

# Privacy Notice

Court of Protection and Appointee Team



This Privacy Notice is designed to help you understand how and why Court of Protection and Appointee Team processes your personal data. This notice should be read in conjunction with the Council's [Corporate Privacy Notice](#).

## Who are we?

North Yorkshire County Council is a 'Data Controller' as defined by Article 4(7) of the General Data Protection Regulation (GDPR). The **Court of Protection and Appointee Team** acts as a corporate deputy of the Court of Protection and / or an Appointee of the Department of Work and Pensions (DWP) to manage the property and financial affairs of individuals who do not have the mental capacity to do so themselves.

The Council has appointed **Veritau Ltd** to be its Data Protection Officer. Their contact details are:

Data Protection Officer  
Veritau Ltd  
County Hall  
Racecourse Lane  
Northallerton  
DL7 8AL  
01609 53 2526

## What personal information do we collect?

In order to deliver the service the Court of Protection and Appointee Team will need to collect both personal and special category data.

Personal data collected will include all data that needs to be recorded to satisfy the requirements of the Office of the Public Guardianship (OPG) Deputy Standards (SD6 07.15) and / or the duties of a DWP Appointee. For example:

- Name, Address, Date of Birth and Contact details
- Social Care ID and National Insurance Number
- Family composition, family history, relationships information, social circumstances
- Financial information such as bank account details, investments, loans , mortgages
- Expenditure details such as rent payments, care fees, day to day living costs etc.

- Income details such as pensions, wages, state benefits, income from investments etc.

Special category data collected will include:

- Mental Health Details – particularly in relation to your capacity to manage property and financial affairs
- Physical Health Details
- Health Care assessed needs and Health Outcomes
- Racial or Ethnic Origin

### **Why do we collect your personal information?**

This information is collected to carry out the following tasks:

- Assess the extent to which you may need help with your Financial Affairs
- Arrange for someone (such as a G.P.) to assess whether you currently have the mental capacity to manage your own Financial Affairs
- To help the team carry out its duties as either a Court of Protection Deputy (Property & Financial Affairs) or an Appointee for DWP or State Benefits, in managing your financial affairs or state benefits.
- In order to ensure that your income is being received as it should, that the correct amount of benefits are being claimed if appropriate, and to ensure that expenditure is incurred in your best interest.

### **Who do we share this information with?**

In the course of performing these duties, the Team may share your information with a number of agencies who are key to delivering our service, including:

Within North Yorkshire County Council:

- Benefits Assessments and Charging Team
- Financial Services
- Social Care Operational Teams
- Legal Services
- Property Services

Agencies we share information with:

- Department for Work and Pensions
- Office of the Public Guardian
- District Council Housing and Council Tax departments.
- HMRC
- Carers and Care Service Providers
- Suppliers of goods and services
- NHS

### How long do we keep your information for?

The following table details the retention periods for records relating to the Court of Protection and Appointee Team service:

Data held	Retention period
Data in relation to your property and financial affairs	6 years from date recorded
Personal Details	Up to 6 years after date of death

### What is our lawful basis for processing your information?

With regard to personal data:

Article 6(1)(c) – Legal obligation: the processing is necessary to comply with the law

With regard to special category data:

Article 9(2)(h) – Provision of health and social care

The legislations, policies and guidance that relate to this service includes, but is not limited to:

- Mental Capacity Act 2005
- The Care Act 2014

**For More information about how the County Council uses your data, including your privacy rights and the complaints process, please see our [Corporate Privacy Notice](#).**