

## Deprivation of Liberty Safeguards Privacy Notice

### Introduction

This privacy notice explains how the Council uses your data to undertake Deprivation of Liberty Safeguards

### Who will be using your data?

Nottinghamshire County Council will be the data controller for the data you provide to us. We may also contract third party organisations to process your data on our behalf.

### What personal data do we use?

- Name and Contact Details
- Age
- Date of Birth
- Gender
- NHS number
- Address
- Social Care ID
- Employment and education information
- Family details
- Housing needs
- Parent/carer details
- Emergency contacts
- Personal appearance and behaviour
- Lifestyle and social circumstances
- Case file information
- Personal Financial information

### What types of special category personal data may we need from you?

- Racial or ethnic origin
- Trade Union membership
- Political opinions
- Advocacy details
- Social care support outcomes
- Physical and mental health details
- Data concerning sex life or sexual orientation
- Religious, philosophical or other beliefs of a similar nature

We will only seek this data if it is necessary for the completion of our statutory duties in respect of the Deprivation of Liberty Safeguards.

We may also process data about criminal convictions, criminal offences or related security measures, where applicable to the assessment.

## **Why do we use your data?**

- For service delivery
- For service planning, training and improvement
- To prevent and detect crime or fraud
- For research purposes

## **What legal reasons allow us to use your data in this way?**

Our legal basis for processing your personal data is for the performance of a task carried out in the public interest or in the exercise of official authority

Our legal basis for processing your special category personal data is for the provision of health or social care or treatment or the management of health or social care systems and services

Our legal basis for processing data about criminal convictions, criminal offences or related security measures is for health or social care purposes.

## **Who may we share your data with or receive it from?**

As the supervisory body for Deprivation of Liberty Safeguards, the Council must give copies of the assessment report(s) to:

- The managing authority (for example the residential care/nursing provider)
- The relevant person (the person being assessed) and their representative/s (where appointed as Relevant Person's Representative within the assessment process)
- Any paid Relevant Person's Representative
- Any Independent Mental Capacity Advocate instructed for the assessment.

Where necessary or required, data may also be shared with or received from:

- NHS agencies (GPs, Hospitals)
- Health organisations
- Care Providers

## **May personal data be transferred overseas?**

The Council may on an individual operational basis transfer personal data overseas (for example, if someone who must be consulted resides overseas) . In these cases, we will ensure that your personal data is protected and there are safeguards for the protection of your rights. Please refer to the [County Council's privacy statement](#) for further details.

## **How long is your data kept for?**

This information is held in accordance with the Council's retention schedule – see [here](#).

## **What will happen if you do not provide or we cannot obtain the data needed?**

- We could not carry out our statutory duty as the supervisory body in undertaking Deprivation of Liberty Safeguards

## Does the service make decisions using fully automated processes?

No.

## What rights do you have over this use of your data?

- To be informed about how we use your data
- To access a copy of your data that we process
- To have us rectify or correct your data that we process
- To restrict our processing of your personal data
- To object to the use of your data
- To have your personal data erased

Some of these rights are subject to exceptions. Please refer to the [County Council's privacy statement](#) part 10 for further details.

### Contact the Data Protection Officer:

If you have any concerns about how the Council is using your data, you can contact the Council's Data Protection Officer by writing to:

[DPO@nottscc.gov.uk](mailto:DPO@nottscc.gov.uk)

Or

Data Protection Officer  
Nottinghamshire County Council  
County Hall  
West Bridgford  
Nottingham  
NG2 7QP

Please see the County Council's privacy statement for further information:

<http://www.nottinghamshire.gov.uk/global-content/privacy>

### Contact details of the Information Commissioner's Office:

If you are unhappy with how your data has been processed by the Council or you feel your data protection rights have been breached, you have the right to complain to the Information Commissioner's Office at:

[www.ico.org.uk](http://www.ico.org.uk)

Or

Wycliffe House  
Water Lane  
Wilmslow  
SK9 5AF