

## **East Ayrshire Council Debt Recovery Privacy Notice**

The Council has a legal obligation to ensure the proper administration of Council funds, including the pursuit of debt. It is necessary for East Ayrshire Council to collect and process personal information to administer the recovery of debt owed to the Council.

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

All personal information is held and processed by East Ayrshire Council as Data Controllers in accordance with Data Protection law. For further information on the role of Data Controller, Data Protection Officer and Contact Details for the Council, please refer to the 'Privacy Statement' on the Council's website or contact the Council's Data Protection Officer.

The Council's Data Protection Officer can be contacted by email:

[information.governance@east-ayrshire.gov.uk](mailto:information.governance@east-ayrshire.gov.uk)

### **What personal data do we need and why?**

In order to recover outstanding debt owed to the Council, it is necessary for us to collect and hold personal information about you. The information collected, held or shared will vary and depend on the nature of the service.

This may include the following information from you and any other person in your household:

- Name
- Address
- Date of birth
- Telephone number
- Email address
- Health information
- Employer details
- Income details
- Expenditure details
- Financial details
- Power of attorney details

### **What is the lawful basis for processing the data?**

Our lawful basis for processing your data under Data Protection legislation is as follows:

- Legal obligation - the processing is necessary for the Council to comply with the law;
- Contract – the processing is necessary for the performance of a contract between the Council and individuals requesting various non-statutory services;
- Public task - processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law.

## **Special Category Data**

Data Protection legislation defines Special Category Data as data relating to the processing of personal data regarding racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership and the processing of genetic data, biometric data, data concerning health or data concerning a person's sex life or sexual orientation.

Special Category Data may be processed for Debt Recovery purposes in limited circumstances.

When Special Category Data is collected by us, the lawful basis for processing is:

(1) The processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

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

The Council will make any disclosures required by law and may also share information with other bodies or Council Services that are detecting/preventing fraud, auditing/administering public funds or carrying out the assessment or collection of a tax or duty or an imposition of a similar nature.

For the purpose of debt collection, we may also share your details with external enforcement agents, collection agents and tracing agents.

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

We will only keep your information for the minimum period necessary. After this time, information is deleted/destroyed in accordance with the Council's retention schedule.

## **Providing accurate information**

It is important that we hold accurate and up to date information. If any details have changed, or change in the future, then individuals should ensure that they inform the Council's as soon as possible so that they can update their records accordingly.

## **Individuals' data protection rights**

Under data protection legislation, individuals have a right to request access to information about them that the Council holds. Further details can be found in the Council's Privacy Statement.

Individuals also have the right to:

- Object to processing of personal data that is likely to cause, or is causing damage or distress
- Prevent processing for the purposes of direct marketing
- Object to decisions being taken by automated means
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- In certain circumstances, transfer their data to another organisation (data portability)

Individuals can contact the Council regarding their data protection rights and the processing of their data. Details of how to do this can be found on the Council's Privacy statement.

If individuals have a concern about the way East Ayrshire Council is collecting or using their personal data, they should raise their concern in the first instance with the Council's Data Protection Officer; contact details above and on the Council's main Privacy Statement, via the website.