Data Protection Privacy Statement - Responding to requests made in accordance with the Deprivation of Liberty Safeguards

In order to deliver services to the citizens and communities in Bedford Borough, it is necessary for the Council to collect, gather and process personal data about residents, staff and other individuals. Bedford Borough Council is committed to protecting your personal data when you use its services and/or correspond with it.

The Council has registered as a Data Controller with the Information Commissioner's Office. This registration can be viewed on the ICO website (opens in a new window) Registration Number Z5916725.

As a Data Controller, the Council sets out the purposes and methods for processing information and ensures safeguards over any personal and special category information it processes.

The sections below explain the arrangements we have in place to protect the information entrusted to the Council.

In relation to, responding to requests made in accordance with the Deprivation of Liberty Safeguards. Bedford Borough Council will process your personal data for the following processing purposes:

This privacy notice relates to all requests made in accordance with the Deprivation of Liberty Safeguards. This is not an exhaustive list, but is likely to include:

Personal data including:
Name, age, date of birth, address, ethnic origin, marital status and diagnosis; Information on significant others, for example, family/friends, Lasting Power of Attorneys and involved professionals (this will include name, address and telephone numbers); Information on the person's personal circumstances and which will determine whether a person is or is not being deprived of liberty.

Assessment information will determine whether a person meets all the necessary requirements to deprive a person of liberty; authorisation will be granted for those persons who meet the criteria and where it is considered to be in the person's best interests.

All documentation, assessments and authorisations will be stored in the Adult Social Care database and on the Council's computer system, which is accessible to designated persons only.

It is processing this personal data by virtue of the following Lawful Basis:

Consent of the data subject, Compliance with a legal obligation, Protecting the vital interests of a data subject or other person (life or death situation), Performance of a task carried out in the public interest.

Personal data provided for Responding to requests made in accordance with the Deprivation of Liberty Safeguards, may be shared with, or obtained from the following organisations (in addition to any other disclosure required by a Court of Law or in response to a valid request by, normally, a law enforcement agency:

Information will be shared with:

ApprovedS12 assessors and Best Interests Assessors for the purposes of completing assessments; Interpreting services - where translation support is required for the purposes of assessment; Other statutory organisations, for example, health, and independent providers/organisations to confirm the outcome of assessments and whether a person is to be subject to a period of authorisation (to lawfully deprive of liberty); Nominated Relevant Person's Representatives, Paid Person's Representatives and Independent Mental Capacity Advocates - this is necessary to ensure the relevant person is represented and supported in all matters relating to a standard authorisation; Other Council Departments, for example, social work teams and legal services – this is necessary where the relevant person may require additional support, for example, assessment or review by a social work team or where a person is objecting to their care arrangements and an application needs to be made to the Court of Protection.

The processing of your personal data will be restricted in time to:

Information will be stored for as long as the person is likely to be subject to arrangements which amount to the person being deprived of liberty. The information will be retained for a period of 10 years following the closure of a case, at which time the information will be deleted.

Your personal data will be held by/for the Council within the UK or the EU.

The information you have provided is a statutory or contractual requirement: this is something we have to do. Please see details below, including any consequences if we do not receive the information:

The provision of data is used to carry out the statutory functions as directed by the Mental Capacity Act 2005 and The Deprivation of Liberty Safeguards 2009.

We have a range of measures to protect the personal data you provide. These include: cyber security; physical security of the Council's buildings and training on Data Protection for staff.

Bedford Borough Council is the Data Controller processing your information, who can be contacted as follows:

Information Governance
Bedford Borough Council
Borough Hall
Cauldwell Street
Bedford MK42 9AP
Email: dpo@bedford.gov.uk
Telephone: 01234 267422

If you wish to enquire about your rights as a data subject, whether you wish to request a copy of your own information that Bedford Borough Council holds, request for data portability; rectification or erasure of your data for any reason or objection to any processing, please contact the Council's GDPR Data Protection Officer email: dpo@bedford.gov.uk or send to the above address.

Alternatively, in the event that you remain dissatisfied with the way Bedford Borough Council has handled the processing of your information (i.e. after liaising with the Council to find a satisfactory solution), you have the right to contact the UK's Statutory Authority: The Information Commissioner's Office (ICO) who can be contacted by using the details displayed at the bottom of the page entitled Personal information and your rights | Bedford Borough Council on our website under the "Challenging the response" heading.

Changes to this Notice:

We keep this Privacy Notice under regular review; this Notice was last updated in August 2025.