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## Information Sharing Protocol for the Administration of Debt Management in North and North East Lincolnshire Councils' Local Taxation & Benefits Shared Service



Maintenance and control of this document is undertaken by North & North East Lincolnshire Council Local Taxation & Benefits Shared Service

## Tier 2 - Strategic Purpose Information Sharing Protocol

### 1. Introduction

This Protocol has been developed as a result of the agreement between North and North East Lincolnshire Councils to work collaboratively to deliver a Local Taxation and Benefits (LT&B) Shared Service.

The Protocol covers the sharing of identifiable confidential & sensitive information between the councils' LT&B teams in order to work collaboratively, and effectively use resources within the teams. Information may also be shared with partners and stakeholders acting on behalf of the customer with the express consent or, where appropriate implied consent, of the data subject.

The Protocol is supported by the over-arching legal agreement signed by both councils.

### 2. Objectives

The Protocol aims to provide a basis for the sharing of information in order to facilitate integrated working, maximise resources and improve outcomes for LT&B customers within North and North East Lincolnshire.

### 3. Roles and Responsibilities

The information covered by this Protocol will be disclosed by customers that access the LT&B benefits service.

There is a wide range of information that is collected by the service and may need to be shared in order to enable the delivery of the shared service. The information includes, but is not limited to:

1. Personal details of individual Debt Management customers, relevant to their claim including some or all of the following depending on the individual case:
  - Name
  - Addresses – current and past
  - Date of birth
  - National insurance number
  - Telephone numbers
  - Ownership and Tenure of property, details of landlord
  - Relationship including spouses, partners, civil partners
  - All disabilities, including registration with Social Services, mental incapacity etc... to assess vulnerability

## Not Protectively Marked

- Income – including earnings, pensions, tax credits, maintenance, and all benefits and allowances
- Any hospitalisation
- Students – educational establishments and hours attended
- Details of employers
- Capital including bank /building society account numbers, national savings certificates, premium bonds, stocks and shares, unit trusts etc.
- Details of expenditure
- Any other personal information disclosed by customers in support of any debt owed

### 2. Information relating to applicants or other household members obtained from other agencies such as:

- Experian
- Enforcement Agents
- IT suppliers (trace and collect)
- CIS

Information is received directly from LT&B customers in relation to applications for Housing Benefit, Council Tax Reduction. Information is also received from other sources such as (but not limited to) the Department of Work and Pensions (DWP), Her Majesty's Revenues & Customs (HMRC), landlords, and employers.

Access to the information will be granted to the appropriate staff within the LT&B service in order for them to process applications and changes to applications, deal with customer queries, and check that claims are assessed correctly.

Only staff who have a legitimate need to know the information will be allowed access.

Information will continue to be stored in the existing IT systems (Northgate Information Systems, Information@Work, Civica DIP and Civica OPENRevenues systems). Authorised staff may also access relevant DWP systems when necessary.

All staff have a contractual obligation to adhere to the information security policies and procedures in place at both councils.

## 4. Legislation

Both councils are subject to a variety of legal, statutory and other guidance in relation to the sharing of person- identifiable information.

For all signatories, the key legislation and guidance affecting the sharing and disclosure of information includes but is not restricted to:

- Data Protection Act 1998
- Freedom of Information Act 2000
- Local Government Finance Act 1992
- Local Government Act 2000
- Human Rights Act 1998
- Social Security Regulations 2012 and 2013
- The Social Security Amendment and Prescribed Bodies Regulations 2013
- Section 131 of the Welfare Reform Act 2012

The LT&B benefits section will use the information we hold in accordance with this legislation for the purposes of:

- Recover any outstanding overpayments or debt owed to the council
- Presenting relevant data to the HM Courts & Tribunals Service relating to the recovery of Housing Benefit, Council Tax and any other debt owed to the council
- Preventing or detecting crime
- Protecting public funds
- Recover any debt owed to the council

## **5. Client Consent**

It is generally accepted that some information provided by customers is confidential in nature.

Both councils accept the duty of confidentiality and will not disclose such information without the consent of the person concerned, unless there are statutory grounds or an overriding justification for doing so.

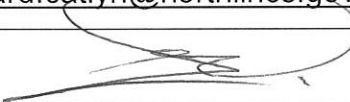
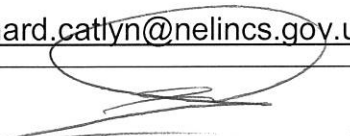
The customer's right to confidentiality is not absolute and may be overridden if evidence that disclosure for specific purposes is necessary in exceptional circumstances. Such as:

- Where it is required by statute
- Where there is a risk of harm to any person
- Where sharing is required to prevent serious crime.

## **6. Monitoring / Review**

The Protocol will be reviewed annually or at any point, which may necessitate a change in the Protocol, such as additional signatories or a change to Information Sharing Policy within the signatory organisations.

**7. Signatories**

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