

How your personal Information is used when making an information request

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.

This privacy notice explains the information we need in order to respond to Freedom of Information (FOI) requests, Subject Access requests (SAR) and Environmental Information Regulation (EIR) requests.

Our Privacy Promise

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

What lets us collect your information?

The council has a statutory duty under the Freedom of information (Scotland) Act 2002, the Environmental Information (Scotland) Regulations 2004 and the General Data Protection Regulation 2018 to respond to request for information. This means we have a legal basis for processing your personal data. Responding to information requests is something we have to do by law, and we can't do it without processing your data.

What kinds of personal data do we collect?

The personal data we process might include your **full name, date of birth, home address, email address, or other information that identifies you**. If necessary, we might also collect what is called 'special category' data – that is, sensitive information such as 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 a form on the Council website or by contacting a Council officer in person, in writing, by email or over the phone. We might also receive your personal data from other agencies or local authorities. If we share information with another organisation, the conditions for sharing your personal data are set out in an Information Sharing Agreement.

How do we use your personal data?

If you make an SAR, FOI or EIR request, we will hold all information about your request securely in electronic format or on our customer service platform depending on how you have provided your information.

We publish responses to FOI and EIR requests on our Disclosure log, but we remove all your personal information from the response before we publish the request.

With whom do we share your personal data?

Your request for information may be shared with the Scottish Information Commissioner or Information Commissioners Office if you have appealed or complained about the way we have handled your request.

Your request for information may be shared between Midlothian Council services, including Schools to gather a response to your request.

Third party organisations which process personal information on our behalf include:

- Granicus – providers of our customer services platform

Data processing agreements with Midlothian Council are in place to ensure all personal information is processed in line with Data Protection Act 2018 requirements.

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 also find out more about how we use your information to detect and prevent fraud or crime, information collected through our website, recorded telephone calls, CCTV, the rights you have under the Data Protection Act, and how to contact us by referring to the overarching [Midlothian Privacy Notice](#).