**Privacy Notice – Anti-Fraud Data Matching**

**1 Who are we and what do we do**:

Fraud Team - Audit, Risk and Insurance Service, Newcastle City Council, Civic Centre, Newcastle upon Tyne, NE1 8QH

Webpage: <https://www.newcastle.gov.uk/fraud>
Tel: 0191 277 1166
E-mail: fraud@newcastle.gov.uk

Newcastle City Council has a responsibility to protect the public purse and recognises the potentially significant risk that fraud and corruption pose to the achievement of the Council’s aims and objectives. The public also expects the Council to safeguard public funds and ensure they are available and used for their intended purpose that of providing services for the residents and service users of the Council.

As part of this responsibility the Council actively participates in the National Fraud Initiative (NFI), a national data matching exercise currently run by the Cabinet Office under its statutory powers. More information on the work of the NFI can be found on [National Fraud Initiative - GOV.UK (www.gov.uk)](https://www.gov.uk/government/collections/national-fraud-initiative) and within a document setting out our Fair Processing Notice at <https://www.newcastle.gov.uk/sites/default/files/your-council-and-democracy/Info%20Gov/National%20Fraud%20Initiative.docx>

As well as the NFI and other data matching, analytical exercises are carried out to proactively seek out fraud and error in areas identified as being at risk of fraud.

The Fraud Team within the Audit, Risk and Insurance Service has data warehousing software which allows for this programmed work to be carried out, by collecting data from various sources both internally and from external organisations and other local authorities.

**2 What type of information is collected about you**

To assist with fraud investigations we may collect:

* name
* contact details (addresses, telephone numbers, email addresses and so on)
* date of birth
* national insurance number
* details of family and household members
* financial information
* current employment and employment history
* identity information (such as passports, driving licenses, birth certificates)
* vehicle information
* photographs and video footage

We 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 legislation that allows us to collect this information is:

* Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013
* Prevention of Social Housing Fraud Act (Power to Require Information) (England) Regulations 2014
* Local Government Finance Act 1992
* Investigatory Powers Act 2016
* Criminal Procedures and Investigations Act 1996
* Freedom of Information Act 2000
* Data Protection Act 2018
* Digital Economy Act 2017
* Police and Criminal Evidence Act 1984
* Public Interest Disclosure Act 1998

The legislation that allows us to prosecute is:

* Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013
* Prevention of Social Housing Fraud Act (Power to Require Information) (England) Regulations 2014
* The Fraud Act 2006
* Forgery and Counterfeiting Act 1981
* 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. What is our lawful basis to obtain and use your personal information?**

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

**4 Why we need your information**

We need this information to allow the council to prevent, detect, pursue and prosecute fraud. We have a duty to protect the public purse and to ensure that we continue to maintain strong defences against fraud and corruption by directing resources most effectively to mitigate the risks we face.

We also have to verify the information you have supplied is correct and accurate and where necessary, we will do this by verifying your information with third parties including other local authorities and government departments.

It is the council's intention to continue with the existing arrangements and further explore opportunities for data matching both internally between services and externally with neighbouring local authorities and develop links with other external agencies to enhance opportunities for information sharing.

Data matching is carried out by the Fraud Team to assist the corporate framework to help counter any fraudulent activity. The team proactively use council data to assist the prevention and detection of crime.

**5 Who your information can be shared with:**

Your personal information can be shared if the law allows. We may also enter into specific information sharing arrangements with partners such as local authorities where it would support our statutory functions.

**6 We have data sharing agreements with:**

* Durham County Council
* Gateshead Metropolitan Borough Council

We may also share personal information with (and receive information from) a number of other organisations as part of our prevention and detection of fraud. Such organisations may include the Police, Home Office, Cabinet Office, Department for Work and Pensions (DWP), Registered Social Landlords and local authorities. Any information sharing is managed in accordance with relevant privacy and data protection legislation.

The sharing of fraud intelligence between authorities via restricted internet forums and groups is critical in alerting to rising fraud trends and is a mechanism the Council actively engages in. The Council receives regular data analysis and fraud information alerts from its memberships.

**7 How long we will keep your information**

We review our retention periods of the information we hold about you on a regular basis. We are legally required to hold some types of information to fulfil our statutory obligations. We will hold your personal information on our systems for as long as it is necessary for the relevant activity or service that we provide to you, or as required by law.

**8 Personal information processed outside of the European Union (EU)**

We do not process your personal data outside of the EU

**9 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.

**10 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 contact the data protection team at dataprotection@newcastle.gov.uk.

**11 Further Information**

Our Data Protection Officer (DPO) provides help and guidance to make sure we apply the best standards to protecting your personal information. If something goes wrong with your personal information, or you have questions about how we process your data, please contact our Data Protection Officer at dataprotection@newcastle.gov.uk or write to:

DPO

Floor 6

Newcastle City Council

6th Floor

Civic Centre

Newcastle upon Tyne

NE1 8QH

If we have not been able to deal with your query, you can also contact the Information Commissioner's Office:

Information Commissioner's Office

Wycliffe House

Water Lane Wilmslow

Cheshire

SK9 5AF

Telephone: 0303 123 1113 (local rate) or 01625 545 745