



## Privacy Notice: Business Recovery Grants

In response to activation of the [flood recovery framework](#) the government announced support for businesses in eligible areas to help them recover from the impact of flooding. Part of this support is provided through Business Recovery Grant (BRG) payments.

Local authorities are responsible for making BRG payments to businesses and will run an application process to support grant awards. The Department for Business and Trade (DBT) has overall financial accountability for the scheme.

Harborough District Council (HDC) is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information about you in accordance with data protection law, including the General UK Data Protection Regulation (UK GDPR) and the Data Protection Act (DPA) 2018.

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

## Data protection principles

Both HDC and DBT will comply with data protection law. This means that the personal information we hold about you must be:

- used lawfully, fairly and in a transparent way
- collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes
- adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed
- accurate and kept up to date
- kept in a form that identifies you for only as long as necessary for the purposes we have told you about
- kept securely

## Kind of information we hold about you

Personal data is information that relates to an identified or identifiable individual and only includes information relating to natural persons who:

- can be identified or who are identifiable, directly from the information in question
-



- who can be indirectly identified from that information in combination with other information

HDC will collect and transfer personal data to the DBT in order to support BRG applications and payments, including:

- identity of grant recipient
- business name and contact details
- unique identifier, for example national insurance number, unique taxpayer number, self-assessment number, VAT registration number
- detail on business insurance policies
- details of grant provided and payment details

Some businesses, sole traders and partnerships trade under an individual's name. In some cases, the trading name and business address and postcode may be considered personal data.

The DBT is the government department with responsibility for funding the grant scheme (including pursuing debts where all reasonable and practicable steps for recovery have been taken by the local authority that issued the grant), and they may also hold data including:

- high level aggregate data about the take-up of the grant scheme
- the performance of local authorities in processing payments to businesses

## **Purpose**

Once HDC will handle personal data collected in relation to the BRG scheme for the purposes of:

- transmitting the data to the DBT
- monitoring the performance of the scheme
- ensuring that grants have been paid out in line with the eligibility and subsidy allowance conditions for the scheme
- evaluating and reviewing the impact, performance and costs of the scheme
- researching the effectiveness of the scheme and supporting future policy development
- preventing and detecting payments in error and fraud, and taking action to mitigate the risk of loss in relation to fraud

## How we use your information

We will only use your personal information in accordance with data protection law. Most commonly, we will use your personal information where:

- we need to comply with a legal obligation
- it is necessary for the performance of a task carried out in the public interest or in the exercise of our official authority.
- it is necessary for the purposes of the prevention, investigation, detection or prosecution of criminal offences including fraud

In limited circumstances we will ask you for your consent to use your personal information, but your consent is not required if any of the above apply.

## Situations in which we will use your personal information

We will also process your personal data in conjunction with the DBT (as the grant recipient) in the following circumstances:

- when carrying out any of our lawful functions
- to check the data we hold about you is accurate and up to date
- to compare it against other information to help combat fraud and crime
- when investigating an offence, engaging with parties to the investigation, including evidence gathering, fulfilling disclosure obligations and discussions to agree appropriate outcomes
- for case management, including evidence analysis and storage in line with statutory obligations
- to prevent, detect or prosecute a crime
- to bring civil proceedings and / or debt recovery as the organisation providing the grant funding
- to undertake statistical and analytical analysis
- to respond to questions sent to the department (such as from Parliament and Select Committees)

## Legal basis of processing

Where DBT processes personal data for non-law enforcement purposes, the processing will fall under the UK GDPR and the Data Protection Act 2018 (DPA 2018). There are a number of requirements listed in the DPA 2018 to ensure this is lawful.

To carry out this function, the lawful basis by which HDC will process personal data is that the 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 data controller (public task, see Article 6(1)(e)).

HDC is also considered a competent authority and may process personal data for the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security.

## Data sharing

We will not share your information with any third parties for the purposes of direct marketing.

HDC will share your data with the DBT for the purposes of administering this scheme. Please see the [DBT's privacy notice](#) for full details of how they will use your information.

In some circumstances we are legally obliged to share information. For example, we might also share information with other regulatory bodies in order to further their, or our, objectives. In any scenario, we will satisfy ourselves that we have a lawful basis on which to share the information and document our decision making.

In addition to sharing data with debt collection agencies, credit reference agencies and commissioned research organisations, DBT may also share your data with:

- law enforcement agencies both in the UK and overseas
- regulatory bodies
- anti-fraud organisations
- other government departments

We will only share your personal data with a third party where there is a lawful basis permitting the disclosure.

## Data sharing for fraud prevention purposes

### **Disclosure to a specific anti-fraud organisation – Serious Crime Act 2007**

HDC may disclose information to a specified anti-fraud organisation (SAFO) for the purposes of preventing fraud.

Section 68 of the Serious Crime Act 2007 was introduced as part of the government's commitment to preventing fraud. It enables public authorities to disclose information



for the purposes of preventing fraud, as a member of a SAFO or otherwise in accordance with any arrangements made with such an organisation. A SAFO enables or facilitates the sharing of information for the prevention of fraud and is specified by an order made by the Secretary of State. Disclosures of information from a public authority to a SAFO are subject to a code of practice and this, along with a full list of SAFOs we may share information with, is available at [Data sharing for the prevention of fraud: code of practice](#). In addition, all disclosures must be made in accordance with data protection legislation.

## **Disclosure of information to combat fraud against the public sector**

Section 56 of the Digital Economy Act 2017 enables public authorities to share information in order to take action in connection with fraud against a public authority. This type of information sharing helps us to improve our ability to identify and reduce the risk of fraud against the public sector and recover public sector funds.

## **Data security**

HDC undertakes to have robust technical and organisational measures in place to accord with the provisions of the Data Protection Act 2018 and UK:GDPR.

Such measures include password and profile restricted access to systems, including adequate and relevant training for staff. Additionally, the Council will undertake to process no more information than is reasonably required in order for the principal task to be carried out. All data will be processed and stored in accordance with prevailing data protection principals and the Council's Data Protection and Information Governance and ICT policy frameworks.

## **Retention of your personal data**

Personal data is retained in accordance with the HDC's retention and disposal policy. We, and third parties we share it with the aim to retain your personal information for only as long as it is necessary for us to do so for the purposes for which we are using it and in line with our retention and disposal policy.

## **Your data protection rights**

Please see the Council's [Privacy Policy](#) for further information.

## **Contact HDC's Data Protection Officer (DPO)**

Data Protection Officer

Harborough District Council, The Symington Building, Adam and Eve Street, Market Harborough, Leicestershire, LE16 7AG



Email [FOI@harborough.gov.uk](mailto:FOI@harborough.gov.uk)

## Complaints

If you think 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

Email [casework@ico.org.uk](mailto:casework@ico.org.uk)

Telephone 0303 123 1113

Textphone 01625 545860

Monday to Friday 9am to 4:30pm

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