

Privacy Notice for Benefits

**Reviewed Feb 2023
V3.0**



Benefits Service

Our core data protection obligations and commitments are set out in the council's **primary** privacy notice at www.bolton.gov.uk

This notice provides additional privacy information for:

- People accessing the Benefits Service
- Partners working with Bolton Council

It describes how we collect, use and share personal information about you

- In relation to Benefits
- the types of personal information we need to process, including information the law describes as 'special' because of its sensitivity

It is important that you read this notice, together with any other privacy information we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

The information collected and held will vary dependent on the service used.

Purposes

We collect your personal information for the following purposes:

- To administer statutory and discretionary benefits
- The collection of overpayments via enforcement
- Processing claims
- To protect public funds by detecting and preventing fraud

Categories of personal data

In order to carry out these purposes we collect and obtain:

- Basic details about you such as name, address, telephone number, email address and date of birth.
- Income and expenditure details including rental agreements
- Employer details
- Bank details
- Capital – savings
- National insurance number
- Household circumstances including income details of non-dependents
- Ethnicity and nationality
- Any disabilities as defined in the Equality Act 2010
- Contact we have had with you, such as any correspondence and complaints

Legal basis for processing

The legal basis for processing your personal information is:

- you, or your legal representative, have given consent
- performing or exercising obligations under law e.g. calculating accurate entitlement to Housing Benefit in line with section 131 of the Welfare Reform Act 2012
- in the public interest or in the exercise of official authority
- fraud prevention

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you or we may be prevented from complying with our legal obligations.

Information sharing/recipients

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

- National Fraud Initiative - This authority is under a duty to protect the public funds it administers.
- Teams within the Council in order to provide our services e.g. Council Tax, Housing and Housing Advice and Adult Services' Financial Assessment Team
- Any agencies you may have consented to complete a benefit application on your behalf e.g. Citizens Advice Bureau or other support agencies

We will not normally share your information with organisations other than our partner organisations; however, there may be certain circumstances where we would share without consent such as where we are required to do so by law, to safeguard public safety, and in risk of harm or emergency situations. Only the minimum information for the purpose will be shared.

As well as information collected directly from you, we also obtain or receive information from:

- The Department for Work and Pensions;
- Her Majesty's Revenues and Customs;
- The Single Fraud Initiative Service;
- Social Security and Child Support Tribunal;
- Schools for the purpose of awarding Free School Meals.

Automated Decisions

For this service:

- In some circumstances we will make automated decisions based on information we receive from the Government e.g. changes in your income that affect your entitlement to Housing Benefit and Local Council Tax Support.

Data retention/criteria

We will only keep your personal information for as long as the law specifies or where the law does not specify this, for the length of time determined by our business requirements.

Rights of individuals

You have certain rights in relation to the council's use of your personal information.

To find out more about how these rights apply in particular circumstances, please refer to our [Guide to exercising your rights](#) or alternatively visit the Information Commissioner's web site at www.ico.org.uk

If you wish to exercise your rights or to raise a concern about the handling of your personal information by the council, please contact our Information Governance Team at SubjectAccess@bolton.gov.uk

If you are still unsatisfied you should contact **The Information Commissioner's Office** by post at the ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or by telephone: 0303 123 1113

Updates to Privacy Notice

We may update or revise this Privacy Notice at any time so please refer to the version published on our website for the most up to date details