

# Welfare Rights Privacy Notice



**Oldham**  
Council

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## What this privacy notice is for

Our core data protection obligations and commitments are set out in the council's primary privacy notice at [www.oldham.gov.uk/dataprotection](http://www.oldham.gov.uk/dataprotection)

Oldham Council's Welfare Rights Service is a central resource providing advice and support to residents in Oldham and working to increase the take-up of benefits and tax credits in the borough. The service recognises that individuals must make their own decisions and that the role of the service is to give people information to be able to exercise their rights.

The Welfare Rights Service provides free advice and support about:

- Benefit entitlement advice
- Assistance completing benefit forms
- Mandatory reconsiderations
- Appeals
- Tribunal

In order to enable us to carry out our obligations to you, it is necessary for us to collect and process personal information. This privacy notice provides information on how the Welfare Rights Service may collect and process personal information in relation to supporting you with personal and financial assistance.

## Updating our privacy notices

We may update or revise our privacy notices at any time so please refer to the version published on our website for the most up to date details.

## What we use your information for

The processing of your information is necessary for us to be able to help you with your case. We also use unnamed information (with no personal details) to help us understand how different problems are affecting society and to take action to tackle these problems.

Where you have given us permission and we have your contact details, we might get in touch to ask for feedback on the service you received and your overall experience of Welfare Rights Service.

We may share your information with other Council services in order to ensure our records are accurate and up-to-date, to improve the standard of the services we deliver, and to support the statutory duties of Adult and Children's Social Care and in the prevention of Homelessness.

## What categories of personal information we use

We collect information from you when you contact the Welfare Rights Service over the telephone, by email or using the online form.

We may sometimes obtain information about you from other individuals or third parties, where necessary, in order to support you with your personal or financial circumstances. These may include:

- Department of Work and Pensions
- Pension Service
- Job Centre Plus
- Landlords
- Solicitors
- HM Courts & Tribunal Service
- HM Revenue and Customs
- GP Surgery
- Health Professionals
- Adult Social Care
- Children's Social Services
- Other local authorities
- Charities including Citizen's Advice, AGE UK and McMillan Cancer Care

Category of personal data	Special/ Sensitive
Name	
Address	
Telephone Number(s)	
Email address	
Employer Details	
Self-employment details including nature of business	
Income and Expenditure Details	
Capital details	
Household Composition	
Income and Expenditure	
Date of Birth	
National Insurance Number	
Relationship	
Landlord and rent details if applicable	
Other properties owned	
Nationality	
Date entered UK	
Temporary absence details	
Student status	
Health (Physical/Mental) need for an overnight carer	✓
Racial or ethnic origin	✓

We will use information about your physical or mental health, or disability status to maximise benefit entitlement. If you are in housing cost arrears, we may also use this information to determine whether you are vulnerable and tailor our assessment methods accordingly.

## Legal basis for processing

All information processed within the Welfare Rights Service is done so as a result of a direct referral into the service. Assistance and support for you and processing of your information is undertaken with your explicit consent.

If you fail to provide certain information when requested, we may be prevented from assisting you with your enquiry and you may have difficulty exercising your rights to access welfare benefits or challenge benefit decisions.

## Information sharing/recipients

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We may share personal information about you with the following organisations:

- The Unity Partnership Ltd: The Unity Partnership Ltd is a company that administers benefits and revenues services on behalf of the Council.
- Software Providers: Our software provider LASA may have to have access to our case management system (AIMS) on occasion where there is a fault or to perform necessary upgrades. Access is only granted for the period required to do the necessary work and is then revoked. They do not host any data. It is all held on site here.
- Local Government Ombudsman: when requested as part of any ongoing complaint investigation.
- HM Courts and Tribunals Service (HMCTS): to undertake action to challenge decisions on your behalf.
- Department for Works and Pensions: to advocate on your behalf and challenge benefits decisions.
- Health agencies: to support you with any physical or mental health concerns.
- Charities/Voluntary organisations, for example AGE UK, Shelter, Positive Steps, Oldham Foodbank and CAB: to support you with any additional needs.
- Registered Social Landlords: for housing support and help to resolve any potential or ongoing housing issues such as rent arrears, eviction, and homelessness.

We may share your information with other departments within the Council, with your consent or if there is a legal basis to do so. Where this happens, data sharing agreements are in place to control the use of this data. These services currently include:

- Adult Social Care: for the purpose of assessment of care needs and potential safeguarding matters.
- Client Financial Affairs: to support the processing of fairer charging assessments.
- Children's Safeguarding: to ensure appropriate support is provided under The Children and Families Act 2014 and enable the Council to provide local Council Tax discounts to Care leavers up to the age of 21.
- Environment Health: to support housing enforcement activities in relation to your property subject to legal action due to disrepair or abandonment.
- School Admissions: to establish eligibility of Free School Meals.

- Get Oldham Working: to provide career guidance and educational support.

If you provide another person or organization with authority to discuss or to act on your behalf, we may share information with them. In all cases we would require evidence that you had granted authority before any information is shared.

We may be asked to provide access to personal information by relevant authorities with regulatory powers such as the police, government departments and other local authorities for the purposes of the prevention or detection of crime and/or the apprehension or prosecution of offenders without the permission of the data subject. The Council will consider such requests on a case by case basis.

As well as information collected directly from you, we may also obtain or receive information from the organizations listed above that is specific to your case. Information may include confirmation on personal and financial decisions such as, benefit awards, statement of reasons, current and ongoing support provision and medical evidence supporting your case. This will help us decide on the most appropriate action when advocating on your behalf.

## Data Transfers beyond European Economic Area

We do not transfer any of your personal information outside the European Economic Area ('EEA').

## Automated Decisions

All the decisions we make through the processing of your personal data involve human intervention

Our Guide to Exercising Your Rights outlines the procedure to ask us for an automated decision to be reviewed by an appropriate officer. This can be found at [www.oldham.gov.uk/yourdatarights](http://www.oldham.gov.uk/yourdatarights)

## How long we keep your data

We will only keep your information for as long as it is required by us or other regulatory bodies in order to comply with legal and regulatory requirements or for other operational reasons. In most cases this will be a minimum of six years.

## Where can I get advice

You have the right to ask for a copy of the information we hold about you, and to have any inaccuracies in your information corrected. For information about how to exercise these rights, please contact <https://www.oldham.gov.uk/yourdatarights>

We aim to resolve any enquiries or concerns about the processing of your personal data to your satisfaction, however if you are not happy with the way we have handled your personal data, you have a right to complain to the Information Commissioner's Office (ICO). If you're unhappy with how we record and use your information you should follow our complaints

procedure. You can also contact your local Citizens Advice to ask for a copy of our complaints leaflet.