



Tyne Esk LEADER Privacy Policy

Protecting your personal information is extremely important to Tyne Esk LEADER. We use information on you and your organisation, including names, addresses, contact details, bank details and account information for our Expression of Interest, applications and claims processes. Our enquirers/applicants expect us to manage their information privately and securely and keep their information confidential, limited to the staff team, the Tyne Esk LEADER Local Action Group (LAG), other LEADER staff and LAGs only where appropriate (for example, for co-operation (cross LEADER border) projects), appropriate Midlothian Council staff (for example Internal Audit), the Scottish Government’s Rural Communities Team and European Union (EU) LEADER officials.

This policy tells you how we will do that, in line with the 2018 General Data Protection Regulations (GDPR). Please take a few minutes to read it, and show it to anyone else connected to the policy.

The Accountable Body for Tyne Esk LEADER is Midlothian Council. This policy is aligned with Midlothian Council’s data protection policies and processes. It also aligns with the Service Level Agreement and Data Sharing Agreement between Midlothian Council (on behalf of Tyne Esk LEADER) and the Scottish Government, and the data protection policies and procedures of the Scottish Government, the EU and associated bodies such as the Scottish Rural Network.

What is Personal Information?

When we talk about personal information we mean information about an individual that can identify them, such as their name, address, e-mail address, telephone number and financial details. Any reference to “information” or “data” in this policy is a reference to personal information about a living individual.

What Information Do We Hold?

We may collect and process the following personal information about you:

Type of data	Description	Examples of how we use it
Contact	<ul style="list-style-type: none"> Name Address (work/business/home) Contact details: telephone and email address 	<ul style="list-style-type: none"> Contacting you regarding your project Setting up your LARCs online application accounts



Type of data

Description

Examples of how we use it

Organisation Information

- Name and address of organisation
- Contact details of organisation: telephone and work email address
- Position within organisation
- Website URL
- Datazone of organisation/project
- Description of organisation
- Organisation type and subtype
- Trading/non-trading
- Business Reference Number
- Formed date
- Organisation registration number
- VAT registration number
- Main Activities
- Constitution/ Articles and Memorandum
- Committee members/Directors' list

- Processing your application

- Contacting you regarding your project
- Processing your application

Financial Information

- Bank details (of main applicant: organisation or individual)
- 3 months' bank statements
- 2 or 3 years' organisation accounts
- Bank/credit card statements showing incoming match funding and project expenditure

- Assessing your need for the grant and your financial risk
- Making claims

Consent & Preferences

- Ways you want us to contact you (via the Fair Processing Notice)

- Contacting you to receive other LEADER information

Project Related

- Relevant insurance documents

- Processing your application



- Title deeds of property/land ownership
- Lease of land/property
- For Farm Diversification projects:
 - ❖ Main Location Code
 - ❖ Land Parcel Identifier(s) (LPID(s))
 - ❖ LPID map

Where Do We Get our Information From?

Information you give us when

- You fill in an Expression of Interest form; this is saved and filed.
- You contact us by phone, email or website contact form is not saved or stored.
- You complete the application process.
- You complete claims.

Tyne Esk LEADER have a Data Sharing Agreement with the Scottish Government to handle data, including personal data, on their behalf. This Data Sharing Agreement can be accessed by contacting a member of the Tyne Esk LEADER staff team (contact details are given at the end of this document). Tyne Esk LEADER is defined as the Data Processor and the Scottish Government the Data Controller.

How Do We Use Your Information?

We use personal information that we hold about you:

- To contact you at any time about your project idea/application/project.
- To obtain feedback from the Tyne Esk LEADER LAG on your Expression of Interest, though the name, address and contact details we may previously have passed on will not be passed on from 25th May 2018.
- To provide information to other LEADER areas who may potentially be involved (for example, if your project is a co-operation project).
- To process and assess your application.
- To assess and process your claims if your application is successful and your project goes live.
- To contact you occasionally with information about other funders.



- The Scottish Government Rural Communities Team have access to your information via the LARCs online application system and can access it at any time. For their Privacy Policy, please consult:
<https://www.ruralpayments.org/publicsite/futures/privacy-policy/>
- The Scottish Rural Network is the agent who primarily receives your initial Expression of Interest form. For their Privacy Policy, please consult:
<https://www.ruralnetwork.scot/privacy>

Using Your Information in Accordance with Data Protection Laws

Tyne Esk LEADER is complying with the requirements under the 2018 GDPR in this policy and other documents and procedures. If you would like to find out more please contact us using the contact details at on page 6.

How Long Do We Keep Your Information For?

Our Service Level Agreement with the Scottish Government states that all records (Expressions of Interest, applications and associated documents and claims and associated documents) must be maintained, as a minimum, by the Tyne Esk Accountable Body (Midlothian Council) for a period of:

- Three years following the European Commission's formal closure of the Scottish Rural Development Programme (which may extend beyond the end of the 2014-2020 LEADER programme)
- Six years from the end of the financial year during which final payment in relation to those activities was made, or 10 years where the funded activity related to the purchase of heritable property.

Who Do We Share Your Personal Information With?

Enquiry Stage

When you make an enquiry (prior to submitting an Expression of Interest), we will not share your information with anyone, unless expressly discussed and consented to by yourselves (this may include for example Business Gateway).

Expression of Interest Stage

Your information is passed to us at this stage via the Scottish Rural Network, to whom your Expression of Interest form is submitted when you fill it in. Please consult their Privacy Policy at <https://www.ruralnetwork.scot/privacy>. Once we receive your information, we pass on everything you complete on the Expression of Interest form except individuals' names, contact details and position in organisation to the Tyne Esk



LEADER LAG for their feedback. This feedback is then shared with you once collated, and re-shared with the LAG.

If your application is a co-operation (cross LEADER area border) project, we will share your information with fellow LEADER staff teams if they are thought to be potential partners on the project.

Application Stage

At application stage, we share your information with:

- The Tyne Esk LEADER LAG, who assess the applications.
- For co-operation projects, staff of other LEADER areas and their LAGs.
- For Local Authority led or co-operation projects, the Scottish Government, who conduct an assessment of the project.

The Scottish Government hold the LARCs online application system, and may view your information at any time. Please access their Privacy Policy at <https://www.ruralpayments.org/publicsite/futures/privacy-policy/>

Claims Stage

The Scottish Government's Rural Communities Team will audit the Programme annually and the EU Court of Auditors may audit projects on an ad hoc basis. This would be governed by the respective data protection policies of these bodies.

Fraud Prevention

To apply to LEADER you must have Business Reference Number (BRN) set up with the Rural Payments Inspectorate Division (RPID), which contains the Senior Applicant's name, and address and bank account details of the organisation/individual applying. A check is then carried out by LEADER staff at the start of the application process to verify this with RPID, which assists in the prevention of fraud in relation to personal details.

Your Rights

You have rights under data protection law including GDPR that relate to the way we process your personal data. Your rights in relation to Tyne Esk LEADER can be found on pages 7 and 8. More information on these rights can be found on the Information Commissioner's website at

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>



Contacts Details

If you have any questions about this privacy policy or wish to exercise any of your rights, please contact us directly at info@tyneesk or 0131 271 3590, or Accountable Body Midlothian Council's Data Protection Officer at dpo@midlothian.gov.uk. Alternatively you can contact us in writing at:

Tyne Esk LEADER
Fairfield House
8 Lothian Road
Dalkeith
EH22 3AA



Your Rights

Some of the rights under GDPR apply to Tyne Esk LEADER and some do not (those which do not are presented in italics below):

The right to be informed

We will provide you with our Privacy Policy as soon as you provide us with personal data, at Expression of Interest, application and/or claims stage.

The right of access

You can request access to the personal data we hold on you via a Subject Access Request (SAR).

The right to rectification

If the information we hold on you is incorrect, you have the right to request it is rectified. This will be possible at Expression of Interest stage, and application and claims stage up until submission, but once your application/claim has been submitted onto the LARCs system, rectification is outwith the control of Tyne Esk LEADER.

The right to erasure or to be forgotten

We have a duty enforced upon us by the Scottish Government (on behalf of the EU) that information you provide on Expressions of Interest, applications and claims is kept for a period of time. Please see section 'How Long Do We Keep Your Information For?'

The right to erasure is more applicable to private activities, for example where marketing is involved, to give people the right to stay out of the public eye.

The right to restrict processing

The LEADER process assumes you are happy to proceed with your Expression of Interest and/or application and it is you who supplies us with information. If you do not wish to proceed at any point please contact us and the process will be ceased.

The right to data portability

This right involves information we hold being transferred to another body. Information contained within Expressions of Interest may be portable if an enquirer requests, but that contained within the LARCs system is not because it is not technically feasible. One section of LARCs is populated with uploaded information provided by the applicant which they themselves may hold in their own files. It is therefore the responsibility of the applicant to transfer this information if they wish.

The right to object

This usually applies to marketing activities and would not be applicable to an application process where consent is assumed by the enquirer/applicant providing information of their own accord. You do however have the right to object to us holding



any of your information, but it may not be possible to uphold the request depending upon the stage at which it is made.

Rights in relation to automated decision making and profiling

This relates to use of information for consumer marketing profiling and does not apply to Tyne Esk LEADER.

How to Exercise Your Rights

You can exercise the above rights which apply to Tyne Esk LEADER either by contacting us directly, by email at info@tyneesk.co.uk or by phone on 0131 271 3590, or by contacting Accountable Body Midlothian Council's Data Protection Officer at dpo@midlothian.gov.uk.

We must respond without due delay, no later than one month from the request. Enquiries received verbally will be logged in our internal system.

Data Breaches

Data Breaches include, for example, paper files being lost or mislaid, or electronic files being left on a computer for other members of the public to see. We must report data breaches to the Information Commissioning Officer within 72 hours. We will inform individuals affected where there is a high risk to those individuals, in line with the regulations.