



PRIVACY NOTICE

Direct payments service for service users and personal assistants (where applicable)

This privacy notice covers how Pembrokeshire County Council (as a Data Controller) will collect, use and share your personal data for the purposes of running the Direct Payments Service which allows you, the Service User, to receive money from Social Services enabling you to meet your assessed needs in a way that you choose.

Why we need your information (purpose of processing)

We collect and use your personal information so that we can:

Inform you, the **Service User**, with regard to how much you need to financially contribute and how much the Authority will contribute towards the costs of your care. This will enable you to receive enough funds to purchase you own care.

Where the Service User chooses to appoint a **Personal Assistant** we will collect and use your information as a Personal Assistant job applicant, and should you be appointed, so that we can:

- process your personal data as a Personal Assistant job applicant allowing us to manage the recruitment process
- make payments on a 4 weekly basis to you should you be appointed as a 'Service User's' contracted Personal Assistant.

The information that you provide, either as a **Service User** or as **Personal Assistant** job applicant, will be processed according to the UK General Data Protection Regulation, the Data Protection Act 2018 and the Social Services and Well-being (Wales) Act 2014 and the relevant legislation covered by this Act. In addition, data in relation Criminal Offences and Convictions is processed according to DBS Checks: Guidance for Employers and The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 - Schedule 1: Part 2: Section 12.

We will also make any disclosures required by law and we may also share this information with other bodies responsible for detecting/preventing fraud/crime or auditing/administering public funds to ensure money is targeted and spent in the most appropriate and cost effective way. In order to achieve this, information will be shared with our Audit Service within Pembrokeshire County Council and with The Auditor General for Wales.

We will not make any disclosures to third parties for marketing purposes.

Your data will be secure and confidential at all times and we will only collect the personal information that is required to provide you with our service.

What personal data is being collected?

The categories of personal data being collected are:

Service User	Personal Assistant (As Applicant and/or if Appointed)
<ul style="list-style-type: none"> • Name • Address and postcode • Email address • Telephone numbers • Date of birth • Bank Details <p>As a Service User, some data in relation to your financial and care needs will already have been collected as part of the assessment process which is covered by the existing Social Care Privacy Notice.</p>	<ul style="list-style-type: none"> • Name • Address and postcode • Email address • Telephone numbers • Date of birth • NI number • DBS Number • Bank Details (if employer is in receipt of a Managed Direct Payment Bank Account) • Training / Qualification / Professional Registrations • Employment history • We may also collect personal data about you from third parties, such as references supplied by former employers. • First language • Any criminal convictions • Information about your entitlement to work in the UK • Your identification documents including passport and driving licence and information in relation to your immigration status and right to work for us. <p>As part of its employee vetting procedure, the Council has, by virtue of its status as a Registered Body, access, where appropriate, to criminal record information through the Disclosure and Barring Service (DBS). The DBS exists to enable organisations to make safe recruitment decisions. Details are available in the Policy Statement on the Recruitment of Ex-Offenders</p>

What is our lawful basis for processing your personal data?

The UK General Data Protection Regulations (GDPR) requires specific conditions to be met to ensure that the processing of your personal data is lawful. These relevant conditions are:

- Article 6 (1)(e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law as listed above.
- Article 6 (1)(b) Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

Who will we share your information with?

We may need to share your personal data with internal departments, other organisations and third parties, this will include:-

Service User	Personal Assistant (As Applicant and/or if Appointed)
<ul style="list-style-type: none"> • PCC IT systems (including email, Carefirst) • Diverse Cymru system as part of our data processor relationship. 	<ul style="list-style-type: none"> • PCC IT systems (including email, Carefirst, HR management systems) • Diverse Cymru system as part of our data processor relationship. • Your private pension provider • HMRC

Pembrokeshire County Council has a duty to protect the public funds it manages. Therefore, the information that you have provided to us may be used for the prevention and detection of fraud and for auditing purposes both internally and externally.

The personal information we have collected from you will be shared with fraud prevention agencies who will use it to prevent fraud and money-laundering and to verify your identity. If fraud is detected, you could be refused certain services, finance, or employment. Further details of how your information will be used by us and these fraud prevention agencies, and your data protection rights, can be found by visiting <https://www.cifas.org.uk/fp>.

How long do we keep hold of your information?

Pembrokeshire County Council will only keep your information for as long as is necessary, we will retain the information provided to us for the timeframes specified below and your information will be securely disposed of once it is no longer required.

Service User	Personal Assistant (As Applicant and/or if Appointed)
<ul style="list-style-type: none"> • 10 years after last contact for process involving assessing and providing individual support or services or • 20 years after last contact (or 8 years after date of death, whichever is the sooner) for process involving assessing and providing individual support for people with mental illness (People who are "mentally disordered"). 	<ul style="list-style-type: none"> • 7 months after the end of the relevant recruitment process for consideration for future employment opportunities (if unsuccessful in recruitment process). • 7 years for any financial records relating to payroll for HMRC and Pensions.

Your Rights

Under the UK General Data Protection Regulation and Data Protection Act 2018, you have rights as an individual including:

- The right to **Rectification** – you have the right to ask to have your information corrected.
- The right to **Restrict** processing may apply – you may request that we stop processing your personal data however, this may delay or prevent us delivering a service to you. We will seek to comply with your request but may be required to hold or process information to comply with our legal duties.
- The right to **Object** – this is not an absolute right and will depend on the reason for processing your personal information.
- The right of **Access** – you have the right to ask us for copies of your personal data. To make a request, please contact:

Access to Records

Pembrokeshire County Council

County Hall

Haverfordwest

SA61 1TP

Email: accesstorecords@pembrokeshire.gov.uk Telephone: 01437 775798

Complaints or Queries

Pembrokeshire County Council endeavours to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this seriously. We encourage people to bring to our attention if they believe that our collection or use of information is unfair, misleading or inappropriate.

This privacy notice does not provide exhaustive detail of all aspects of our collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to the address below:

Jo Hendy, Data Protection Officer

Pembrokeshire County Council

County Hall

Haverfordwest

SA61 1TP

Email: dataprotection@pembrokeshire.gov.uk Telephone: 01437 764551

If you want to make a complaint about the way we have processed your personal information, you can contact the Information Commissioner's Office as the statutory body which oversees data protection law:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

SK9 5AF

Email: wales@ico.org.uk Telephone No: 0303 123 1113

Our Contact Details as Data Controller are:

Pembrokeshire County Council
County Hall
Haverfordwest
Pembrokeshire
SA61 1TP

Email: enquiries@pembrokeshire.gov.uk

Telephone number: 01437 764551

Our Data Protection Officer's information is detailed above in the Complaints and Queries section.

Changes to this privacy notice

We keep our privacy notice under regular review.