Data Protection Act 1998 – It affects you

The Data Protection Act 1998 became law on 1 March 2000. In this leaflet we will refer to the Data Protection Act as the Act.

The Act gives rules for the way organisations treat personal information about you. It applies to written records on paper and information on computer.

The Department for Work and Pensions needs personal information about its customers to provide its services. We only collect and use this information in ways the law allows. The Act means that we must make sure we use the information we have correctly.

The information we have about you

The Department for Work and Pensions only collects and keeps information about you that we need so we can give you our services.

The information we keep can include:
- forms you have completed and given to us;
- letters you have sent to us;
- details of any checks we make to make sure information we have is right; and
- computer records to do with your business with the Department.

The law says we can sometimes share information about you with other organisations such as the Inland Revenue or local councils. This can be because:
- the law says we have to
- a Court Order says it is necessary
- you have given your permission.

How can I find out what information you have about me?

The Act allows you to find out what information is held about you on computer and in some paper records. This is known as the "right of subject access".

Asking us for information

If you want to see the information we have about you, please try to tell us exactly what information you want to see. This will help us to provide you with a better service. We will send you a copy of the information we have, if any, as soon as possible and at the latest within 40 calendar days.

You must ask for the information in writing and give us information that allows us to be sure of your identity and address.

For example, tell us your:
- Full name
- Address
- Date of birth
- National Insurance (NI) number.

If you have any other reference numbers we use, such as a Child Benefit number, or any other information you think might help us to identify you, please also include this.
Can I see all the information held about me?
Normally you can see all the information we have, but there are some exceptions. These exceptions are mainly to do with:
- the way that crime is detected or prevented
- catching or prosecuting of offenders
- assessing or collecting taxes or duty
- details we keep to make sure our staff are safe.

In some cases your right to see certain health or medical information may be limited.

This means we may have to delete or remove some parts of the information. We will only delete or remove information if the law allows us to.

Where to send requests for information
If you know which office deals with the information you want, send your request to the Data Protection Officer at that office. Otherwise, please send your request to the Data Protection Officer at the social security office nearest to where you live.

Confidentiality statement

The Department for Work and Pensions collects information for the purposes of social security, child support, vaccine damage, employment and training, policy relating to occupational pension schemes or personal pension schemes and promoting financial planning for retirement. The information we collect about you depends on the reason for your business with us, but we may use the information for any of these purposes.

We may check information about you with other information we have. We may get information about you from other people and certain other organisations. We may give information to certain other organisations, as the law allows, to:
- check the accuracy of information
- prevent or detect crime
- protect public funds in other ways, and
- use in research or statistics.

These third parties may include other government departments and their agencies, in particular Her Majesty’s Revenue and Customs, local authorities, banks, building societies, and other financial bodies, utility providers, educational bodies, academic bodies, research providers, health service providers, law enforcement agencies, training providers/job brokers, overseas social security organisations, partners or agents authorised by the Department for any DWP function.

Under current legislation, anyone making a claim for an income related benefit e.g. pension credit or jobseekers allowance, is required to give information on any children or other adults living with them, as this may affect the amount of benefit that is paid to them. This is because other adults (non-dependants) are expected to make a financial contribution towards housing costs, depending on their personal circumstances.

Local Authorities (LAs) administer housing benefit and council tax benefit on behalf of DWP. The law allows DWP to share information about non-dependants with LAs for housing benefit or council tax benefit purposes so that they can calculate the correct amount of benefit to pay customers.
"We may check information that we have been given about you, which has been provided by the person making the claim for benefit, with other information, held by us, however, we will not disclose information about you to anyone outside DWP unless the law permits us to.

DWP is the Data Controller for the purposes of the Data Protection Act. If you want to know more about what information we have about you, or the way we use your information, you can contact any of the Department’s offices or you can look on our web-site www.dwp.gov.uk. You can also ask your local council what information they hold about you.