

Benefits Service Privacy Notice

This notice explains rights you have under the GDPR (UK General Data Protection Regulation) and the Data Protection Act 2018 (DPA), why we are collecting personal information from you and what we will do with it. For more information see www.camden.gov.uk/privacy

Why we are asking you for information

The personal information collected on applications for Housing Benefit, Council Tax Support and free school meals will be used for the purposes of working out your entitlement to Housing Benefit, Council Tax Support and free school meals.

The information may also be used for providing other Council services to you, for example Discretionary Housing Payments and Local Welfare Assistance.

What information we collect from you

The types of personal data that claim forms ask you for are:

- names and dates of birth of members of your household
- national insurance number
- relationship between members of your household
- contact details
- the income and capital of members of your household
- disability status
- tenancy details.

When personal information is a legal or contractual requirement.

Except where indicated on the application form, you must provide the information asked for so that the Benefits Service can work out your entitlement. A failure to provide information requested may lead to a decision that you are not entitled to Housing Benefit or Council Tax Support.

You do not need to provide an email address or telephone number but doing so may enable the Benefits Service to make a decision on your claim more quickly. We may contact you using the details you provide on a claim form or in subsequent correspondence or telephone calls.

If you do not provide information required to assess your child's entitlement for free school meals, your child will not be granted free school meals.

Our legal bases to use the data

Personal data - Article 6(1)(c) of the GDPR: the processing is necessary for us to comply with the law and 6(1)(e) undertaking actions in the public interest. There are various laws applied on these legal bases:

For Housing Benefit the Council has the right to process the information by virtue of social security and other legislation, in particular:

- Social Security Administration Act 1992
- Social Security Contributions and Benefits Act 1992
- 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 and

- Finance Act 2011

For Council Tax Support the Council has the right to process the information by virtue of

- Local Government Finance Act 1992 and
- Camden Council's Council Tax Support Scheme

For free school meals the law is the Education Act 1996.

For special category (sensitive) data the legal bases are:

Article 9(1)(b) of the GDPR: Employment, social security and social protection (if authorised by law) with the Data Protection Act 2018 schedule 1 part 1 condition being paragraph 1 Employment, social security and social protection; and

Article 9(1)(g) of the GDPR: Reasons of substantial public interest (with a basis in law) with the Data Protection Act 2018 schedule 1 part 2 condition being paragraph 6 Statutory and government purposes, and paragraph 10 Preventing or detecting unlawful acts

- with the underlying law for both being the same as given for Article 6 above.

Who we may share your data with and why

We will only share your data when we have a legal duty or power to do so, and it is necessary and proportionate to share the information. This might be because of a legal duty or to keep a child or a vulnerable adult safe or to allow another council team or someone working for, or on behalf of, the Council to provide services to you. Sometimes we have to share information without asking or telling you because the law says we must or can.

We also share information, in the ways Data Protection law allows, to prevent and detect crime including housing fraud, and for safeguarding and other purposes. The Council has a number of Data Sharing Agreements that set out what data we will share and why. Many of these are on Camden's Open Data Portal <https://opendata.camden.gov.uk/Your-Council/Data-Sharing-Agreements-DSAs-/5ict-9ee7>

Information is shared with the Department for Work and Pensions for the purposes of administering and developing the Housing Benefit scheme.

Records of Housing Benefit payments to private landlords are provided when a notice to provide data is received from HM Revenue and Customs. This is a requirement under paragraph 1 of schedule 23 to the Finance Act 2011.

Information is shared with the Council Tax Service for purposes of awarding discounts (for example the sole occupier discount) or ensuring that periods of liability are correct (for example when a person moves in or out of a dwelling).

If you apply for free school meals and your application is successful, your child's school will be notified so that your child receives free school meals.

LIFT (Low Income Family Tracker) dashboard

The Council's Housing Benefits, Council Tax and Housing Needs teams will share data with each other and an organisation called Policy in Practice to maintain a Low Income Family Tracker dashboard with the aim of identifying residents who are at risk of homelessness and/or poverty. More information can be seen here [Data protection, privacy and cookies - Camden Council](#) by scrolling down to 'LIFT Dashboard'.

How long will we keep your personal information?

We will keep your personal information for six years from when an award is ended. If you have been overpaid Housing Benefit, information will be held until the overpayment has been paid back or it is decided to end recovery action. Our retention schedule is available [here](#)

Your rights

You have the right to request a copy of the information we hold about you, the right to ask us to rectify, erase or restrict processing of your data, the right to ask for data portability, and if we are relying on consent (which here we are not) the right to withdraw consent at any time. There are some exemptions to these rights. For more information please see [Your rights - Camden Council](#)

We will not transfer your personal data outside the EU/EEA.

We do not use automated decision making. If we make a decision about you, a council officer will be involved in that decision

The name and contact details of Camden's Data Protection Officer

Andrew Maughan, Borough Solicitor, dpo@camden.gov.uk

Complaints

If you are unhappy with how the Council has handled your personal data you may complain to the Information Commissioner's Office (ICO):

- Telephone: 0303 123 1113
- live chat <https://ico.org.uk/global/contact-us/live-chat/>
- webform <https://ico.org.uk/global/contact-us/>

However before you do so please contact us at dpo@camden.gov.uk so the Data Protection Officer can review the matter which will allow an opportunity for an informal and therefore speedier resolution.