

# **WEST DUNBARTONSHIRE COUNCIL**

## **Report by Head of Personnel Services**

**Joint Consultative Forum – 25<sup>th</sup> May 2006**

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**Subject: Data Protection and Council Tax Arrears**

### **1. Purpose**

- 1.1** To provide the written response requested at the JCF on 9 March 2006, in relation to the decision to pursue the recovery of Council Tax Arrears from employees and the Council's position in terms of the Data Protection Act 1998.

### **2. Background**

- 2.1** The Council has, like many other Scottish Councils, used data available to them to ensure optimum returns when collecting Council Tax Arrears from employees.

### **3. Main Issues**

- 3.1** The Code of Conduct for Employees and the current Schedule of Terms and Conditions of Employment have clauses which allow for the Council to match data under the Data Protection Act 1998. As data matching is permitted by the current documentation, the process did not result in a change to employment terms and conditions which would have required formal consultation with Trade Unions.
- 3.2** There is no legislative requirement for the Council to produce a statement outlining its position on data matching before releasing information. The Council has been in contact with the Information Commissioners Office on this matter and are satisfied that there has been no breach of the Act.

### **4. Personnel Issues**

- 4.1** It is recognised that debt is a sensitive issue and clear guidelines will be developed for dealing with employees who have Council Tax arrears. Staff are annually reminded of their own and the Council's obligations through a yearly message on the pay slip.

### **5. Financial Implications**

- 5.1** Before this exercise 1,027 Council employees owed £2.3m in Council Tax arrears. At 1<sup>st</sup> May 2006 this number had reduced to 730 employees owing £1.538m, with 640 having entered into repayment arrangements.

## **6. Conclusions**

- 6.1** The Council has a statutory duty to collect council tax arrears and the above figures demonstrate the success of this initiative, which will continue on an ongoing basis.
- 6.2** The Council is satisfied that this exercise is compliant with the Data Protection Act 1988.
- 6.3** The Council understands the difficulties facing employees who are experiencing financial difficulties and has put in place supports such as Benefits Advice, Welfare Rights, Council Tax, and Welfare Officers to help employees and citizens of West Dunbartonshire address financial hardship.

## **7. Recommendations**

- 7.1** Note the contents of this Report.

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**Background Papers:** Nil

**Wards Affected:** Not applicable