

Claire McKenzie
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by email

Resources Directorate
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Leeds LS1 1JF

Contact: Paul Burns
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Our reference: FOI 8725
24 October 2012

Dear Claire McKenzie

Freedom of Information Request: Why Council asks for previous addresses (Council Tax)

I am writing regarding your request which I received on 6th October 2012. In your request you asked for the following information:

When someone moves into your jurisdiction they must provide you with their previous address. When someone leaves your jurisdiction, they must provide you with their new address. Please explain:

- a) Why you require this information
- b) Who the information is passed to
- c) What you use the information for
- d) How long you store the information before deleting it
- e) What you do if the address details shared between local Authorities is inconsistent

Please also explain if you undertake b) by passing information to local authorities in Scotland, Northern Ireland and Wales.

Point a: Administration of Council Tax charges is governed by a variety of statutory regulations provided by Central Government. These regulations dictate how the charge is assessed and billed, in what circumstances a discount can be claimed and which properties are exempt from charge. In the current regulations there is no requirement for someone to provide a previous address when they move into a property or a forwarding address when they leave.

There is however a requirement for a customer to supply information to us if we believe them to be a resident or owner of a dwelling and we serve notice on them seeking information. This is usually undertaken when we are reviewing properties which have previously been unoccupied but which show signs of re-occupation. In this case the notice we serve on customers asks when they moved in and we invite them to provide a previous address though the form makes it clear providing a previous address is not required in law. This notice requesting information is served in line with Regulation 3, Council Tax (Administration and Enforcement) Regulations 1992.

There is a separate requirement for a customer to notify us of any change in circumstance which may impact on a discount applied against a billed charge. This could be the person in the household who gave rise to the discount leaving the household altogether, but again there is no requirement to give their new address in reporting this change.

Any information provided willingly by customers helps in the overall administration of the tax. In providing a previous address when moving into a new address we can ensure that any previous address charges are finalised at the same time as billing them for their new address. In providing a forwarding address when a customer leaves it allows us to post their final account to their new address for payment, thus reducing delay.

There is separate provision for the Council to serve any notices on a customer's '*last known address*' if they fail to provide a forwarding address, under provisions in Council Tax (Administration and Enforcement) Regs 1992 and Local Government Act 1972. Clearly notices served on an address they have already left will be delayed in getting to the customer through the mail and service of a notice on a customer's '*last known address*', in the absence of any other address for service, does not invalidate any proceedings taken subsequently to recover unpaid charges. Therefore it is in the customer's best interest to provide us with a new address to which we can send any final documents which then ultimately prevents proceedings being taken without their knowledge.

In conclusion of this point, the overall purpose of inviting customer's to provide information relating to previous and forwarding addresses is to assist in correctly administering the charge, issuing bills to advise customers of their liability to pay and to ensure we collect all the Council Tax Revenue we are entitled to.

Point b – The documents provided by customers are stored within the storage system the Council Tax office uses and information they provide used to update their Council Tax records.

Information is not routinely passed to other bodies as a matter of course, regardless of those bodies being in either in England, Scotland, Wales or Northern Ireland. Various other Council departments and other external bodies and agencies may make individual applications for information held in our Council Tax records, but each request is reviewed separately to ensure it is appropriate under Data Protection Act before any information is released.

There is existing provision within regulations to share any information held for Council Tax purposes with other Council Tax billing authorities whether they have specifically requested it or not, providing that it is shared for the purposes of administering and collecting Council Tax. However sharing information with other billing authorities is generally still only on request on a case by case basis.

Point c – This has already been covered under point a above as all information that is provided is used for the administration and collection of Council Tax.

Point d – Digital images of paperwork provided by customers to the Council Tax office exist from late October 2007 when digital storage was first introduced for the service, and records will be stored for 6 years before deletion. No paper documents provided by customers prior

to October 2007 are now retained. The original paper documents from which these digital images are created are disposed of after 3 months.

Point e - there is confusion as to what you mean by this question as there is currently no routine sharing of information which would highlight inconsistencies between authorities. There is of course no national database which identifies an individual and where they have been living, nor are authorities computer systems linked up together in order to automatically highlight inconsistencies.

Ultimately we do make enquiries with other authorities to endeavour to trace those who leave Leeds properties without providing a forwarding address. In this way on a case by case basis we do contact other authorities when we believe one of our customers has been living in their area, but again this is unlikely to highlight inconsistencies in information.

I trust my reply serves to assist in your enquiry. If you have any queries about this letter, please feel free to contact me.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to:

Freepost RLZR-ELTX-RUEH
Leeds City Council
PO Box 657
LS1 9BS

If you are not satisfied with the outcome of your complaint, you may apply directly to the Information Commissioner's Office (ICO) under Section 50 of the Freedom of Information Act for a decision. Generally the ICO cannot make a decision unless you have exhausted the complaints procedure provided by Leeds City Council.

The Information Commissioner can be contacted at: The Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Paul Burns
Freedom of Information & Data Protection Officer