

PRIVACY NOTICE

- **Energy Bills Support Scheme (EBSS) Alternative Funding (AF) service**
- **Alternative Fuel Payment (AFP) Alternative Funding (AF) service**

This notice is provided to meet the requirements of the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 (DPA) to provide transparency in how we process and use personal data collected for the EBSS AF and AFP AF, and your rights. It is made under Articles 13 and 14 of the UK GDPR.

The service is for applications to the EBSS AF service for households who did not receive the original Energy Bill Support Scheme payment automatically, and the AFP AF service, for households who use alternative fuels as their main source of heating and do not have a direct relationship with an electricity supplier.

The Department for Business, Energy and Industrial Strategy (BEIS) (also including the Department for Energy Security and Net Zero or DESNZ) and the Borough Council of King's Lynn & West Norfolk (BCKLWN) are the independent data controllers for your data.

This privacy notice only relates to how BCKLWN uses your data for the service. It does not cover BEIS and how they use your data. The BEIS Privacy Notices are available here <https://ebss.apply-for-energy-bill-alternative-funds.service.gov.uk/s/privacy> and <https://AFP.apply-for-energy-bill-alternative-funds.service.gov.uk/s/privacy>

BEIS are also required to manage your personal data in a way that meets the UK GDPR and Data Protection Act.

Your data

We will use the BEIS Salesforce application to process the following personal data:

- your name, where you live, date of birth, postcode and address
- your email and phone number when you have provided them
- bank account details to help us identify you and facilitate payment
- questions or feedback you leave, including your email address if you contact us
- evidence of power of attorney or other legal evidence to act on the applicant's behalf

Special category data will not be expressly requested in connection with applications for the scheme, but it is possible that co-incident collection and sharing of special category data could occur as a result of information provided by applicants (or third party individuals acting on your behalf) in connection with the applications, including, but not limited to, information relating to the ethnic origin of applicants or data concerning applicant's health or age.

Purpose

To proceed with delivery of EBSS AF and AFP AF on behalf of BEIS and process applications for support through the schemes.

To conduct financial checks on applicants and payments including for assurance and the prevention, investigation, detection or prosecution of criminal offences including fraud.

We will share your personal data with BEIS to allow them to evaluate the scheme to understand its impact and to inform future government policy.

We also collect your personal data to:

- carry out counter fraud checks
- reduce the risk of fraud and payment errors
- verify your identity
- confirm your entitlement to energy bill support
- make and manage your payments
- contact you about your application

Legal basis of processing

The legal basis for processing your personal data is processing as necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller, such as the exercise of a function of the Crown, a Minister of the Crown, or a government department; the exercise of a function conferred on a person by an enactment; the exercise of a function of either House of Parliament; or the administration of justice.

Your data is processed for the purposes of the EBSS AF and AFP AF schemes under sections 13 and 15 of the Energy Prices Act 2022.

Special category data

As referenced under sub-section “Your data” above, special category data will not be expressly requested in connection with applications for the scheme, but it is possible that co-incident collection and sharing of special category data could occur as a result of information provided by applicants (or third party individuals acting on your behalf) in connection with the applications, including, but not limited to, information relating to the ethnic origin of applicants or data concerning applicant's health or age.

To the extent that special category data is collected, it will be processed under Article 9(2)(g) of the UK GDPR – Substantial Public Interest. More particularly in the context of the exercise of governmental functions, preventing or detecting unlawful acts, regulatory requirements relating to unlawful acts and dishonesty, and preventing fraud, as set out in Part 2 of Schedule 1 to the DPA. In particular, this processing is necessary for the administration, delivery, reporting, monitoring, evaluation of the scheme, as well as in connection with fraud prevention, and pre- and post- payment assurance and financial management activities to be undertaken in connection with the scheme.

Recipients

We will share the following data with BEIS:

- your name, address, date of birth, postcode and address
- bank account details
- documents you upload as proof of address

- Additional evidence obtained from third parties to support your application
- Information from BCKLWN systems, including (but not limited to) council tax and benefit records

The purpose of this is to:

- confirm your identity
- confirm eligibility for the EBSS AF and/or AFP AF schemes
- facilitate payment
- prevent, detect and investigate fraud and errors

We have a data sharing agreement with BEIS so that we can share your personal data with them to deliver this service. We will also share your personal data with BEIS during the processing of your application. The sharing of the data between local authorities and BEIS is for the purpose of administration, delivery, reporting, monitoring, evaluation and fraud prevention necessary within the scheme. This may also include an assessment of your liability for council tax on the property you have stated as your sole and main residence on the application.

Your personal data will also be shared with our technology supplier Ascendant for the purpose of processing your payment.

We will share your data with other government bodies if we are required to do so by law - for example, by court order, or to prevent fraud or other crime.

Retention

Data is stored within the BEIS Salesforce application. A limited amount of data required for payment processing will be stored on BCKLWN systems. We will only keep your personal data for as long as required to support the delivery, evaluation and scrutiny of the service. These data will be securely deleted no later than seven years after collection in line with our Data Retention policy.

Automated decision making

Your personal data may be subject to automated decision making by BEIS. Initial eligibility checks will be made for the prevention and detection of fraud for example, to determine whether a payment has already been made under the main EBSS scheme or whether another application is in progress. Bank account verification assurance checks will also take place to ensure payments are made to the correct bank account. Should your application be turned down by BEIS following the initial eligibility checks, you will be informed of the reason why your application has been rejected. You will also be informed of how you can ask for a review of the decision which is not solely based on automated processing.

Your rights

You have the right to request information about how your personal data are processed, and to request a copy of that personal data.

You have the right to request that any inaccuracies in your personal data are rectified without delay.

You have the right to request that any incomplete personal data are completed, including by means of a supplementary statement.

You have the right to request that your personal data are erased if there is no longer a justification for them to be processed.

You have the right in certain circumstances (for example, where accuracy is contested) to request that the processing of your personal data is restricted.

You have the right to object to the processing of your personal data where it is processed for direct marketing purposes.

You have the right to object to the processing of your personal data including the right to object automated processing.

International transfers

Any personal data stored by BCKLWN is stored on our IT infrastructure and is stored securely in the UK and European Economic Area. Personal data is not stored outside the UK and EEA.

Complaints

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator.

The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Telephone: [0303 123 1113](tel:03031231113)
Email: casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

Contact details

The data controller for your personal data is the Borough Council of King's Lynn & West Norfolk

You can contact the BCKLWN Data Protection Officer at:

Borough Council of King's Lynn & West Norfolk
King's Court
Chapel Street
King's Lynn
Norfolk
PE30 1EX
(01553) 616686

Changes to this policy

We may change this privacy policy. In that case, the 'last updated' date at the bottom of this page will also change. Any changes to this privacy policy will apply to you and your data immediately.

If these changes affect how your personal data is processed, we will take reasonable steps to let you know.

Last updated 7 March 2023