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# Review of Domestic Rating Data Sharing Privacy Impact Assessment (PIA)

June 2008

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## Background

1. Research emerging from the further rating review of the domestic rating system in 2007 indicated that there was a poor take up of the various domestic rate reliefs, particularly among pensioners.
2. Therefore the Executive commissioned the voluntary sector to carry out a study into take-up strategies. Access To Benefits (A2B) carried out this study and reported in March.
3. Their main findings included the need to make the forms simple, make the leaflets clearer, give better training to benefits staff, set up an anonymous helpline and to automate the delivery of benefits. The key conclusion from the study was that the best way to improve take-up was through better data sharing between Government Agencies, leading to better targeting of reliefs to those most likely to qualify.
4. New primary legislation would be required to allow data to be shared between Government Agencies. The Information Commissioner's Office was approached regarding the feasibility of this. The Commissioner was content that there were no problems in proceeding with such legislation, providing certain conditions were met: clients were to be notified of the new use of information, including who would have access to it and how it would be secured; and also, it was necessary for a Privacy Impact Assessment and consultation to be carried out and the results published.
5. Additionally the Department for Social Development (DSD) wish to share data with the Land and Property Services agency (LPS) who require information for the purposes of assessing housing benefit claims for owner occupiers and it is also intended to include their requirements in the new primary legislation.

## The Proposed Data Sharing Exercise

6. It is envisaged that data would be shared between the Land Property Services (LPS), the Social Security Agency (SSA) and the NIHE. It is proposed that legislation be put in place to allow the Social Security Agency to share data from their Customer Information service system (CIS) with the LPS. The information that could be supplied from the CIS would enable the LPS to identify those ratepayers who may be eligible for Lone Persons Allowance, Disabled Person's Allowance, or Low Income Rate Relief. More focused efforts could then be made to encourage take-up among those identified. It is intended to target these groups by writing to them, to inform them of their potential eligibility.
7. As the LPS are the organisation that will carry out the take-up improvement exercise, there would be no requirement to share any data they hold with other organisations, namely, the Valuation List and billing information on customers.

8. Before data-sharing with the SSA could take place, it was recommended by the ICO that a Privacy Impact Assessment be carried out, to fully assess the implications of the exercise.

## Background to The Privacy Impact Assessment Process

9. The Privacy Impact Assessment (PIA) process can be regarded as a standard of good practice in the handling of information by a public body, which could be deemed to impact on the privacy of individuals. While not currently a statutory requirement in Northern Ireland, the PIA enhances the Government's commitment to the statutory requirements described in the Data Protection Act (DPA) 1998.
10. The Information Commissioner's Office states: "A PIA helps policy makers to evaluate if their proposals will comply with privacy legislation and identify what the wider implications are for individuals' privacy.....potential mistakes involving the handling of personal information can be avoided early on internally and proactively." <sup>1</sup>

## When is a PIA required?

11. It is only necessary to carry out a PIA if personal information is being held. If the information is not of a 'personal' nature, a PIA is not needed.
12. The Data Protection Act 1998 defines personal data as: "data which relate to a living individual who can be identified from those data, or from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller..." As a guide, if the name of an individual is included with information relating to that individual, so as to enable identification of that individual, the data is personal, and should be treated as such.
13. The Valuation List of domestic property in Northern Ireland only describes information on property assigned to the 'occupier', which would not qualify as personal information as defined above. A separate dataset for billing purposes exists, which will have an occupier's name and other personal information. While any sharing of this data would have implications for privacy, it has already been stated that there is no intention to share this data, therefore a PIA is not necessary in this respect. Furthermore, the information that the LPS hold is already subject to the Data Protection Act (DPA) 1998, which requires the LPS to take due regard in the accuracy, use, and storage of data.<sup>2</sup>

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<sup>1</sup> Information Commissioners Office (ICO), Wycliff House, Cheshire; LT 30/06/2005 v0.2

<sup>2</sup> However, a PIA has previously been carried out on this dataset, in relation to its publication following the move from rental to capital values that took effect in April 2007. This PIA was completed in September 2006 (Privacy Impact Assessment for The VLA Publication of the Capital Value Domestic Valuation List in Northern Ireland; September 2006), in preparation for the move to capital values, and the publication of the Valuation List. Although a PIA was not strictly necessary, given that no personal information was held by the VLA, it was seen as pursuing best practice as part of the domestic rate reform programme.

14. However, the Customer Information service system does contain personal data, some of which is very sensitive, and so, because of the implications on privacy arising from sharing the data with the LPS, a PIA is considered necessary.

## The Privacy Impact Assessment Report

15. Having determined the need for a PIA, a PIA Report must be completed. The remainder of this paper sets out the Privacy Impact Report, which takes the following structure:
  - Description of current system
  - Shortcomings of current system
  - Description of Proposed System
  - Issues to be considered in adopting proposed system
16. It is the shortcomings in the current system (as evidenced by the low levels of take-up – less than 40% for those eligible for LPA, and less than 50% for low income rate relief) that has determined the need for this proposal. The proposed system will hopefully address these shortcomings.

## The Current System

17. The three reliefs that are the focus for this data-sharing exercise are:
  - a. The Lone Pensioner Allowance – a 20% reduction in rates for those aged 70 and over, who live alone (under certain conditions, a person may qualify even if they do not live alone);
  - b. The Disabled Persons Allowance – a 25% reduction in rates if a domestic property has been adapted to meet the needs of a person with disability living in that home;
  - c. The Rate Relief Scheme – available for those who are just outside the income limit for receiving Housing Benefit, or those who receive only partial Housing Benefit, or those who are pensioners with savings of less than £50,000.

### **Information currently available to the LPS for the administration of these reliefs:**

18. Currently the LPS Valuation List holds information on every domestic property in Northern Ireland – around 700,000 properties. It contains no personal information. Information is held separately on customers for billing purposes. The information contained in that dataset is of a more personal nature, including names as well as addresses, and information on any reliefs received.

## Shortcomings of Current System

19. The shortcoming with the system currently used by LPS is that, although a name may be known for the occupier of a particular property, no other information is available on that person. For example, their date of birth is unknown, so the system cannot identify if they are over 70, and therefore potentially eligible for Lone Pensioners Allowance. There is no information to identify those who may be eligible for low income rate relief. There is no way of knowing from the Valuation List who may be eligible for Disabled Persons Allowance.
20. If such information were available to LPS, they could target relief more effectively to those who may be eligible, and thus improve take-up. The CIS database held by the Social Security Agency could provide this information.

## The Proposed System

21. It is proposed that legislation be put in place to allow LPS to enter into a data sharing agreement with the Social Security Agency (NI), so a team from LPS can access data from the SSA's Customer Information service system (CIS).

### The Customer Information service system

22. The CIS is a Department of Works and Pensions (GB) database on which pensions and other benefits related information on Northern Ireland clients is held and maintained by the Social Security Agency (NI).
23. Information held by the SSA on the CIS includes the following:

- Date of Birth
- National Insurance Number
- Address and Postcode
- Current and historical data of a person's name details.
- Current and historical data of a person's address details.
- Contact details.
- Current and historical data of a person's relationship details.
- Information about the customer, their partner and any associated non-dependants in the household.
- Benefit award history.
- Full details about specific benefits awarded.
- A detailed breakdown of a customer's Assessed Income Figure (i.e. income).
- Details of Job Seekers Allowance Payments, Income Support Payments and Pension information.

24. Not all this information would be needed, only certain elements. The information that would be useful to the LPS would include age (from Date of Birth), address, information on disability benefits received, and information on receipt of Housing Benefit, either full or partial. This would enable the LPS to identify those ratepayers who may be eligible for Lone Persons Allowance, Disabled Person's Allowance, or Low Income Rate Relief (for pensioners only, due to nature of CIS data – explained later).
25. This would allow for better focussing of efforts to improve take up by, for example, targeting all pensioners who are over 70 but not currently in receipt of LPA, all pensioners who are not in receipt of housing benefit and not currently in receipt of rate relief and all clients in receipt of disability benefits who are not in receipt of DPA.
26. Legislation would need to be put in place to allow LPS to gain access to the CIS. Once this legislative cover was in place, RPD, (on behalf of LPS), would need to request access to the CIS for the specific purpose of improving take-up of domestic reliefs. This would be done by writing to the SSA appointed link to the DWP (Gordon Lynch), setting out the data sharing issue and requesting future access to CIS. This request would be considered by the DWP.
27. It is envisaged that the proposed system would work in the following way:
  - Records would be drawn down from the CIS according to specific identifiers:
  - In the case of LPA, all those clients over 70 (according to date of birth) would be identified.
  - In the case of DPA, all those clients in receipt of disability benefits would be identified.
  - For Low Income Rate Relief, only pensioners could be targeted. The CIS only contains data on those currently in receipt of reliefs. All pensioners will be on the system, due to State Pension information. So they can be targeted for low income relief. However, there will be many people below pension age who may be eligible for low income rate relief who are not on the CIS. Many of these will receive child benefit, so may be on system, but this would include so many people (ie everyone with a child), it would not really help target effectively.
28. A letter would be sent to all individuals who have been identified for each relief, informing them of their potential eligibility. They would be invited to apply for the relief using the application form which would be enclosed.
29. The letter would have an important second function - to inform the ratepayer that their information which is being held on the CIS by the Social Security Agency (they will already be aware of that) was accessed by the LPS for this new purpose. This would fulfil the requirement set out by the ICO that all clients be informed of the new use of their data.
30. The proposed system would not have the purpose of automating the administration of reliefs – ratepayers would still need to apply for the schemes. This is because not all

the elements of information that are needed to make a decision to award a relief are available on the CIS. For example, the CIS can tell the LPS if someone is over 70 – it cannot tell them if the person lives alone.

## **Other Issues to be considered in the Privacy Impact Assessment Exercise**

31. In completing the PIA, an assessment was made of how the privacy of individuals who had data held on the Customer Information service system would be impacted if LPS were to obtain access to that data. An assessment was made according to the guidelines regarding several different areas:

### **Restricting Access among Staff within the LPS**

*Who within the organisation will control access to the data?*

32. The DWP have very strict guidelines as to who can access the CIS data and the procedures for doing so, so that privacy is protected. (The DWP guidelines can be found at the address given below<sup>3</sup>). The SSA (NI) will be fully compliant with these procedures. It is accepted that any staff at LPS would also, firstly, receive training in these procedures, and secondly, adhere to them closely. While these guidelines are available at the DWP website (see footnote) as a reference point, further training would need to be undertaken for LPS staff. Responsibility for training would need to be established.
33. Even if LPS were granted access to the CIS on general principle, LPS staff members would need to obtain permission on an individual basis. The LPS Information Manager would be responsible for overall control of access to the data within LPS, and restricting access to those who need it. If a team were to be involved (for example, a team set up specifically to implement measures to improve take up), those team members would need to be fully aware of the need to maintain restricted access to the CIS.
34. No third parties (eg in the private sector) will have access to the CIS for purposes of improving take-up of relief, or for any other purpose, unless specified under separate legislation. If a third party, were to become involved with the information gathered, the reasons for their involvement must be set out and justified.

### **Safeguarding Personal Information**

*Is there a process established (if necessary) to grant authorization to staff members to add, change or delete personal information from records? Who has authority for that process? (In other words, in addition to those staff who can access the data, who within the LPS will be able to edit the data stored?)*

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<sup>3</sup> <http://www.dwp.gov.uk/housingbenefit/cis-learning-pack/pack/guidance-deskaid-formsv3/LA-CIS-Guide-v3.doc>

35. LPS staff will not be able to edit data on the CIS. They will be limited to 'read only' access. Therefore, there is no need to assign responsibility for the editing of data shared with the LPS.

*Have security procedures for the collection, transmission, storage and disposal of personal information, and access to it, been documented?*

36. The LPS will not have any responsibility for the collection of data, and, as CIS is a web page accessed through a user's desk top there will be no need for retention and destruction of the data within the LPS.

### **Authority and Consent**

*By what authority can the LPS collect and use the personal information provided on the CIS?*

37. The LPS would not need authority to collect data, as they would not be collecting the data themselves; instead they would be sharing data collected by another organisation, namely the SSA.
38. The authority to use this data (in this context, the authority to share data) would be granted under legislation as stated above – "The Rates (Amendment) Order, 2008".

*What consent must be given by individuals before their personal information can be collected and used?*

39. As the LPS are using someone else's data, not collecting it themselves, aspects of collection are not relevant to this PIA.
40. If a person has given consent for the DWP to hold their details, then the DWP would deem this as sufficient to allow other government departments, including the LPS, to view it. But this would only be following the appropriate legislative processes.
41. The letters that will go out to ratepayers inviting them to apply for benefits will inform them that their information was accessed by the LPS (it will not ask for their permission to do so).

*Is all the personal information that is to be accessed necessary to the operating program or activity?*

42. The information supplied by the CIS is intended to be used specifically to improve take up of particular reliefs, or assess for Housing Benefit. It is likely that not all the data available from the CIS is necessary for this purpose. If it is possible, viewing of data will be restricted to particular fields, specifically the Name, Date of Birth, Address, Receipt of Disability Benefit (extracted from benefits data), receipt of Housing Benefit, either full or partial, for pensioners (extracted from pensions data).

## **Secondary Uses of Personal Information**

43. *The PIA must document all the purposes for which the personal information is to be used. If there is a possibility that information gathered may be used for purposes additional to the original purpose given, this should be stated in the PIA, along with a description of the authority given to do so.*
44. The primary purpose of this data sharing exercise is to improve take-up. However, as stated, the Department for Social Development (DSD) wish to share data with the Land and Property Services agency (LPS), for the purposes of assessing housing benefit claims for owner occupiers. It is intended to include their requirements in the new primary legislation.

## **Accuracy of Personal Information**

*The PIA must detail the steps to be taken to ensure personal information stored is accurate, complete and up-to-date.*

45. This would be the responsibility of those maintaining the CIS – ie the SSA, and so this is an issue outside the data-sharing agenda of the LPS, and therefore outside the remit of this PIA. LPS would access data from the CIS on trust that it was accurate.

## **Openness**

46. It is important to create public confidence in the ability of the organisation to ensure all aspects of the management of personal data have been considered with regard to protecting their privacy. The Information Commissioner set the condition that customers (i.e. ratepayers) were to be notified of the new use of information, including who would have access to it and how it would be secured.

*The PIA must set out the steps that will be taken to achieve this.*

47. The PIA will be made publicly available, as an annex to the consultation paper on data-sharing due to be published at the end of June; this will provide an opportunity to comment on any of the issues raised in the PIA. The PIA will also be made available on the Rating Policy website, following the consultation period.
48. In addition, as stated previously, the letter that will be sent to individuals, informing them of their potential eligibility, will also inform the ratepayer that their information, which is being held on the CIS by the Social Security Agency (they will already be aware of that), was accessed by the LPS for this new purpose.

## Conclusion

The primary aim of these additional powers is to allow LPS to gain access to information which is already held by the Social Security Agency within their Customer Information System, in order to better target ratepayers who may be eligible for rate reliefs but not claiming and to allow easier cross checking of information provided to LPS by claimants. Therefore, many of the responsibilities in relation to this information, such as the collection, editing and accuracy of this data, will continue to be rest with the SSA. There is therefore no additional privacy impact in terms of this information in relation to these issues. The PIA has identified some areas where steps will have to be taken by LPS so as to ensure that the data which is received by them from the Social Security Agency is restricted to the appropriate staff (for which additional training may be necessary) and is retained and destroyed effectively. In addition, those ratepayers whose details have been shared will need to be informed that the CIS was accessed by the LPS for this new purpose. However, this can be easily achieved at the time that the same ratepayers are being informed about the availability of reliefs.

There do not therefore appear to be any significant adverse impacts on the privacy of individuals arising out of the proposal for the Social Security Agency to share information from their Customer Information System with LPS for the purposes of improving the targeting of rate relief take up work.

## Contact Details:

The Privacy Impact Assessment is available on the Review of Rating Policy website at [www.ratingreviewni.gov.uk](http://www.ratingreviewni.gov.uk). Copies can also be obtained by contacting Rating Policy Division,

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Rating Policy Division  
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E-mail responses may be sent to: [Ratingpolicy.cfg@dfpni.gov.uk](mailto:Ratingpolicy.cfg@dfpni.gov.uk).

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