

Privacy Notice

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.

Our main address is City Hall, College Green, Bristol, BS1 5TR and our contact details can be found on [Bristol City Website](#)

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,
- 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.]

Privacy Notice Bristol City Council: AMHP Service

The Approved Mental Health Professional (AMHP) Service will receive information about you via a third party if you are referred for assessment under the Mental Health Act. For example, this could be from a health professional involved in your care; or from the person identified as your nearest relative within the meaning of the Mental Health act 1983. We will also get 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:

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.

Assessment under the Mental Health act is a statutory function and so does not require you to consent to the assessment. Your participation in the assessment will be promoted. In certain circumstances, as part of the assessment process, the AMHP is required by law to share information with other people involved in your care:

- The Mental Health act 1983 places a legal requirement on the AMHP to inform and/or consult with your nearest relative if admission to hospital under the Mental Health Act is being considered. This consultation may occur prior to the assessment interview if it is proportionate and will inform the assessment. You will be informed of contact with your relative where this has taken place.
- The AMHP is required to disclose sufficient information to your nearest relative in order that they can form a valid opinion.
- Under certain circumstances the AMHP may decide that it is not practicable to contact your nearest relative. These circumstances are outlined in the Code of Practice (Mental Health act):
 - a. where there is evidence that this could put you at risk of physical harm, or financial or other exploitation
 - b. cause you emotional distress or lead to a deterioration in your mental health or
 - c. have any other detrimental effect on your health and wellbeing, and if so whether the advantages to you and the public interest, outweigh the disadvantages to you in light of the circumstances of the case.

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- The Mental Health Act Code of Practice (chapter 10) requires the AMHP to consult with other relevant parties involved in your care and this will form part of the assessment. Any consultation with a 3rd party must be justified and proportionate.
- The Code of Practice requires the AMHP to inform your nearest relative, your GP and, if you have one, Care Coordinator of the outcome of the assessment under the Mental Health Act.
- It may also be appropriate to share some information with other 3rd party agencies such as care providers within the limitations of what is appropriate to the situation.
- The AMHP may have to share information with appropriate third parties in situations of risk in order to prevent harm to you or to other people.].

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.

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 legal 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.bristolccg.nhs.uk/about-us/how-we-use-your-information/connecting-care/>
- **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

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- Information may be shared with the police, where relevant to do so, such as a safeguarding concern to protect people from abuse or neglect
- The AMHP service uses a 3rd party agency, S12 Solutions, to book doctors to attend the assessment under the Mental Health act. This is done via a website/ app. The information put on the app for this purpose includes your name; NHS number and location of assessment (this may be your home address); GP practice.
- The AMHP service may also use the s12 Solutions website / app for the completion of statutory paperwork if the decision is made to detain you under the act. The information required on this paperwork is set out in the Mental Health act and includes your name and address; section of the mental health act that is being used; and, where known, the name and address of your nearest relative. Your data will be stored on the S12 Solutions database for 30 days.

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.

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

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

Personal information

Our legal basis for using your personal information is to meet our legal obligations/ 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, the Care Act 2014 and the Mental Capacity Act 2005 and Deprivation of Liberty Safeguards and the Mental Health Act 1983. 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

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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.

How long we will keep your personal information?

We will hold this information indefinitely in order to meet our legal requirements under the Independent Inquiry into Child Sexual Abuse. Institutions have an obligation to preserve records for the Inquiry for as long as necessary to assist the Inquiry.

Beyond the conclusion of the enquiry documents will be retained in line with the Bristol City Council Retention Schedule.

S12 Solutions will retain the information submitted when making arrangements to assess you under the Mental Health act for 15 months after which it is deleted. This information may be viewed by authorised people such as the CCG.

Where the AMHP has used S12 solutions to produce documentation that authorises your detention under the Mental Health act; this will be stored on the S12 Solutions database for 30 days and then deleted.

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](#). If you are unable to access our digital Privacy Notice, please [contact Citizens Services](#) whom will be able to send a hard copy.

To update or correct your information if it is inaccurate please [contact Citizens 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
College Green

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Bristol
BS1 5TR

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/>

Surveys

From time to time we will conduct surveys to establish information to assist us in gaining your direct thoughts and opinions on our public services.

Each Survey will invite you to participate; this will be classed as asking for your consent to participate; your information gathered at the time of the survey will be only used for that purpose of the survey and will not assume consent for any other purpose. Where Consultant companies (3rd parties) are used by Bristol City Council for a specific survey, these will be specified in the Survey's purpose statement.

Details of the purpose and scope of the Survey will be made clear for each Survey we may ask you to participate in, this will provide you with the details for you to clearly decide if you want to consent to participate in the Survey.

Personal data collected during the survey will be deleted upon the completion of the survey analysis and will not be stored or used for any other purpose. Each Survey will request your consent each time you participate.

Participation in our surveys will not impact or influence any future mailing preferences in the future and unless otherwise stated your participation will be anonymous