

Adult Mental Health Services Privacy Notice

version v0.1

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on this web page. This Notice was last updated on 12 January 2021.

This privacy notice applies to the Adult Mental Health Services provided by Worcestershire County Council and should be read in addition to Worcestershire County Council's [Full Privacy Notice](#) and the Adult Social Care Privacy Notice.

The privacy notice will cover:

- [Purpose for processing](#)
- [Personal information collected and lawful basis](#)
- [Who we may share your information with](#)
- [How long we will hold your information](#)
- [Your information rights](#)

Purpose for processing

The Adult Mental Health Service processes personal information, either directly or jointly with partners and commissioned private and third sector providers, in order to provide mental health care and aftercare services to customers, their carers and / or representatives. This includes

- Assessing the mental health care needs, including in specific circumstances the Deprivation of Liberty, of customers and/or their carers and providing the appropriate care package
- Obtaining funding for mental health services, placements and packages of care for customers and/or their carers;
- Investigating complaints and concerns
- Supporting and managing our employees
- Anonymised information based on but not including personal information is used for service planning and reporting and statistical returns to the Council and Department of Health

Personal information collected and lawful basis

The Adult Mental Health Service processes personal information which is relevant to individual cases but may include some but is not limited to:

- Personal details – e.g. name / Date of Birth / address / and family details. In cases where the customer lacks the mental capacity this will also include name and contact details of a relative / Appointed Representative and / or those with Lasting Power of Attorney.
- Contact information – e.g. telephone numbers / email address

- Personal Reference Numbers – National Insurance number, NHS number, Care System unique customer number
- Employment details
- Family Details – where client lacks capacity name, contact details of nearest relative/holder of Lasting Power of Attorney
- Financial details / benefits details – for financial assessment and care funding purposes
- Lifestyle and social circumstances
- Opinions and decisions
- Records of complaints
- Personal appearance and behaviour

We may also process some sensitive (special category) information, which is relevant to individual cases, for providing mental health services, which may include but is not limited to:

- Physical and / or mental health details
- Racial or ethnic origin
- Religious or other beliefs
- Offences (including alleged offences), criminal proceedings, outcomes and sentences
- Political affiliation / opinions
- Sexual orientation

The lawful basis for processing personal information is:

- Necessary for a task in the public interest under our official authority under the following legislation:
 - Mental Health Act 1983/2007
 - Mental Capacity Act 2005
 - Deprivation of Liberty Safeguards 2009
 - Care Act 2014

The lawful basis for processing sensitive personal data is:

- necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services

Who we may share your information with

We may need to share the personal information you have given to us or we've collected about you with partner organisations where relevant to the individual and / or their care provision. These include but are not limited to:

- Health including – GPs, Hospitals, Herefordshire and Worcestershire Health and Care NHS Trust, Clinical Commissioning Groups (CCGs),
- Care Homes
- Independent Best Interest Assessors and Mental Health Assessors
- Representatives who will act on your behalf should you lack the capacity to make decisions regarding your care. Including but not limited to:

- Independent Mental Capacity Advocate (IMCA);
- Those with Lasting Power of Attorney
- Court Appointed Deputy
- Nominated representative/nearest family member
- Other family members who have an interest in your mental health and care
- Court of Protection
- Appropriate adult / children's social care team(s) including safeguarding
- Police
- Other Worcestershire County Council services as appropriate including Legal Services

We do have specific data sharing agreements in place with local agencies and sometimes the law requires that we may have to pass your details on to a third party, for example, to prevent crime.

Information will only ever be shared when it is strictly necessary to help us provide effective services and you may have the right to refuse. We will not pass it onto any other parties unless required to do so by law or in all reasonable circumstances the disclosure is fair and warranted for the purposes of processing or subject to a legal data protection exemption.

Statistical, anonymised data is shared with NHS Digital and other Worcestershire County Council services.

How long we will hold your information

The standard record retention for information about mental health service provision is 8 years from closure of services. Information related to those sectioned under the Mental Health Act 1983 is retained for 20 years from end of treatment.

However, there are also a range of other retention periods affecting different types of information and service needs depending on the type of information and service. More information about our retention periods can be found in our [summary Disposal Schedule](#).

Please note stated retention periods may be subject to any legal holds imposed under the Inquiries Act 2005 that may concern the information and override standard retention periods.

Your information rights

You are entitled to a copy, or a description, of the personal data we hold that relates to you, subject to lawful restrictions. Please go to our [Make a Data Protection Request webpage](#) to find out how to make a request.

You may be entitled to rectification, restriction, objection, and erasure of your personal information depending on the service and legal basis. Please in the first instance contact your Social Worker or care provider to exercise these Information Rights or call the Worcestershire County Council Adult Contact Team on 01905 768053 or email at adultteam@worcestershire.gov.uk.

Please see our overarching Privacy Notice (<http://www.worcestershire.gov.uk/privacy>) for further contact details and if you have a complaint about your information rights.