Privacy Notice Adults, Communities and DoLS

Who we are

Bristol City Council is the data controller for the purposes of the Data Protection Act 2018 and other regulations including the UK General Data Protection Regulation (UK GDPR), which means it determines what your personal data is used for and why it is collected.

The purpose of this privacy notice is to tell you about how we collect and use personal data in connection with our service. We may update this privacy notice from time to time. When we do this, we will communicate any changes to you and publish the revised privacy notice on our website. This privacy notice should be read alongside the councils Corporate Privacy Notice.

Our main address is City Hall, College Green, Bristol, BS1 5TR and our contact details can be found on our website Contact Bristol City Council

Adult Social Care (ASC) supports citizens in Bristol, support is given to those people who have:

- a disability or a long-term illness
- a learning difficulty
- mental health needs
- age related health issues
- any other social care needs that impacts independence

ASC supports people to prevent, reduce or delay the need for longer term care. ASC wants to make sure people can live independently and in their home for as long as possible.

ASC likes to promote adults' independence, choice and ability to make decisions about the care and support they receive.

What data we need to collect and use?

To provide this service, we will collect and use some or all of the personal information below:

- name, date of birth

- email address
- address,
- phone number
- passport/NI/NHS
- internal ID
- photos
- gender
- gender reassignment
- physical data
- financial/pension information
- education/employment/career history
- family and household details,
- lifestyle information
- personal appearance
- housing needs
- physical or mental health details
- race or ethnic origin
- religious or other beliefs of a similar nature
- bank details
- criminal proceedings, outcomes, and sentences
- criminal offences (including alleged offences), etc.]
- Sex and Sexual Orientation
- disability,
- pregnancy and maternity
- age,
- marriage and civil partnership

We get most of this information from you and from what we learn about you through your use of our services, but we may also get some information about you from:

- technology you use to access our services,
- information you make public on social media,
- information from publicly available sources (press, electoral register,
- company registers and other public records,
- online search engines),
- health and education providers,
- commissioned partners,
- family members,
- your legal representative,
- referees,
- employers,
- regulatory bodies,
- police,
- other local authorities etc.

How do we use your personal information?

We use this information for one or more of the following reasons:

In the case of Care Act related matters, we may also need to process your bank details to provide appropriate services.

We are collecting this data because we are required to under Health and Social Care Law, or it is in the public interest to process this.

The personal data collected will be used to be able to fully assess and meet your care and support needs and to be able to effectively respond equally to all individuals who require assistance and have safeguards in place for any person who lack capacity.

Under our duties as per the Care Act 2014 we will use this information to understand and assess your social care needs through an assessment or equivalent document. If you are assessed as having eligible needs, we will create a support plan with you. This may be shared with other professionals and providers of services that may be able to support you in meeting your needs. Information such as relevant correspondence and case notes will also be collected and stored on your record in relation to your social care needs.

Under the Care Act we will also use information under our safeguarding responsibilities to adults with care and support needs that may be experiencing, or at risk of, abuse or neglect and are unable to protect themselves because of these. This information will be shared with multi-agency partners such as the health professionals and the Police on a need-to-know basis.

If you require assessment under the Mental Health Act your personal information will be shared in accordance with provisions in order to provide appropriate levels of care.

Where you have agreed to be the Relevant Person's Representative or an interested party for Deprivation of Liberty Safeguards (DOLS) related matters we will consult with you as part of the assessment process. We will also share this information with any other relevant professionals and agencies in order to safeguard the Human Rights Act (Article 5) right of the relevant person.

The above information is stored on a secure database system known as Liquid Logic. If information is shared with others such as health professionals, this will be done by secure methods.

Bristol City Council is now using a predictive analytics platform called OneView. This platform uses pseudonymised data to analyse circumstances where people may be at risk of deterioration. Only data that is currently held by Adult Social Care will be used, it is transferred to the OneView platform through a secure server, this server removes any identifiable data before it is processed by the OneView platform. The OneView platform

then sends data back through the secure server to Bristol City Council, at that point it is reviewed and approved by a Bristol City Council employee.

Once data is transferred back to Bristol City Council an employee in Adult Social Care will reach out to any citizens that have been identified to discuss their current health and wellbeing.

Bristol City Council may use AI-assisted tools such as Magic Notes to support the recording, summarising and administration of information collected during the delivery of social care services. This may include support planning, reviews, safeguarding enquiries, multidisciplinary meetings, strategy discussions, case consultations, decision-making processes, and quality assurance activities.

Where information from a recording is used in these contexts, only relevant information will be shared with those who are authorised to access it and who need it to carry out their professional responsibilities.

Any summaries produced by Magic Notes or other AI-assisted tools are reviewed by a practitioner before being used within council systems or shared for lawful social care purposes. The practitioner remains responsible for ensuring that records are accurate, relevant and reflect professional judgment.

Magic Notes is used to assist with recording and organising information. It does not make decisions about your care, eligibility for services, safeguarding actions, or any other professional decisions. These decisions are made by appropriately qualified practitioners and managers.

Audio recordings are used only for the purpose of creating an accurate record of the discussion and are retained and deleted in accordance with the council's information governance and records management arrangements

What is the legal basis for our use of your personal information?

The information below shows the lawful bases we are relying on to use your personal or special category (sensitive) personal information.

Personal Information

Our lawful basis for using your personal information is to meet our legal obligations and exercise our tasks in the public interest.

The legal gateway which permits the use of your information relates to statutory function, duties and powers laid down by law, most notably:

- Care Act 2014 – Sections 1, 2, 3, 6, 7, 42, 43
- Health and Social Care Act 2012
- Local Government and Public Involvement in Health Act 2007

- Domestic Abuse Act 2021
- Mental Health Act 1983
- NHS Long Term Plan (2019)
- Care and Support Statutory Guidance

The level of information held is targeted and proportionate to achieving the purpose and duties under the aforementioned law.

Special category (sensitive) personal information/criminal offence personal information

We will collect, process, and share personal data about criminal convictions and offences, but only where this is relevant to a person's care and support needs. We will share this information with other agencies and providers of care and support where they need to be aware of risks to the person concerned or others.

For the special category information, the collection of data is under UKGDPR, Article 9 applies for Substantial Public Interest with the specific condition Data protection: The UK's data protection legislation - GOV.UK to process under:

- Support for individuals with a particular disability or medical condition,
- Safeguarding of children and of individuals at risk
- Statutory and government purposes
- Equality of opportunity or treatment
- Support for individuals with a particular disability or medical condition

Information related to protected characteristics under the Equality Act 2010 that we have collected is also used on an anonymous basis. This is where it enables us to monitor data and ensure that we are meeting our responsibilities around diversity and to protect people from discrimination.

The collection of criminal data is under UKGDPR, Article 10. The specific conditions are:

- Health or social care purposes
- Safeguarding of children and individuals at risk

We will also collect information relating to a person's protected characteristics under the Equality Act 2010.

We will record this information in Mental Capacity Act 2005 and Care Act 2014 documents where the person has shared the information with us about their personal identity. The information will be shared with other agencies and providers of care and support on a need to-know basis where it is relevant to the support that someone receives.

Where we use automated decision making or profiling

As part of the Future of Prevention programme, pseudonymised data is processed automatically and may be used to make non-legally significant decisions* based on the information you supply. This decision is reached by using an analytic software called OneView to review data held by Adult Social Care to highlight risk of care and support breakdown; once the data is reviewed by OneView it is sent to a Bristol City Council employee to review and confirm. This is important because it helps to identify residents who may benefit from early, preventative support before their care needs escalate or a serious fall occurs and means that you may be contacted by a Bristol City Council caseworker to be offered information, advice or early support based on that assessment. In truth very little data is processed wholly automatically without human intervention.

Who else might we share your personal information with?

Sometimes we may need to share your information, but we will only do so where we have a valid lawful basis to share data. We will only share the minimum information for each circumstance. We may share some of your personal information with one or more of the following:

- In order to ensure that all health and social care organisations in Bristol are communicating effectively about the needs of older people and other vulnerable adults we share basic information on people that we have provided services for to a local information portal called Connecting Care. Connecting Care can be accessed by other staff involved in your care and your general well-being. Staff will only have access to the information they need in order to help deliver the right service to you.
- If you wish to know more about Connecting Care, how it works and what your rights are, you can visit: https://www.connectingcarebnssg.co.uk/
- Providers of services and support, such as home care, residential care, support to access the community and day services
- Other Bristol City Council Departments, such as Housing Related Support, Children and Families, Environmental Health, and the Asylum Team
- Independent Mental Capacity Advocacy (IMCA) services
- Independent Mental Health Advocacy (IMHA) services
- Other local authorities where relevant, such as a continuity of support when moving from one local authority to another
- The police, where relevant to do so, such as a safeguarding concern to protect people from abuse or neglect.

The Care Act 2014 enables Local Authorities (LA) to authorise others to conduct a review. In a pilot, for a small number of direct payment recipients, we will be sharing copies of support plans to enable WECIL (West of England Centre for Inclusive Living) to progress some reviews on our behalf. Information is shared with Beam who provide the Magic Notes application and act as a data processor. (http://magicnotes.ai/privacy)

- As part of the Future of Prevention programme Bristol City Council Adult Social Care has partnered with a company called Xantura. Xantura receive pseudonymised data for citizens supported by Adult Social Care to analyse and highlight risk of care and support breakdown. This data is then sent back to Bristol City Council where it is reviewed by employees who may then contact the individual.

Will my personal data be sent outside the UK?

No personal information is routinely sent or held outside the UK. Should the transfer of personal information outside the UK become necessary, it will only take place if permitted by law, and then only where there are appropriate safeguards in place to protect the data.

How long we will keep your personal information?

Bristol City Council will hold personal data used to provide services under Adult Care and Support such as Residential or other Accommodation based support may be kept for up to 6 years in line with the Bristol City Council Retention Schedule. Often this will be from the date of death, but for some documents this may be from the date of the last contact or when the document was initially created.

Your rights as a data subject:

The law gives you a number of rights to control what and how personal information is used by us, including the right to access a copy of your personal information and withdraw your consent when we rely on your permission to use your personal data.

Full details about your rights can be found in our main privacy notice which can be found here: Corporate Privacy Notice. If you are unable to access our digital Privacy Notice, please contact Citizens Services who will be able to send a hard copy.

To update or correct your information if it is inaccurate, please contact Citizen services

To access a copy of your personal information, more details and how to make a request can be found on the data protection subject access requests page on the council website.

You can exercise any of these rights, ask questions about how we use your personal data or complain by contacting us at data.protection@bristol.gov.uk or by writing to our data protection officer at:

Data Protection Officer
Information Governance
Bristol City Council
City Hall
PO Box 3399

Privacy Notice Bristol City Council

Bristol
BS1 9NE

If you think we have dealt with your information inappropriately or unlawfully, you have the right to complain to the ICO at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Website https://ico.org.uk/

Next annual review date:

Version number for this privacy notice: 4.9