

Privacy Notice
Durham County Council
Adult and Health Services
Direct Payments Support Service

Who we are and what we do

The Direct Payments support service provides advice, guidance and support to service users who wish to receive Direct Payments

Direct Payments are money that service users or carers can receive to pay for care and support services, rather than having social care staff arrange the care for them. Many service users use their Direct Payments to employ Personal Assistants or Support Workers.

Personal Assistants/Support Workers can submit their details to the Council to enable them to be considered for specific vacancies. This Privacy Notice explains to Personal Assistants/Support Workers what information the Council may gather and how and why it is shared.

For the purposes of Data Protection, Durham County Council is the Data Controller for your information.

What type of personal information do we collect and how do we collect it?

In order to assess suitability for a position and where successful, to support the employer manage your employment contract, the personal information collected may include:

- name, address, and contact details
- NI Number
- Employment history and work experience
- Qualifications and relevant training
- Whether a driving licence is held and whether there are any endorsements
- Reference information
- Disclosure Barring Service (DBS) check information
- Information about any outstanding student loans

We collect the following special category data:

- Gender

We collect information about you in the following ways:

- Application form
- Starter Checklist form
- Employment contract
- Face to face
- By post
- By telephone
- By e-mail

What is our lawful basis to obtain and use your personal information?

To enable us to provide services to you, it may be necessary for us to share your personal information with others. To do so we will use the following legal basis for sharing your information:

- 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
- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract"

For special category data which is more sensitive information, we rely on the following:

- Health and Social Care - we use it for the provision of health or social care or treatment or the management of health or social care systems and services

What is your personal information used for?

Durham County Council holds information about Personal Assistants /Support Workers in order to:

- Support the employer (service user or their representative) with the appointment of a Personal Assistant/Support Worker
- Enable pre-employment checks to be carried out including DBS checks and references
- Enable an employment contract to be issued where the applicant is successful
- Inform the payroll company about payments to be made and to ensure the correct tax code is used
- To enable subsequent DBS checks to be carried out as they become due
- For the completion of financial audits regarding the direct payment

Will your personal information be shared?

Information will be shared with the service user or their representative. Information may also be shared with the Payroll Company and HRMC

In some cases, such as for the prevention and detection of crime or for safeguarding purposes, we are legally obliged to share information with other agencies e.g. such as the Durham County Council Fraud Team and the Police

How do we keep your information secure?

The security of your personal information is important to us. This is why we follow a range of security policies and procedures to control and safeguard access to and use of your personal information.

If we need to share your information we will ensure this is done in a secure manner, and that the information shared is relevant.

How long will we keep your personal information?

After we deliver a service to you, we have to keep your information as a business record of what was delivered. The type of service you receive will determine how long we have to keep your information. Our corporate retention guidelines ([hyperlink](#)) show how long we keep information for different services. Your records will be retained in accordance with Durham County Councils records retention schedule for Adult and Health Services as follows:

- Unsuccessful applications – 12 weeks
- Successful applications - 6 years following expiry of the contract

Is your personal information processed outside of the European Economic Community (EEC)?

We do not process your personal data outside of the EEC

Marketing

At no time will your information be used or passed to others for marketing or sales purposes, or for any commercial use without your express consent.

What are your information rights?

Your Information Rights are set out in the law. Subject to some legal exceptions, you have the right to:

- have any inaccuracies corrected;
- have your personal data erased;
- place a restriction on our processing of your data;
- object to processing; and
- to request your data to be ported (data portability).

If you wish to exercise your information rights, please contact our Data Protection Officer at DPO@durham.gov.uk or alternatively write to:

DPO,
Floor 4 Room 143-148,
Durham County Council
County Hall,
Durham
DH1 5UF

You also have the right to request a copy of the personal information council holds about you. To do this, you can apply on line or download an application form from the [DCC website](#) or you can contact the data protection team at dataprotection@durham.gov.uk

To learn more about these rights please see the [ICO website](#).

Further Information

Our Data Protection Officer (DPO) provides help and guidance to make sure we apply the best standards to protecting your personal information. If something goes wrong with your personal information, or you have questions about how we process your data, please contact our Data Protection Officer at DPO@durham.gov.uk or by calling 03000 268050.

If we have not been able to deal with your complaint, you can also contact the [Information Commissioner's Office:](#)

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone: 0303 123 1113 (local rate) or 01625 545 745

Fax: 01625 524 510