

Privacy Notice

This document describes how and why we collect, store, protect, process and share the data you give to us. We collect personal data to help us manage and administer payments you might make for your Adult Social Care services.

Date of issue: 22/07/2018

Update History:

Version 1	First issue of a new Privacy Notice

Directorate: Communities
Service: Adult Social Care
Team: Client Financial Services

About the Organisation

West Berkshire Council is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address:

West Berkshire Council
Market Street
Newbury
Berkshire
RG14 5LD

ICO Registration Number: **Z6825178**
<https://ico.org.uk/ESDWebPages/Entry/Z6825178>

The Data Protection Officer

The Data Protection Officer for West Berkshire Council is:

James Gore AMBCS BA

Contact details can be found here: <http://info.westberks.gov.uk/dpofficer>

What data will we will collect about you?

When you come into contact with the Financial Assessment & Charging Team, we will collect basic information such your name, address and financial representative.

We may also hold information that you have given us, such as:

- A record of your income
- A record of you financial assets, including bank and building society details
- A record of your disability related expenditure
- Other relevant information in relation to your financial assessment

What we will use your data for?

We will use your data to help work out how much you will be required to pay towards the cost of your care and to ascertain whether or not you are entitled to any Welfare Benefits.

Who will see your data?

To make sure that we all work together for your benefit, we may need to share information about you.

The council employs a data processing company called "Prepaid Financial Services (PFS)". The company provides their own privacy information here <https://prepaidfinancialservices.com/en/privacy-policy>

As well as PFS, your data will be seen by council employees who have direct involvement in your care and by those managing and overseeing those employees. When required, we will also share information with a range of other statutory bodies in order to ensure you are supported and cared for.

This might include:

- Department for Works & Pensions
- other Council services
- Police or Office of the Public Guardian, should there be a risk to your finances that would make contact with them appropriate

However, we will only share what others need to know so that they can provide you with appropriate services. When sharing information we do so in line with agreed information sharing protocols.

We will not share your information with family members or friends unless you have given us permission to do so.

Why do we do this?

The GDPR requires that we identify a basis for this processing. Firstly, West Berkshire Council is processing your data in line with its statutory duties, outlined in the Care Act 2014. This is covered by article 6(c) of the GDPR.

In addition, the processing is carried out with a view to establishing a contract between you and various care providers that you might need to pay for. This is covered by article 6(b) of the GDPR.

Processing is also necessary in the public interest; in other words, as a public authority, West Berkshire Council has a duty to protect the public purse. This is covered by article 6(e) of the GDPR.

Processing may also be occasionally necessary in the “vital interests” of individuals – this means that where someone could be seriously harmed if it didn’t act, the Council is under an obligation to do what is necessary to protect them. This is under article 6(d) of the GDPR.

Your right to refuse

You don’t have to consent to us using your data, it’s your choice. The council can’t compel you to engage with this service. If you decide not to, you are likely to be charged the full cost of any care services we have identified for you.

How long will your data be kept?

Your data will not be kept any longer than necessary. You can check how long the organisation will keep each type of data against West Berkshire Council’s retention schedule www.westberks.gov.uk/retention .

How is your data stored and processed?

Your data will be held on electronic databases and network storage with restricted access designed for financial assessments, and will be protected using up-to-date technical and organisational security measures.

PFS are compliant with the PCIDSS (Payment Card Industry Data Security Standard) when carrying out manual and/or automated processes. They use application systems which store, process and/or transmit account holder data that are PADSS (Payment Application Data Security Standard) compliant and which are certified with the Payment Card Industry Security Standards Council (PCISSC).

They are operate in accordance with the ISO27001 standard and process transactions in accordance with both the Prudential Regulatory Authority and Financial Conduct Authority regulations.

Transfer overseas

Your data will not be stored or sent outside of the EEA by West Berkshire Council – PFS may, in limited circumstances, transfer data outside of this area but there are a number of safeguards related to this type of processing detailed in their privacy statement - <https://prepaidfinancialservices.com/en/privacy-policy>

Your rights

You have a number of rights when it comes to the data we hold about you. These are detailed on our request form (www.westberks.gov.uk/dprequest) that also allows you to make a request for us to take action about something.

Complaints

If you've already told us we need to do something, but we haven't responded in a way you're satisfied with, you can complain to the Information Commissioner's Office (the ICO). It's easiest to do this online via the ICO website <https://ico.org.uk/concerns/handling/> but you can also do so in writing to:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

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