

## East Lothian Council Privacy Statement

### Section 1: Our contact details

Your personal information is being collected by:  
Planning Service  
Development Department  
East Lothian Council  
John Muir House  
Brewery Park  
Haddington  
EH41 3HA

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

In reviewing the information submitted in response to consultation, it is important for the Planning Authority to understand who the response is from.

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:

[http://www.eastlothian.gov.uk/info/704/data\\_protection\\_and\\_freedom\\_of\\_information/433/how\\_we\\_use\\_the\\_information\\_you\\_provide](http://www.eastlothian.gov.uk/info/704/data_protection_and_freedom_of_information/433/how_we_use_the_information_you_provide)

### 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 in categories a-d below is that we are processing your information as part of our public task as a local authority. We would only publish these details if you give consent for us to do so.

- a. Name
- b. Postcode
- c. Age group
- d. Organisation and role (if applicable)
- e. Gender
- f. Marital status
- g. Race
- h. Disability
- i. Ethnic origin
- j. Religion
- k. Sexual orientation

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

The legal basis for collecting your special category information is that by completing the online survey you express consent. This information is optional and you can choose ‘prefer not to answer’ these questions. In addition, your information is of substantial public interest, according to the definition set out in the Data Protection Act 2018. Explicit consent to collect this information is given by completing the survey questions, but this information will not be published.

Consent must also be provided for East Lothian Council to store your information.

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

If you provide consent for your information to be published, response to the consultation will be made available. However, if you do not consent to your information being published, we will not routinely share this information with other Services within East Lothian Council. 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 <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**

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.