

How your personal Information is used by Environmental Health

Here at Midlothian Council we take your privacy seriously. Under the Data Protection Act 2018, you have a right to know how we collect, use and share your personal data.

Environmental Health carries out a wide range of regulatory functions for Midlothian Council. In doing so we collect information about individuals and businesses. We enforce the laws in areas such as private sector housing, food safety, workplace safety and environmental crime. We also issue various licences. This privacy notice explains the information Environmental Health needs in order to carry out these functions.

Our Privacy Promise

We promise to collect, process, store and share your data safely and securely.

What lets us collect your information?

Environmental Health processes your personal information in accordance with the following data processing conditions:-

- In specific situations you will have given us consent to collect and process your data
- Where processing is necessary for the exercise of official authority or for the performance of a task carried out in the public interest
- Where processing is required by law
- Where processing is required for the performance of a contract

The main laws under which Environmental Health can process your information are listed below.

Performing Animals (Regulation) Act 1925
Prevention of Damage by Pests Act 1949
Pet Animals Act 1951
Caravan Sites and Control of Development Act 1960
Betting, Gaming and Lotteries Act 1963
Animal Boarding Establishments Act 1963
Riding Establishments Act 1964
Caravan Sites Act 1968
Riding Establishments Act 1970
Breeding of Dogs Act 1973
Control of Pollution Act 1974
Health and Safety at Work etc. Act 1974
Dangerous Wild Animals Act 1976
Refuse Disposal (Amenity) Act 1978
Water (Scotland) Act 1980
Zoo Licensing Act 1981

Civic Government (Scotland) Act 1982
Cinemas Act 1985
Food and Environment Protection Act 1985
Housing (Scotland) Act 1987
Food Safety Act 1990
Environmental Protection Act 1990
Breeding of Dogs Act 1991
Dangerous Dogs Act 1991
Clean Air Act 1993
Noise and Statutory Nuisances Act 1993
Environment Act 1995
Breeding and Sale of Dogs (Welfare) Act 1999
Dog Fouling (Scotland) Act 2003
Antisocial Behaviour etc. (Scotland) Act 2004
Water Services etc. (Scotland) Act 2005
Fire (Scotland) Act 2005
Gambling Act 2005
Smoking, Health and Social Care (Scotland) Act 2005
Licensing (Scotland) Act 2005
Housing (Scotland) Act 2006
The Products of Animal Origin (Third Country Imports) (Scotland) Regulations 2007
Public Health etc. (Scotland) Act 2008
The Spirit Drinks Regulations 2008
Climate Change (Scotland) Act 2009
The Scotch Whisky Regulations 2009
The Official Feed and Food Controls (Scotland) Regulations 2009
Control of Dogs (Scotland) Act 2010
Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016
The Microchipping of Dogs (Scotland) Regulations 2016
Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017

What kinds of personal data do we collect?

The personal data we collect might include your **name, date of birth, address, National Insurance number, or other information that identifies you**. If necessary, we might also collect what is called 'special category' data – that is, sensitive information such as your gender and medical/health information.

How do we collect your personal data?

We collect your personal data in many different ways. You might give us your personal data yourself, by entering your information in an application form, a contact form on the Council website or by contacting a Council officer in person, in writing or over the phone. We might also receive your personal data from other council services, other agencies or local authorities.

How do we use your personal data?

The personal data collected from you may be used in different circumstances:-

- For the purposes of performing any of our statutory enforcement duties
- to contact you about a complaint, service request or application you have made to us

- to maintain any registers that the law requires us to keep
- If you have applied for a licence of some sort we may use your personal data to check that you have not been disqualified from holding a licence, committed certain offences relating to fraud, violence or drugs, or contravened any laws, rules or agreements that may stop you being issued with a licence
- to determine if you are a fit and proper person to be a registered landlord in Midlothian
- to determine if you are a fit and proper person to be a caravan site licence holder
- for the collection of any fees due to the Council
- to check that you are not under age if the law requires you are over 18 years
- to determine if you have the legal right (e.g., through ownership) to authorise works and obtain a grant for a domestic property
- For landlord register system generated notifications via the GOV.UK notify service.

Do we share your personal data?

We will only share your personal data if it is necessary to do so and the appropriate conditions have been met to protect it. We will share your personal data if we are compelled to share it by law. If we share information regularly with another organisation, the conditions for sharing your personal data are set out in an Information Sharing Agreement or are permitted by legislation.

With whom do we share your personal data?

Your Personal data may be shared with other Midlothian Council services where we are carrying out a regulatory function or where it is necessary for us to carry out a service you have asked us to. We may share your personal data with other persons authorised by Midlothian Council to act on our behalf in carrying out the requirements of the above legislation such as contractors
If necessary, we might share your personal data with other agencies and authorities, depending on the service being provided.

The external bodies with whom we might share information to carry out are functions include (organisations with a star are mandatory):

- Other Food safety regulators in local authorities
- Food Standards Scotland*
- Health and Safety Executive
- Scottish Environment Protection Agency
- A veterinary surgeon or practitioner authorised by Midlothian Council to inspect licensed premises and the animals kept there
- NHS Lothian*
- The Procurator Fiscal Service*
- Police Scotland
- Care Commission
- HMRC
- Scottish Government
- Lothian and Borders Fire and Rescue Service

How long do we keep your personal data?

Your personal data is kept in line with Midlothian Council's Retention Schedule. The retention schedule sets out the kinds of information the Council creates and uses, how long it should be kept, and what should be done with it at the end of its 'life'. [Our retention schedule.](#)

Further Information

You can find out more about how we use your information, the rights you have under the Data Protection Act, and how to contact us by referring to the overarching [Midlothian Privacy Notice.](#)