

# Legal Basis for Processing Data – Work Choice



| Type of Organisation information is shared with | The type of information   | What we use your information for  | The lawful reason that we have identified to process your information  |
|---|---|---|--|
| <b>Jobcentre Plus (JCP) / DWP</b>               | <ul style="list-style-type: none"> <li>• Full data set, including information such as name, contact details, date of birth NI number,</li> <li>• Information which relates to your health and/or disability (i.e. special category data).</li> <li>• Special category information, such as Gender, Religion, Disability, Ethnicity, Sexual Orientation, Criminal Convictions</li> <li>• Qualifications, job goals, employment history</li> <li>• Marital Status and family circumstances</li> <li>• ID check and right to work</li> <li>• Information collected during your time on the programme, such as correspondence, customer feedback forms, welcome pack declaration, C.V, consent forms, start forms, exit forms etc.</li> </ul> | <ul style="list-style-type: none"> <li>• To develop a personalised action plan and tailored package of ongoing support,</li> <li>• To identify employment needs, match skills to available work, connect participants with employers, provide in work support to gain sustained employment, provide training and help manage health problems to reduce their impact on work.</li> <li>• Through partner organisations, to develop skills, confidence and improve the health and wellbeing of participants.</li> </ul> | <p><b>Art 6(1)(e)</b> - 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. Section 13(1)(b)(iv) and 1A of the Social Security (Claims and Information) Regulations 1999 enables DWP to share social security and employment and training information with relevant authorities and their service providers in connection with any arrangements made by the recipient for purposes connected with employment and training.</p> <p><b>Art 9(2)(b)</b> processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law.</p> <p>Other grounds which may apply include <b>Art 9(2)(h), 92(i)</b> and <b>Art 9(2)(j)</b> - see below</p> |
| <b>European Social Fund</b>                     | Programme start, eligibility, claims and contractual information.   | For audit purposes and to meet contractual requirements   | As above   |
| <b>Her Majesty's Revenue &amp; Customs</b>      | Employer information to verify outcomes from the Work Choice. Additionally, we may share  | To ensure we can claim for payments associated with participants moving into  | <b>Art 6(1)(e)</b> – see above.  |

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|   | information received indicating any fraudulent behaviour  | work, and to comply with DWP Provider Guidance.   | Processing of personal data relating to criminal convictions and offences are likely to fall within the permitted parameters of processing referred to in Art 10 of the GDPR i.e. this processing shall 'be carried out only under the control of official authority or when the processing is authorised by Union or Member State law providing for the appropriate safeguards of the rights and freedoms of data subjects.'            |
| <b>Work Choice - Action for the blind people, Attend, Leonard Cheshire, Mencap, Shaw Trust)</b> | As for DWP and JCP.   | Delivery Partners provide employment services on behalf of Ingeus to DWP claimants, and eligible non-benefit customers under our Work Choice programme (WC) subcontracts. | As for DWP / JCP   |
| <b>Ad- hoc Delivery Partners</b>  | Limited data set i.e. name, contact information and details of any reasonable adjustments that may be required in order to deliver the service. | Contracts are in place with Partners, which covers the sharing of information for spot purchases of particular services relevant to participants.                         | As for DWP / JCP<br><b>A6(1)(a)</b> – Verbal consent   |
| <b>Probation Officers (NPS or Community Rehabilitation Company) or Police</b>                   | Full data set including licence conditions, and if MAPPA notification applies - receive paper records.  | To deliver the Work Choice programme to probation Participants.   | <b>Art 6(1)(d)</b> - processing is necessary to protect the rights of another legal person;<br><b>Art 6(1)(c)</b> - processing is necessary for compliance with a legal obligation to which the controller is subject<br><b>Art 9(2)(b)</b> - processing is necessary for the obligations and rights in the field of employment and social protection<br><b>Art 9(2)(g)</b> - processing is necessary in the substantial public interest |

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|  |  |  | <b>Art 9(2)(f)</b> - Processing is necessary where the courts are acting in their legal capacity (in order to carry out the court's sentence)  |
| <b>Employers</b>   | Limited personal data – names, and potentially a description of any disability.  | For the purpose of assisting participants to get a job placement. Participant names might be shared with employers when participants move into work. To confirm / verify employment outcomes | <b>A6(1)(a)</b> – Verbal consent   |
| <b>Other Ingeus entities providing IT or management services (Ingeus Europe Limited)</b> | Full data set is accessible to nominated individuals   | Nominated Ingeus Europe staff will have access to full data set including Participant data and staff data to provide IT and/or management support  | As for JCP / DWP   |
| <b>GP / Safeguarding Authorities</b>   | Limited personal data set provided for the purposes of reporting an incident.  | Reporting incidents or issues arising from participants on the programme as required by law.   | <b>6(1)(c)</b> - processing is necessary to comply with a legal obligation to which the controller is subject<br><br><b>9(2)(g)</b> - processing is necessary, on the basis of Member State law to safeguard the fundamental rights and the interests of the data subject.<br><br><b>Art 92(i)</b> - Processing is necessary for reason of public interest in the area of public health. |
| <b>Insurers</b>  | Data required to describe to nature of the claim. This may be quite detailed depending on the allegation made / being defended/prosecuted. | It is possible that participants or third parties may bring claims or suffer incidents while participating on the programme. We are required to disclose any such incidents to our insurers. | <b>Art 6(1)(f)</b> - processing is necessary to protect the legitimate interests of the data controller<br><br><b>Art 9(2)(f)</b> - processing is necessary for the establishment and defence of legal claims  |