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# SERVICE SPECIFIC PRIVACY NOTICE

**Identity: Safeguarding Strategic Team (Deprivation of Liberty Safeguards Service)**

Our core data protection obligations and commitments are set out in the council’sprimary privacy notice at<https://www.bury.gov.uk/index.aspx?articleid=14237>

This notice provides additional privacy information for:

The Deprivation of Liberty Safeguards (DoL) process.

**Purpose(s)**

We collect your personal information for the following purpose(s):

The execution of assessments under the Mental Capacity Act (2015) which includes guidance on the Deprivation of Liberty Safeguards Code of Practice 2009.

**Categories of personal data**

In order to view the full range of information collected and obtained as part of the Deprivation of Liberty Process, please view the assessment forms in the below link:

<https://www.bury.gov.uk/index.aspx?articleid=16290>

**Lawful basis for processing**

The lawful basis for processing your personal information is:

Mental Capacity Act (2015) and Deprivation of Liberty Safeguards Code of Practice 2009.

**Information sharing/recipients**

We will share personal information about you with the following organisations/interested parties:

* The Hospital or care home who are providing your care.
* Your representative, whether that be paid or unpaid. In the case of a paid representative we specifically commission an independent advocacy service.
* The Best Interest Assessor and Mental Health Assessor assigned to your case.
* Your assigned social worker or Community Psychiatric Nurse.
* A senior member of Bury Council’s signatory team who has the responsibility of scrutinising information surrounding the application and making a decision as to whether the DoL should be authorised. .

We may also share your personal information with the following organisations /interested parties:

* An officer investigating abuse against you. This could be either a police officer or trained social worker. (in accordance with Section 42 of the Care Act <http://www.legislation.gov.uk/ukpga/2014/23/section/42/enacted>)
* Our legal services department in the event of a legal challenge with regard to your Deprivation of Liberty Authorisation.
* The Court of Protection again this would only be in circumstances where a legal challenge has been made with regard to your Deprivation of Liberty Authorisation.

As well as information collected directly from you, we also obtain or receive information from:

* Your representative or people interested in your welfare, such as family and friends or paid representative such as a solicitor /advocate.
* Your care provider (i.e. care home/hospital)
* An assigned mental health assessor
* An assigned best interest assessor.
* Your allocated social worker or Community Psychiatric Nurse.
* Your GP.

For this service:

* All the decisions we make about you involve human intervention

**Data retention/criteria**

Our Retention Schedule follows guidance laid out in the Deprivation of Liberty Safeguarding Codes of Practice please follow the link below:

<http://webarchive.nationalarchives.gov.uk/20130104224411/http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_085476>

**Rights of individuals**

**(DPO contact information (rights/complaints)**

**Complaints (ICO))**

Information about:

* exercising your rights
* raising a concern with us, or
* contacting our DPO
* making a complaint to the Information Commissioner is accessible in our guide on exercising your rights here <https://www.bury.gov.uk/index.aspx?articleid=14237>

**Updates (notice)**

We may update or revise this Privacy Notice at any time so please refer to the version published on our website for the most up to date details please see the Bury Directory and type in “Deprivation of Liberty Safeguards” or “dols”. <https://www.theburydirectory.co.uk/kb5/bury/directory/home.page>