



## BMBC PRIVACY NOTICE

<b>Document Title</b>	Charging for Non-Residential Adult Social Care Services
<b>Created By</b>	Carl Hirst – Senior Commercial Services Officer
<b>First Published</b>	March 2019
<b>Revision Date</b>	March 2020
<b>Revision Due</b>	March 2021

**At BMBC we are committed to protecting and respecting your privacy. This Privacy Notice tells you what you can expect when BMBC collects your personal information. This notice applies to information BMBC collects in relation to your Financial Assessment to determine any contribution towards care services supplied via BMBC.**

### **Stage one: Who are we?**

The Financial Assessments Team are based within the Finance Business Unit of Barnsley MBC and conduct financial assessments for people within the community that have been assessed by Social Services and have been deemed to require care within their own home.

A financial assessment is carried out to determine how much a client can afford to contribute towards the cost of their care. This is a means tested process and is reviewed as a minimum on an annual basis to ensure that all details held are up to date.

### **Stage two: What type of personal information we will collect from you**

In order for the Financial Assessments team to complete a financial assessment, we require personal financial information from you. The type of information required and held on our secure system would include:

#### **Income**

- State, Occupational or Private Pensions
- Pension Credit
- Disability related Benefits (Disability Living Allowance / Personal Independence Payments / Attendance Allowance)
- Employment & Support Allowance
- Severe Disability Premiums
- Universal Credit

#### **Capital**

- Bank/Current Account Balance
- Savings Account Balance
- ISA / Bonds

## **Expenditure**

- Rent / Mortgage
- Council Tax
- Disability Related Expenditure

## **Stage three: Why do we need your personal information?**

To enable the financial assessment to be carried out correctly and be as fair as possible, we need to ensure that we have all required information.

This assessment is means tested and will determine if you can afford to contribute towards any care package put in place. The assessment will determine:

- If you can afford to contribute
- The maximum you can afford
- If BMBC need to fully fund or assist with funding

We also need all information to be accurate to ensure that you do not fall below the Minimum Income Guarantee so that you can afford to maintain your home.

## **Stage four: How we will collect your personal information**

We will only request your information once you have had a care needs assessment by a Social Worker and they have forwarded onto us a referral form with consent from you to carry out the financial assessment.

We will generally collect your information from you through our secure online financial assessment tool at. You will have been prompted to submit your information this way by the Social Worker. Information collected via the online tool is automatically uploaded to our secure system, along with any supporting documentation that is also submitted.

If you are unable to complete the information online, we will collect this from you via telephone and will input the data into our secure system. Any evidence submitted to us will be done by post or in person. Submitting information via post is done so at your own risk.

Once we have received your information, we will verify it by using a number of sources:

- Benefits and State income will be checked and verified via the Department for Works and Pensions
- Rent payments will be verified with Berneslai Homes if you reside in a Council Property
- Council Tax will be verified with our internal council tax system
- Any Housing Benefit or Council Tax support will be verified with our internal council tax system

The Financial Assessments team have direct access to the above information.

## **Stage five: Our Legal Basis for processing your information**

If you are in receipt of care services that are provided by the council, at times we will be required to access your information to ensure that the data we hold is up to date. This information is shared with us by the Department for Works and Pensions and is required when carrying out new Financial Assessments or completing periodic reviews of existing ones.

We may also collect and use your information in relation to our duties under one of the following legal bases. The one we use will depend on the circumstances in which we are processing your personal data:

- GDPR Article 6(1)(a)- The data subject has given consent to the processing of his or her personal data for one or more specific purposes
- GDPR Article 6(1)(c) – Processing is necessary for compliance with a legal obligation
- GDPR Article 6(1)(e) – Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
- The Care Act 2014
- BMBC Charging Policy

## **Stage six: Why we may need to share your information**

As part of the Financial Assessment process, we will never share your financial information with another organisation.

We will share your determined contribution if applicable with your Social Worker or Social Services Team as they are required to feed this information back to you should you wish to know any contribution before agreeing to a care service package.

We may need to share other information with your Social Worker and / or Social Services in the event that you may appeal your financial assessment.

## **Stage seven: Who we may share your information with**

The Financial Assessments Team works closely with other partner organisations. There may be times when we need to share your information so that we can all work together for your benefit and to make sure you receive the support you need. Where it is in your interest to do so and to support your care, we may share your information with:

- Department for Works and Pensions
- Other BMBC departments – Adult Social Care
- When we are required by law such as Police Services and Government Regulators

With your consent, we may share information with your relatives or carers.

## **Stage eight: How long will your information be kept?**

Your information will be kept according to the dates specified within our retention schedule. For more information on our retention schedule please visit [www.barnsley.gov.uk/privacy](http://www.barnsley.gov.uk/privacy)

## **Stage nine: What will happen if you fail to provide personal information?**

Failure to provide personal information will impact on your contribution for the service that you may require. Without providing financial information within 28 days of your care needs assessment, we will be unable to determine whether or not you can contribute towards your care package. This would result in us treating your case as non-disclosure and you would then be responsible to pay for the full cost of your service without any support.

## **Stage ten: How to access and control your personal information**

BMBC have a Data Protection framework in place to ensure the effective and secure processing of your information. For details on how your information is used, how we maintain the security of this and your rights to access the information we hold about you, please refer to the [Barnsley Metropolitan Borough Council privacy notice](#)

Should you need to contact the council to discuss how we use your information, please contact our Customer Feedback and Improvement Team by email at [informationrequests@barnsley.gov.uk](mailto:informationrequests@barnsley.gov.uk) or by telephone on 01226 773555 and ask to speak with the above Team. If you are not satisfied with our response you may contact our Data Protection Officer on [DPO@barnsley.gov.uk](mailto:DPO@barnsley.gov.uk).

If you are not satisfied with the way we have handled your information, the Information Commissioners Office (ICO) is the UK's independent authority upholding information rights in the public interest and can be contacted at [www.ico.org.uk](http://www.ico.org.uk)