PRIVACY NOTICE

Community Safety

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.

Why we are collecting your personal data

We may collect your personal data in different ways. Data may be collected from you directly, for example when you provide your details when completing the e-form on our website to report antisocial behaviour online, or, when you phone or email the Council, including the Council's Customer Contact Centre. Alternatively, personal data may be collected about you from another source.

Personal data we collect from other sources

Under Section 1 of the Antisocial Behaviour etc. (Scotland) Act 2004, Moray Council and the Chief Constable of Police Scotland are required to produce a joint strategy for dealing with antisocial behaviour in Moray. A key element of this strategy is the sharing of information between 'relevant authorities' who have 'an interest in dealing with antisocial behaviour'.

Section 139 of the 2004 Act allows for the disclosure and sharing of information where it is necessary or expedient for the purposes of the Act or any other enactment connected with antisocial behaviour or its effects.

Moray's Community Safety Partnership was established to collaboratively manage antisocial behaviour in Moray. Partnership Organisations include: Moray Council; Police Scotland; Scottish Fire and Rescue Service; the Scottish Association for the Care and Resettlement of Offenders; National Health Service (NHS) Grampian; Victim Support Scotland, and, Housing Associations. Data may be shared about you, and, gathered from our Partnership Organisations.

The personal data collected and shared between Partnership Organisations may include:

name(s); date(s) of birth; address(es); gender(s); information about family connections and known associates; health information and personal information relating to criminal offences, convictions and related security measures.

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 or in the exercise of official authority vested in the Council and the task or function has a clear basis in law – in this case, the Anti-Social Behaviour etc. (Scotland) Act 2004.

Personal data that counts as 'special category data' such as information about health, and, personal data relating to criminal convictions and offences, or related security measures must satisfy extra conditions when processed. We understand our legal basis in data protection law for processing these types of data to be Article 9(2)(g) of the UK GDPR and Schedule 1, Part 2, Paragraph 10 of the Data Protection Act 2018, and, Article 10 of the UK GDPR and Schedule 1, Part 2, Paragraph 10 of the Data Protection Act 2018; as the processing is necessary for reasons of substantial public interest, for the prevention or detection of unlawful acts.

Who we share this personal data with

Personal data may be shared with Moray's Community Safety Partnership Organisations. There are appropriate data sharing arrangements in place with these organisations to cover such data sharing.

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, such as 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 personal data 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

The Council stores information within the UK.

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/