

Privacy notice – Benefits Service

The **Local Authority (LA)** uses personal information it collects as a legal obligation or public duty to administer its duties in the processing of housing benefit, council tax support and local welfare assistance. This enables the LA to:

- maintain its own accounts and records
- promote the services it provides
- administer the assessment and collection of taxes and other revenue including benefits and grants
- administer all activities it is required to carry out as a data controller and public authority
- data match under local and national fraud initiatives

What kind of information does Ealing Council have about me?

We receive your personal information from:

- yourself via your online application forms.
- from the DWP, HMRC or your landlords and other parties such as credit reference agencies.

We use this information to decide entitlement to housing benefit, discounts for council tax, community care grants, crisis payments, provide personal budgeting support including onward referral to other organisations and digital support for online benefit applications.

We collect and process personal and special categories information such as:

- name, date of birth, address, gender, ethnicity
- health e.g. disabilities and special educational needs
- family details
- financial details
- employment and education details
- housing needs
- visual images, personal appearance and behaviour
- tenancy/licenses agreements
- business activities - self-employed claims

What do you do with information about me?

Some of the information we hold about you may be subject to automated processing in the interests of efficiency. You can request that a person reviews an automated decision made using data we hold about you. When decisions are made you will receive written/electronic notifications of any decisions made which will explain how you can request that a person reviews the decision.

Regular checks are made to ensure that automated decisions are correct.

The LA has a duty to protect the public funds it administers, and accordingly may use the information you have provided for the prevention and detection of fraud.

As part of the Council's fraud prevention and detection activities the Council participates in the London counter-fraud hub. The hub is run by CIPFA on behalf of a number of London Boroughs. As a participant in the hub, Ealing Council will share your details with the hub in order to protect against fraud. Your details will be checked in

the counter-fraud hub to ensure the information that you have provided is accurate and to identify any suspected fraudulent claims. If fraud is suspected your information may be shared with other London Boroughs that are identified as being affected by the suspected fraud.

The council may also share this information with law enforcement agencies and other bodies responsible for auditing or administering public funds for these purposes.

Please see below which outlines the powers and functions which Ealing Council may rely upon to enable data sharing with the London Counter Fraud Hub

We sometimes need to share information with the individuals we process information about and other organisations. Where this is necessary we are required to comply with all aspects of the data protection legislation. What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons. For further details, please refer to the Council's corporate privacy notice at

https://www.ealing.gov.uk/info/201045/data_protection/1420/privacy_statement

Where necessary or required we share information with:

- customers
- family, associates or representatives of the person whose personal data we are processing
- current past and prospective employers
- educators and examining bodies
- financial organisations
- service providers
- local and central government (DWP, HMRC, Pension Service, GLA, & DCLG),
- ombudsman and regulatory authorities
- professional advisers and consultants
- courts and tribunals
- credit reference agencies
- housing associations and landlords
- voluntary and charitable organisations
- data processors
- local and central government
- law enforcement and prosecuting authorities
- legal representatives, defence solicitors
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How do I know the information about me is kept safely?

All the information we collect is stored securely on our IT systems and manual filing systems. We have strict procedures for the way this is done. Any and all information about you is treated as confidential and with respect. There are also clear rules and guidance about storing, recording and sharing information which staff receive training on.

We take information sharing very seriously. Appropriate council and health staff are DBS (Disclosure and Barring Service) checked. Any member of staff who is found to be breaking the rules will be dealt with through appropriate disciplinary procedures.

Are the records confidential?

All Ealing Council employees have a duty of care in accordance with our Data Protection policy. This includes respecting the right to confidentiality.

For how long are records held?

There are different rules for different documents and/or information kept by the council. We are required by law to keep records for varying lengths of time depending on individual circumstances.

Don't you need my permission to keep and share information about me?

We would need your consent if the LA's legal basis for collecting and processing your personal information is consent.

Although your information is confidential, we may have to share information about you/your family without your permission. These reasons are:

- To protect you from harm, neglect, abuse or significant threat
- When you may need urgent medical treatment
- To prevent or detect a crime

Are there any laws applicable in the processing and protection of my information?

There are a number of laws which allow for the protection, collection and processing of your personal information for this purpose, such as:

- Social Security Contributions and Benefits Act 1992
- Social Security (Consequential Provisions) Act 1992
- Social Security Act 1998
- The Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001 No. 1002
- Child Support, Pensions and Social Security Act 2000
- Tribunals Courts and Enforcement Act 2007
- Welfare Reform Act 2012
- The Housing Benefit Regulations 2006
- The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006
- Local Government Finance Act 1992
- The Valuation Tribunal for England (Council Tax and Rating Appeals) (Procedure) Regulations 2009
- Social Security Fraud Act 2001
- The Discretionary Financial Assistance Regulations 2001 No.1167
- Localism Act 2011
- The General Data Protection Regulations and *The Data Protection Bill 2018*
- The Human Rights Act 1998

Can I see the information you have collected about me/my family?

Yes, you can request a copy of the information held. This is called a subject access request under the *Data Protection Bill 2018* and General Data Protection Regulations which contain certain rights of individuals and their personal data. For more information regarding your rights, please see the Council's [Privacy Notice](#).

Who should I contact if I want further information or to complain about the use of my personal information?

Please see the LA's website for more information on how we use your information at [Privacy Notice](#).

The Council's Data Protection Officer is Mrs L. Cox, whom you can contact on: dataprotection@ealing.gov.uk or telephone 0208 825 5124 during office hours.