

## East Lothian Council Privacy Statement

### Section 1: Our contact details

Your personal information is being collected by:  
East Lothian Council  
Resources and People Services  
John Muir House  
Haddington  
EH41 3HA  
Telephone: 01620 827901  
Email:  
[awfinancialassess@eastlothian.gov.uk](mailto:awfinancialassess@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

To process Financial Assessments for Social Care Services

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 are processing your information as part of our public task as a local authority. The Adult Social Care Department, in determining any assistance from public funds towards the cost of residential/non-residential services, is required to assess a client's ability to pay from his/her income and capital resources. The main provisions for this are contained in the following:

- National Assistance Act 1948
- National Health Service and Community Care Act 1990
- Health and Social Service and Social Security Adjudications Act 1983
- COSLA Charges Applying to Non-residential Social Care Services

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. Income
- g. Bank accounts

- h. Proof of rent expenditure
- i. Other household members

#### **Section 4: Sharing and transfer**

We will be sharing the information in this form with the following:

- Other services within East Lothian Council, including Adult and Children's Services, Finance, Revenues, Benefits and Financial Assessments.

We may contact external bodies such as Department for Work and Pensions and Job Centre Plus.

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/12300/access\\_to\\_information/1](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 details on this form, 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:

For the purpose of processing Financial Assessments for Social Care Services and maximising household income. This information may also be used for any request to appeal charges.