

## 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](mailto: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](mailto:dpo@eastlothian.gov.uk)

### Section 2: Why we need your personal information

We need your personal information to fulfil the responsibilities of East Lothian and Midlothian Public Protection Committee, in the following circumstances:

1. To deal with any general enquiries you make to our office.
2. To make arrangements for you to attend one of our training courses.
3. To help keep you and other people safe when a referral is made to Marac.<sup>1</sup>
4. When we have received a notification of a Learning Review.<sup>2</sup>

East Lothian Council is legally required to protect the public funds it administers. For this reason, your information may also be used to prevent and detect fraud, and we may share your information with other organisations responsible for auditing and administering public funds. For more information, please visit:

[https://www.eastlothian.gov.uk/info/210598/access\\_to\\_information/12340/privacy\\_and\\_cookies/1](https://www.eastlothian.gov.uk/info/210598/access_to_information/12340/privacy_and_cookies/1)

### 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.

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<sup>1</sup> Marac is a Multi-agency Risk Assessment Conference. This is a meeting where information is shared about the highest risk domestic abuse cases, and where partner agencies make a safety plan to support the victim.

<sup>2</sup> A Learning Review is conducted on a multi-agency basis, when partner agencies come together to learn what happened in a case involving a child or adult, in order to better protect children and adults in the future.

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The Marac Information Sharing Protocol sets out the specific purposes for sharing and the personal information being shared, the required operational procedures, consent processes and lawful justification.

The kinds of personal information we are collecting include:

	General Enquiry	Training	Marac	Learning Review
a. Name	✓	✓	✓	✓
b. Previous name			✓	✓
c. Address			✓	✓
d. Date of birth			✓	✓
e. Information about people, such as emergency contact details			✓	✓
f. Race			✓	✓
g. Ethnic origin			✓	✓
h. Sexual orientation			✓	✓
i. Medical/health information			✓	✓
j. Criminal convictions/offences			✓	✓
k. Place of work and work contact details		✓		

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:

- We need to process your information to protect your or another person's life.
- The processing of 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, Justice Services, Housing, 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](http://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](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.org.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