Our core data protection obligations and commitments are set out in the council’s Primary Privacy Notice and on our website at Data Protection legislation.

**Service Name:** Deprivation of Liberty Safeguards (DOLS) authorisation

This notice provides additional privacy information for anyone who is asked to provide information as part of the assessment process for a Deprivation of Liberty Safeguards (DOLS) authorisation.

**Purpose**

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

- Whether a DOLS authorisation should be granted
- Whether an existing DOLS authorisation should be reviewed

**Categories of Personal Data**

In order to carry out these purposes we collect and obtain:

- the name and gender of the person for whom DOLS has been requested (the “relevant person”)
- the age of the relevant person
- the address at which the relevant person is currently located
- the telephone number at the address
- any medical information relating to the relevant person’s health that the managing authority reasonably considers to be relevant to the proposed restrictions to their liberty
- the diagnosis of the mental disorder from which the relevant person is suffering
- any relevant care plans and needs assessments
- the racial, ethnic or national origins of the relevant person
- whether the relevant person has any special communication needs
- details of the proposed restrictions on the relevant person’s liberty
- whether it is necessary for an Independent Mental Capacity Advocate (IMCA) to be instructed
- where the purpose of the proposed restrictions to the relevant person’s liberty is to give treatment, whether the relevant person has made an advance decision that may be valid and applicable to some or all of that treatment
- whether there is an existing standard authorisation in relation to the detention of the relevant person and, if so, the date of the expiry of that authorisation
- whether the relevant person is subject to any requirements of the Mental Health Act 1983
- the name, address and telephone number of:
  - anyone named by the relevant person as someone to be consulted about their welfare
  - MCA/DOLS team May 2018
  - anyone engaged in caring for the person or interested in their Welfare
  - any donee of a Lasting Power of Attorney (‘donee’) granted by the person
  - any deputy appointed for the person by the court

**Legal Basis**

The legal basis for processing your personal information is:

- Mental Capacity Act 2005 Schedules A1 and 1A
- Deprivation of Liberty Safeguards Code of Practice 2009
Information Sharing / Recipients
We may share personal information about you with the following types of organisations:

- The hospital or care home which has applied for DOLS - the “managing authority”
- the relevant person
- the relevant person’s representative
- any Independent Mental Capacity Advocate (IMCA) involved, and
- every interested person named by the DOLS best interests assessor in their report as somebody they have consulted in carrying out their assessment.

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

- any health record
- any record of, or held by, a local authority that was compiled in accordance with a social services function
- any record held by a care home

This is because the DOLS assessors are entitled to examine this information as part of the DOLS assessment process.

Data retention/criteria
We retain DOLS data indefinitely. This is because DOLS authorisations are subject to scrutiny by the Court of Protection. When scrutinising a DOLS authorisation the Court can ask to see details of any previous authorisations.

Automated Decisions
For this service all the decisions we make about you involve human intervention.

Your rights
(DPO contact information (rights/complaints) Complaints (ICO)) Information about:

- exercising your rights
- contacting our Data Protection Officer
- raising a concern with us, or
- making a complaint to the Information Commissioner

is accessible in our “Guide to exercising your rights” which is available on the website:

Updates
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.