PRIVACY NOTICE

Social Care – Blue Badge Scheme

Who we are

Moray Council, Council Office, High Street, Elgin, Moray, IV30 1BX, moray.gov.uk 01343 543451, is a Local Authority established under the Local Government etc. (Scotland) Act 1994. We are the Data Controller of the personal data being collected. Health and Social Care Moray is the Partnership between Moray Council and NHS Grampian to deliver health and social care services for Moray.

Why we are collecting your personal data

When you apply to the Council for a Blue Badge, by completing an online or paper form, personal data will be collected about the applicant. The data requested is required in order for us to manage the Blue Badge scheme; including to assess your eligibility and process your application. This personal data may include:

- Full name (including surname at birth)
- Current address, previous address and proof of address
- Contact details: email address, mobile/telephone number
- Gender, date and place of birth
- National insurance number, or in the case of a child under 16 years of age, their CHI number
- Driving licence number
- A passport sized photograph
- Proof of identity and proof of entitlement to benefits as described in the application form
- Previous Blue Badge information: issuing authority, serial number and expiry date of badge
- Medical information e.g. a diagnosis letter for Risk in Traffic applications, recent surgery.

Personal data we collect from other sources

As part of this process, personal data about you may be collected from another source, for example, if verification checks are completed for eligibility.

When a Blue Badge application form is completed on someone else's behalf, we will also gather:

- The name and contact details of the person completing the form and their relationship to the applicant.
- The counter signatory's: name, job title, date of last contact with the applicant, registration number, organisation they work for and contact details.
- For organisational applications: name of the organisation, Charity number (if applicable), name of main contact, current address and contact details.

Our legal basis

Whenever the Council processes personal data we need to make sure we have a legal basis for doing so. We understand the Council's legal basis in data protection law to be Article 6(1)(e) of the United Kingdom General Data Protection Regulation (UK GDPR) because your personal data is necessary for the performance of a task carried out in the public interest by the Council. The processing is necessary for the Council to comply with its legal obligations under:

- Chronically Sick and Disabled Person's (Scotland) Act 1970
- Local Government (Scotland) Act 1973
- The Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000

Personal data that counts as 'special category data', such as data about health, must satisfy extra conditions when processed. We understand our legal basis in data protection law for processing this special category data to be Article 9(2)(g) of the UK GDPR, and Schedule 1, Part 2, paragraph 6 of the Data Protection Act 2018, as the processing is necessary for reasons of substantial public interest for statutory and government purposes, for the exercise of functions conferred under the above legislation.

Who we share this personal data with

The national online Blue Badge application system and database of Blue Badge holders that the Council feeds into is maintained by the Department for Transport (DfT). A company called Valtech Limited runs this on their behalf. Moray Council's Blue Badge application system integrates with the DfT's National system, so that you, the applicant, can apply to the Council directly or through the national system. Personal data of Blue Badge holders is held on both the Council and National systems, including when you use a paper copy of the Blue Badge application form.

Your photograph, name and address are shared with APS Group so that they can produce and send out your Blue Badge; DfT have a contract with APS Group for the printing and sending out of Blue Badges.

The Council makes sure that the DfT, Valtech Limited and APS Group manage your personal data appropriately through the agreements we have in place with them.

If your application requires to be assessed by an Occupational Therapist (OT), your application will be shared with the Council's OT team, so that they can assess your eligibility and contact you to arrange a physical assessment, if required.

When you apply for a Blue Badge, we will give you the option of us verifying your address against our Council Tax records, so that you don't have to provide evidence of where you live. Similarly, if you have a visual impairment, we will ask you if you would rather we verify

this with North East Sensory Services, instead of having to provide us with evidence as part of the application process.

As part of the National Fraud Initiative (NFI) and under the Public Finance and Accountability (Scotland) Act 2000, the Council regularly shares Blue Badge data with Audit Scotland for data matching exercises in order to detect fraud or possible fraud. More information on the NFI is available here: audit.scot/what-we-do/counter-fraud

Under the Public Bodies (Joint Working) (Scotland) Act 2014, Local Authorities and Health Boards are required to work together to integrate health and social care services. As we work together with NHS Grampian to deliver integrated services through Health and Social Care Moray, your data may be shared with NHS Grampian. This Partnership is overseen by the Moray Integration Joint Board.

Personal data may be shared internally with authorised officers of the Council if having access to personal data is a necessary part of their roles to ensure records are accurate and up to date. It may also be shared with other relevant Council Services where applicable.

The Council may share this personal data with other relevant Council Services and third parties, where we are under a legal obligation to do so. For example, this may be with Police, Social Security Scotland, UK Border Agency or other Registered Professional Bodies.

The Council is required by law to protect public funds against fraud. It may share personal data with other relevant Council Services and third parties responsible for auditing and administering public funds, or who otherwise have responsibility for preventing and detecting fraud.

How long the information is held for

Your personal data will be securely stored by Moray Council for a pre-determined length of time. Information is only kept for the minimum amount of time necessary. We maintain a record retention schedule which sets out how long we retain different types of personal data. This is available on our website: www.moray.gov.uk/RetentionSchedules (under Section 5 of the Records Management Plan).

The Council stores information within the UK.

Please Note: Where we hold information that relates to children that have been in residential care, or looked after by Moray Council (or any of our predecessor bodies) between the year 1930 and the present day, we are currently not destroying any of our records. This is due to the ongoing Scottish Child Abuse Inquiry, investigating the abuse of children in Scotland who may require to use this information as part of the Inquiry. This will be the case until we receive further notification from the Inquiry.

Your rights

Moray Council is the Data Controller for this personal data. You have legal rights about the way the Council handles and uses your personal data. These include the right to ask for a copy of it, to ask us to correct it and to ask us to stop doing something with your personal data.

As so far as the legislation permits, you also have the right to request the deletion of your data, and to object to the processing.

For more information about these rights, please see the Information Management pages on the Council's website here: www.moray.gov.uk/InformationRights. Alternatively, email the Council's Data Protection Officer at: IG@moray.gov.uk

If you have a concern about the way the Council has handled your personal data, you can make a complaint to the Council's Data Protection Officer in the first instance; an e-form is available on the Council's website here: www.moray.gov.uk/Complaints

You also have the right to make a complaint to the Information Commissioner's Office. They are the body responsible for making sure organisations like the Council handle your personal data lawfully.

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Telephone: 0303 123 1113 Website: https://ico.org.uk/
Online: https://ico.org.uk/make-a-complaint/data-protection-complaints/