

Privacy Notice

Deprivation of Liberties Safeguards DoL(s)
and Mental Capacity Act (MCA) Service



This Privacy Notice is designed to help you understand how and why Deprivation of Liberties Safeguards DoL(s) and Mental Capacity Act (MCA) Service 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 Deprivation of Liberty Safeguards (DoLS) / Deprivation of Liberty (in the community) (DoL) are a system of checks found in the Mental Capacity Act. They apply in registered care homes, hospitals, shared living, and in a person's own home. They're needed to make sure that someone aged 16 or over, who has a mental disorder and is not able to decide to stay in a care home or hospital, really needs to have their freedom taken away to keep them safe from harm.

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?

The DoL(S) Team collect the following information about you:

- Name, Address, Date of Birth and Contact details,
- Social Care ID and NHS ID,
- Family Composition, family history, relationships information, lifestyle information and social circumstances,
- Personal referees,
- Financial information,
- Visual images, personal appearance and behaviour

The Team will also collect certain 'Special Category' information such as:

- Physical and / or Mental Health Details
- Racial or Ethnic Origin

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- Religious or philosophical beliefs,
- Social Care assessed needs and Support Outcomes
- Criminal proceedings, outcomes and sentences

Why do we collect your personal information?

Without your data we would not be able to assess social care needs, or be able to arrange or provide social care services. Therefore we require your personal data in for:

- Service Delivery
- Service Planning/Improvement
- Research (using anonymised data only unless we specifically request your consent to use identifiable personal data)

Who do we share this information with?

In order to deliver the best possible service, the Team will often need to disclose your personal data to other organisations. This could include, but not necessarily limited to:

- Nominated Representative / Advocacy Services
- The Courts and relevant solicitors/lawyers/barristers,
- NHS Agencies (GPs, Hospitals, Ambulance, Health Visitor), mental health services, and other Health Providers
- Domiciliary Care, Residential/Nursing care, and day care providers
- Local and Central Government Agencies (such as the Department of Health and Department of Work and Pensions)
- Substance Misuse Agencies
- Prepaid Card Providers
- Direct Payment Support Services
- Housing Associations
- Careline

If you are receiving support from adult social care then the NHS may share your NHS number with us. This is so that the NHS and adult social care are using the same number to identify you whilst providing your care. By using the same number we are able to work together to improve your care and support.

How long do we keep your information for?

The following table details the retention periods for records relating to DoLS

| Data held | Retention period |
|---|--|
| All records relating to the management of Mental health support | Retain from last contact with client for 20 years. |

What is our lawful basis for processing your information?

The Care and Support Team processes your personal data in order to comply with a legal obligation or because processing is in the public interest.

The team may also process your special category data as it has a legal obligation to provide health and social care services.

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](#).