

## Your Personal Information and how we use it.

Sunderland City Council's Social Care Financial Assessment Team needs to collect information about you to help us carry out your personal financial assessment to work out how much you may need to pay towards the care and support services you have been assessed to receive.

We will only use information collected lawfully in accordance with the General Data Protection Regulation (GDPR) and future UK Data Protection legislation.

We will not use any information we hold about you for any purpose other than that for which it was collected, unless we have obtained your consent beforehand.

## What information do we collect?

We collect information about you and your financial circumstances. This enables us to provide you with your assessed maximum contribution towards any care and support services you are assessed to receive. This information may be recorded in writing, or electronically on a computer or smart device, or a mixture of both.

The type of information we will collect:-

- Personal information (such as name and address, next of kin)
- Your assessed care and support needs
- Health conditions
- Detailed financial information such as capital assets, savings, income, benefits & expenditure
- National Insurance Number
- If you are part of a couple and you agree to a 'better off' financial assessment calculation, we will need your partner's financial information
- Detailed information on a property if this is offered as equity in support of a Deferred Payment Agreement (DPA) such as valuation, ownership details, mortgages or other secured loans, insurance, rental income or any other relevant information relevant to the DPA
- Financial information obtained from the Housing Benefit & Council Tax Support Section or Department for Work and Pensions (DWP) about your welfare benefits for the purpose of completing and verifying your financial assessment for your care and support

## How is the information we collect used to help you?

The information we collect may be used to help you in the following ways:

- To calculate your financial assessment and work out your assessed maximum contribution you have to pay towards any care and support services you receive
- To assist us when making benefit claims on your behalf or to challenge adverse decisions to help maximise your income
- To safeguard you against financial abuse

- To help prevent and detect fraud (under the National Fraud Initiative)

## Do we share information about you with anyone?

There are times when it will be appropriate for us to share relevant information with other council departments and outside agencies to help us work together for your benefit. We may share your information with the following main partners, and they may share it with us to support your financial assessment:

- Adult Social Care
- Billing & Recovery
- Financial Safeguarding
- Legal
- Audit, Risk & Assurance
- Housing Benefit & Council Tax Support
- Department for Work and Pensions
- Pension Service
- HM Revenues & Customs
- Cabinet Office - National Fraud Initiative
- GPs
- NHS Authorities
- Sunderland Care and Support
- Independent Providers of Social Care
- Department of Health

We do not share information about you with anyone without your consent unless the law requires or allows us to do so. We will always seek your positive consent to share information if there is no legal basis to share.

Your personal data e.g. name, address etc. may also be shared with bodies responsible for auditing and administering public funds for the purposes of preventing and detecting fraud e.g. data is shared with the Cabinet Office as part of the government's National Fraud Initiative (NFI), in an exercise undertaken periodically that seeks to match electronic data for the specific purpose of preventing and detecting fraud. For more details see the Council's NFI Privacy Notice at [www.sunderland.gov.uk/article/15536/Privacy](http://www.sunderland.gov.uk/article/15536/Privacy)

In all cases where we must pass on information, we will only share the minimum amount of information required and will use the most secure method to transfer; wherever possible data will be pseudonymised (i.e. does not identify you personally) or encrypted.

## The lawful basis on which we use this information

We need to collect and use your personal data in order to comply with the relevant legislation for providing health and social care to you. This legislation includes the:

- The Care Act 2014 which gives the Council:
  - The power to charge you for adult care and support services you may be assessed to receive (section 14); and

- The duty to carry out an assessment of your financial resources to determine the amount you may need to contribute towards any care and support services you may be assessed to receive (section 17), which comply with the Care and Support (Assessment of Resources) Regulations.
- The duty and power to enter into a Deferred Payment Agreement (DPA) if you meet certain criteria (sections 34 & 35). The DPA is a way of deferring care and support costs against equity held in a property, which can provide adequate security to the Council against deferred costs
- Social Security Regulations issued under sections 30 and 31 of the Welfare Reform Act 2012 which allow us to collect, use and store information held by the Department for Work and Pensions about your welfare benefits for the purpose of completing a financial assessment for adult care and support services
- Local Audit and Accountability Act 2014

Our lawful basis for processing is therefore as we have a statutory obligation as defined by Article 6(1)(c) of the General Data Protection Regulation (GDPR).

Some of the information we need to hold is classed as special category information - primarily ethnicity, gender and any health conditions. Our lawful basis for processing this data is provided by Article 9(2)(h) of GDPR - the provision of health or social care.

### How we look after your information

All information is held securely with physical, organisational and electronic access controls to ensure it is secure both at rest and when in transit.

### How long we will look after your information

We will keep information in line with Sunderland City Council's [Retention Schedule](#) for Social Care Financial Assessments, and we will only keep it as long as we need it. When we no longer need your information it will be destroyed securely by deletion of electronic records and shredding of paper files.

### Requesting access to your personal data

You can find out if we hold any personal information about you by making a 'subject access request' under the General Data Protection Regulation.

In addition, you have the right to request the rectification or erasure of your personal data, and to object to, or request restriction of, processing your data.

If you have any concern about the way we are collecting or using your personal information, we request that you raise your concern with us in the first instance.

Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## Further information

<https://www.sunderland.gov.uk/information-charter>  
<https://www.sunderland.gov.uk/data-protection>

## Contact Us

Data Protection Officer  
Sunderland City Council  
Civic Centre  
Sunderland  
SR2 7DN

Email: [Data.Protection@sunderland.gov.uk](mailto:Data.Protection@sunderland.gov.uk)

Tel: 0191 5205555