



East Lothian Council Privacy Notice – Financial Management Service

Section 1: Our Contact Details

Your personal information is being collected by:

East Lothian Council Health & Social Care Partnership
Randall House
Macmerry Business Park
Macmerry
EH33 1RW
01875 824309
communitycare@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 offers a financial management service to service users who meet one or more of the following criteria:

- Who lack the capacity to manage their finances
- Who lack the ability to manage their finances
- Where there are no other family, friends, next of kin to assist them in managing their finances
- Where there may be Adult Support and Protection concerns
- Where the service user may be at risk of financial harm

In order to manage a service users finances, East Lothian Council will require personal information to allow us to correctly administer these on the service user's behalf, and in accordance with their wishes in so far as these can be obtained.

Section 3: Legal Information

East Lothian Council will process this information under its public task in accordance with the following legislation:

- Adult with Incapacity (Scotland) Act 2000
- Adult Support and Protection (Scotland) Act 2007
- Mental Health (care and Treatment) (Scotland) Act 2003

The following organisations may also grant East Lothian Council the authority to manage your finances on your behalf:

- Department of Work and Pensions (DWP): By granting East Lothian Council the authority to act as Corporate Appointee to manage your welfare benefits
- Office of the Public Guardian (OPG): By granting East Lothian Council the authority to manage your finances under Access to Funds

The kinds of personal information we are collecting include:

- a) Name
- b) Previous name
- c) Address
- d) Date of birth
- e) Bank account details
- f) Information about other people, such as emergency contact details, power of attorney, legal guardian
- g) Unique Identifier, such as Social Work Client ID Number
- h) Income that you receive, including any welfare benefits, state and occupational pension
- i) Expenditure that you normally incur
- j) Details of how you wish your funds to be administered on your behalf
- k) The views of any carers or family members

Section 4: Sharing and Transfer

We may share your financial information with the following:

- Other services within East Lothian Council (ie Welfare Rights, Debtors, Council Tax, Corporate Banking)
- Banking organisations
- Central Government or government agencies (ie DWP, Office of Public Guardian)
- Courts
- Solicitors
- Landlords, hostels and accommodation providers
- Companies that you receive goods and services from (including care homes, gas and electricity providers, phone, TV licence, home insurance etc)

Your personal information will not be transferred outside of the EU, with the exception of those customers using prepaid cards. The supplier of this service uses third party processors based in the USA. East Lothian Council has inserted a clause into its contract that obligates the Supplier to bind the sub-processor to maintain GDPR-level data protection practices.

Section 5: How long will we keep your 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: 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 when necessary.