

East Lothian and Midlothian Public Protection Privacy Notice



Section 1: Our contact details

Your personal information is being collected by:

East Lothian and Midlothian
Public Protection Office
Room F28, Brunton Hall
Ladywell Way
Musselburgh EH21 6AF
Tel: 01620 5150
emppo@eastlothian.gov.uk

Data Controller:
East Lothian Council
John Muir House
Haddington
EH41 3HA

Data Protection Officer:
East Lothian Council
John Muir House
Haddington
EH41 3HA
Telephone: 01620 827827
Email: dpo@eastlothian.gov.uk

Section 2: Why we need your personal information

We need the information you give us to help keep you and other people safe. We will also use this information to improve the service we offer you and others.

Any personal information that is shared with us about you, or your family will be treated as confidential by all members of staff. Only authorised people in the office will have access to this information.

There may be times when it is necessary for someone from the office to share information with other agencies. Unless there is a high level of risk to you or someone else, known as *Vital Interest*, we must ask your permission before your information is shared with another agency. If we have shared your information without consent, you will be informed of the information shared and the reasons for sharing, unless doing so would put you or someone else at risk of harm. For more information, please visit:

https://www.eastlothian.gov.uk/info/210598/access_to_information

Section 3: Legal Information

In order for us to collect and use your information, we have to have a 'legal basis' for doing so. The legal basis for processing your personal information is:

- We have to process your information to protect your or another person's life OR,
- We are processing your information as part of our public task as a local authority OR,
- You have given us consent to process your information.

The kinds of personal information we are collecting include:

- a. Name
- b. Previous name

- c. Address
- d. Date of birth
- e. Information about other people, such as emergency contact details
- f. Race
- g. Ethnic origin
- h. Religion
- i. Sexual orientation
- j. Medical/health information
- k. Criminal convictions/offences

The types of information listed in points f-k above are known as 'special category' personal information. We need an additional 'legal basis' in order to process these kinds of information.

The legal basis for processing your special category information is:

- You have given us explicit consent to process your information.
- We need to process your information to protect your or another person's life.
- Your information is of substantial public interest, according to the definition set out in the Data Protection Act 2018:
 - Information regarding race, ethnic origin, religion and sexual orientation will only be used for the purposes of statistical monitoring.
 - We will only use your medical / health information or information regarding criminal convictions / offences to protect your or another person's life.

Section 4: Sharing and transfer

We may, subject to the conditions listed above, share the information in this form with the following:

- Other services within East Lothian Council and Midlothian Council, including: Children's Services, Adult Services, Criminal Justice, Housing, Community Safety, Substance Misuse Service.
- NHS Lothian.
- Schools.
- Police Scotland.
- Scottish Fire and Rescue Service.
- Specialist Third Sector Agencies.

Your personal information will not be transferred outside of the UK.

Section 5: How long will we keep your personal information?

We keep your personal data in line with our data retention policy, called a Retention Schedule. For a downloadable copy of the Council's Retention Schedule, please visit our website at www.eastlothian.gov.uk and search for 'Retention Schedule'.

Section 6: Your rights

1. You have the right to be informed about how your information will be used.
2. You have the right to access your personal information. Normally this is done by placing a 'Subject Access Request' with the Council. For more information on placing Subject Access Requests, please visit https://www.eastlothian.gov.uk/info/210598/access_to_information.
3. You have the right to ask us to correct inaccurate or incomplete information.
4. In certain circumstances, you have the right to have your personal information erased.
5. In certain circumstances, you have the right to ask us to limit the ways we use or share your information.
6. In certain circumstances, you have the right to ask us to move, copy or transfer your information to another organisation in an electronic format.
7. In certain circumstances, you have the right to object to the ways we process your information.
8. In circumstances where your data is processed automatically, without human intervention, you have the right to certain protections.

You can find more information about data protection and your rights on the Information Commissioner's Office (ICO) website at <http://www.ico.gov.uk>

Section 7: Complaints

We take your privacy seriously, and would like to know about your concerns so that we can address them as soon as possible. If you wish to make a complaint, we recommend that you contact the Council's Data Protection Officer using the contact details at the start of this Privacy Notice.

If we are unable to resolve the issue to your satisfaction, you have the right to complain to the Information Commissioner's Office (ICO). You can find further information about raising a concern with the ICO on their website: <https://ico.org.uk/concerns/>

You can contact the ICO by post at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Telephone: 0303 123 1113 / 01625 545 745

Section 8: Consent

If we have asked for your consent in order to process your personal information you have the right to withdraw this consent in whole or in part at any time. You can do this by contacting the Council Service shown in section 1 of this Privacy Notice.

When you contact us, we will explain the consequences of withdrawing consent. If you choose to continue, we will stop using your personal information for the purpose(s) stated on this Privacy Notice.

Section 9: Information about other people

If you have provided anyone else's personal details, please make sure that you have told them that you have given their information to East Lothian Council and Midlothian Council. We will only use this information:

- To protect your or another person's life.

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