

East Lothian Council

Privacy Notice

Section 1: Our contact details

East Lothian Council
Community Housing &
Homelessness,
Penston House,
Macmerry,
EH33 1EX,
Freephone: 0800 413 721
chsdt@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

East Lothian Council provides a range of Community Housing and Homelessness services because the law says that we must do this.

The service we provide are in the following area:

- ❖ Provision of housing options and homelessness advice
- ❖ Allocation of housing stock
- ❖ Management of housing stock and tenancies
- ❖ Allocation and management of garages
- ❖ Management of travelling persons' site.

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

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 a legal obligation to process your information under the following legislation:

- ❖ The Housing (Scotland) Act 2014
- ❖ Housing (Scotland) Act 2010
- ❖ Housing (Scotland) Act 2006
- ❖ Housing (Scotland) Act 2001
- ❖ Housing (Scotland) Act 1987 (as amended by The Housing (Scotland) Act 2001)
- ❖ The Homelessness (Abolition of Priority Need Test) (Scotland) Order 2012

- ❖ Homelessness etc. (Scotland) Act 2003
- ❖

We are processing your information as part of our public task as a local authority.

The kinds of personal information we are collecting include:

- a. Name
- b. Previous name
- c. Address
- d. Date of birth
- e. National Insurance Number
- f. Information about other people that are, or will be part of your household
- g. Race
- h. Ethnic origin
- i. Housing histories
- j. Next of kin/family network information
- k. Medical/health information
- l. Criminal convictions/offence
- m. Information about other people who you wish to grant consent to sharing and transferring your information, such as their contact details and their relationship to you.

The types of information listed in points f-m 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 are obliged to process your information to provide employment, administer social security or comply with social protection law or collective agreements.
- We need to process your information to provide social care and to manage health and social care systems and services.
- Your information is of substantial public interest, according to the definition set out in the Data Protection Act 2018 (in relation to equalities monitoring only).

Section 4: Sharing and transfer

We will be sharing your personal information with the following:

- Other services within East Lothian Council, including Revenues, Property Maintenance, Customer Service, Social Work and Safer Communities Team
- Contractors appointed to carry out works or adaptations within your home
- Other Councils and Registered Social Landlords regarding housing applications
- Advice and support agencies where we have an authorised mandate
- Persons, you have granted us permission to share and transfer your information to
- NHS
- Schools
- Police
- Central Government

- Software companies
- Councillors

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/12300/access_to_information/1
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 <https://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

Section 8: Consent

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 by contacting the Council Service listed at the start 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 information, please make sure that you have told them that you have given their information to East Lothian Council. We will only use this information to:

- Record household information in accordance with the needs of East Lothian Council's Housing Application, household information and medical adaptation applications.
- To record persons you have granted permission to share and transfer your personal information to.