes of Data Protection, Barnsley Metropolitan Borough Council is the Data Controller.

2. Personal information collected by the Corporate Assurance Team

The majority of personal information collected is electronic, but the Team may receive paper documents to collect personal information to deliver the counter fraud part of the service.

The Team may collect the following types of Personal Data:

- Name;
- Contact details (addresses, telephone numbers, email addresses etc);
- Date of birth;
- National insurance number;
- Details of family and household members;
- Financial information;
- Current employment and employment history;
- Identity information (passports, driving licenses, birth certificates);
- Open-source data i.e. internet search/ website information;
- Social Media intelligence;
- Complaint, incident and investigation referral details;
- Vehicle information;
- Photographs and video footage.

Please note, this list is not exhaustive.

Special category data:

The Team may also collect Health information, such as evidence of injuries for an insurance claim or evidence to assist investigations into potential blue badge fraud or direct payment fraud.

The Team may collect information about you in the following ways:

- Most of the personal information held by the Council is provided by you in applications and the supporting information you include with it;
- Paper and online application forms;
- Communication with yourself via telephone, in person or written;

- Information received from a third party / external organisation where required by law;
- Allegations of fraud reported direct to the Corporate Assurance Team.

The legislation that allows the Council to collect information in relation to the prevention and detection of fraud is:

- Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regs 2013;
- Prevention of Social Housing Fraud Act (Power to Require Information) (England) Regs 2014;
- Local Government Finance Act 1992;
- Regulation of Investigatory Powers Act 2000;
- Investigatory Powers Act 2016;
- Criminal Procedures and Investigations Act 1996;
- Police & Criminal Evidence Act 1984;
- Data Protection Act & General Data Protection Act 2018;
- Human Rights Act 2008;
- Local Government Act 2000;
- Public Interest Disclosure Act 1998.
- Freedom of Information Act 2000;
- Part 6 of the Local Audit and Accountability Act 2014;
- Digital Economy Act 2017.

The legislation that allows the Council to prosecute is:

- Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Reg 2013;
- Prevention of Social Housing Fraud Act (Power to Require Information) (England) Reg 2014;
- The Fraud Act 2006;
- Forgery and Counterfeiting Act 1987;
- Computer Misuse Act 1990;
- Identity Card Act 2006;
- The Bribery Act 2010;
- Welfare Reform Act 2012;
- Housing Act 1996;
- Road Traffic Regulation Act 1984;
- Proceeds of Crime Act 2002.

3. The Council's lawful basis to obtain and use your personal information

- 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 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 purposes 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 reasons of substantial public interest.

Conditions from Article 10

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

4. What is your personal information used for?

The Corporate Assurance Team use your personal information:

- To prevent, detect and investigate fraud and other crime;
- To prosecute, sanction and redress fraudsters;
- To protect the public purse;
- To verify that the information you have supplied is correct and accurate.

Where necessary, the Team will do this by verifying your information with other Local Authorities and Government Departments for example.

5. Will your personal information be shared?

Your personal information can be shared if the law allows this. The Corporate Assurance Team do investigate and share information with other local authorities, other law enforcement agencies and any partners that the Team has a service level agreement with.

The Team may also enter into specific information sharing arrangements with partners such as local authorities where it would support the Council's statutory functions.

The Corporate Assurance Team also shares personal information with (and receives information) from a number of other organisations to prevent and detect fraud. Such organisations may include the Police, Home Office, Cabinet Office, DWP, Registered Social Landlords and Local Authorities. Any information sharing is managed in accordance with relevant privacy and data protection legislation.

Data sharing agreements are held with:

- Berneslai Homes – The Team investigates tenancy fraud and therefore could share your personal data to prevent and detect fraud;
- HMRC – The Council has a Memorandum of Understanding with HMRC to support the investigations and proceedings of the Council.

6. How is your information held?

The security of your personal information is important. The records the Corporate Assurance Team keep about you are secure and are confidential within the Council. The Council have a range of procedures, policies and systems to ensure that access to your records are controlled appropriately.

Anyone who receives information from the Corporate Assurance Team is also under a legal duty to only use the information for the purposes agreed and keep the information secure and confidential.

7. How long is your personal information retained?

The Council is required to keep your information as a business record of what service was delivered. The type of service will determine how long the Council has to keep it.

The Council's Records Management Policy and service retention schedules specify how long different types of records are held. This ranges from months for some records to decades for more sensitive records.

8. Marketing

At no time will your information be used or passed to others for marketing or sales purposes, or for any commercial use without your express consent.

9. What are your information rights?

Your Information Rights are set out in the law. Subject to some legal exceptions, you have the right to:

- request a copy of the personal information the council holds about you;
- have any inaccuracies corrected;
- have your personal data erased;
- place a restriction on our processing of your data;
- object to processing.

To exercise your rights, you can apply online or download an application form from the [Barnsley MBC](#) website.

10. Further Information

If you need to contact the Council to discuss how your information is used or to make a complaint, please contact the Information Governance Team by emailing informationrequests@barnsley.gov.uk

If you're not satisfied with the response, you may contact the Council's Data Protection Officer by emailing dpo@barnsley.gov.uk

Alternatively, if you're not satisfied with the way the Council has handled your information, the Information Commissioner's Office (ICO) is the UK's independent authority upholding information rights in the public interest and their contact details are on the [Information Commissioner's Office](#) website.